

**LUZERNE COUNTY
PERSONNEL POLICY**

JANUARY 1, 2011

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CHAPTER 1

PURPOSE AND SCOPE

1.0 INTRODUCTION

These Policies are created pursuant to Resolution Number 1062004A, dated January 6, 2004 and serves as a general informational guide to the County's current employment policies and shall not be construed as a contract or to create a contractual obligation. The County reserves the right to amend, delete, supplement, or rescind any of the provisions of this manual as the County Manager deems necessary and appropriate at any time. These Policies will supersede the previous policies approved by the County Manager.

1.1 INTENT OF POLICIES

These policies are not intended to be a contract, express or implied, or a guarantee of employment for any specific duration. No non-elected representative of the County has the authority to enter into any agreement with an individual for employment for any specified period or to make any written or verbal commitments contrary to the foregoing, unless in writing, approved by the County Manager.

1.2 SCOPE OF POLICIES

These personnel policies apply to all County employees, Boards and Commissions: provided, however, where the application of these policies would conflict with applicable civil service rules, and County Code or other laws, the provisions of the civil service rules, County Code or other laws shall govern. All non-economic personnel policies (i.e. those covering other than wages, benefits and similar provisions with financial aspects) will apply to those employees covered by a valid/effective collective bargaining agreement in the event that such collective bargaining agreement does not have applicable language.

1.3 CHANGING THE POLICIES

Policy changes may occur at any time, with any such policy change to be formulated by the Human Resources Department then reviewed by the County Manager. New and/or revised policy will be officially kept and distributed by the Human Resources Department.

1.4. DEFINITIONS.

A. **Elected Official:** An officer elected by the qualified electors of the County, or legally appointed to that position, who has responsibility for directing and controlling one or more departments within the County organization including:

1. Eleven (11) Council Members
2. One (1) Controller
3. One (1) District Attorney

Unless otherwise noted, any reference, in this policy, to a Department Head, includes Row Officers.

B. **Department Head:** An employee who has responsibility for directing and controlling one or more departments within the County organization.

C. **Exempt Employee:** An Employee is determined to be “exempt” when their position meets the definition for such as per the Fair Labor Standards Act (FLSA). Exempt employees are typically Executives, Managers, Administrators and other professional employees and are not eligible for overtime and/or compensatory time.

D. **Non-Exempt Employee:** An Employee is determined to be Non-Exempt when they meet the definition for such as per the Fair Labor Standards Act (FLSA). Non-Exempt employees are typically unskilled labor, semi and skilled trades and crafts workers, clerks, administrative secretaries, technicians etc.. Non-Exempt employees are eligible for premium pay and/or compensatory time for hours worked in excess of forty (40) hours in a workweek.

E.. **Immediate Family:** An employee’s immediate family includes the employee’s spouse or domestic partner, child, parent, siblings, mothers and fathers-in-law, sons and daughters-in-law, grandparents, grandchildren, and step relatives of the same degree listed above.

F. **Probationary Employee:** Employees who have not yet completed their probationary period in a regular position and who have not been certified to regular employment status. Unless otherwise specified, when regular employees are referred to in these policies, they shall include probationary employees.

G. **Regular Full-time Employee:** An employee who has successfully completed their probationary period, and has been certified to regular employment status. Such employees regularly work between thirty-two and one half (32 ½) and forty (40) hours per week, As set and required by respective departmental hours of work schedule, on a continuing basis and are eligible for County Benefits. For purposes of this section, The Chief County Solicitor and

Assistant Solicitors in the Office of Law and are considered as employees eligible for County benefits.

- H. **Regular Part-time Employee:** An employee who works less than a regular full-time scheduled employee, but a minimum of twenty (20) hours a week, for a minimum of 1,000 hours per year on a continuing year to year basis. Such employees are eligible for pension and pro-rated vacation benefits only.
- I. **Temporary/Seasonal Employee:** An employee who holds a paid position of limited duration, arising out of special projects, abnormal workloads or emergencies. Temporary/Seasonal employees are not eligible for County benefits.
- J. **Per Diem Employee:** An employee who has established an employment relationship with the County, but is assigned to work on an intermittent and/or unpredictable basis. They shall receive all legally mandated benefits (such as workers' compensation insurance and Social Security), but not eligible for all other County benefits.
- K. **At-Will Employee:** The County does not offer tenured or guaranteed employment. Either the County or the employee can terminate the employment relationship at any time, with or without cause, with or without notice. This at-will employment relationship exists regardless of any other written statements or policies contained in this Handbook or any other County documents or any verbal statement to the contrary.

CHAPTER 2

WORK ENVIRONMENT

2.1 EQUAL EMPLOYMENT OPPORTUNITY

- A. The County is an equal employment opportunity employer. The County recruits, employs, retains, promotes, terminates and determines terms and conditions of employment for all employees and job applicants without discrimination based on sex, actual or perceived sexual orientation or gender race, color, religion, national origin, pregnancy, age, marital status, disability, or disabled or Vietnam-era or other veterans' status.

- B. Employees with life threatening illnesses, such as cancer, heart disease, or HIV/AIDS conditions, or communicable diseases such as tuberculosis or influenza, are treated the same as other employees. They are permitted to continue working so long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves or their co-workers. The County will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when substantial and unusual safety risk to fellow County employees or the public exists.

2.2 HARASSMENT/DISCRIMINATION

- A. The County is committed to ensuring that the practices and conduct of all its employees comply with the requirements of federal law and state laws against employment discrimination. To that end, the County expects all employees to work in a manner that reflects mutual respect, courtesy and dignity amongst co-workers. It is the policy of the County that all employees have the right to work in an environment free from harassment/discrimination based upon their race, color, religion, gender, national origin, age, marital status, actual or perceived sexual orientation or gender identity, any physical or mental disability, or any other protected status or characteristic. The County will not tolerate any such harassment/discrimination of employees by their co-workers, supervisors or by the County's vendors.

- B. For the purpose of this policy, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal, graphic, or physical conduct of a sexual nature when: (1) It is made either explicitly or implicitly a term or condition of an individual's employment; (2) It is used as the basis for employment decisions affecting an individual; (3) It has the effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment for that employee or for other employees even when they are not parties to the harassment; or (4) It negatively affects an employee whose supervisor is

receiving sexual favors, voluntarily or involuntarily from a co-worker.

Sexual harassment may include, but is not limited to:

1. Unwelcome or unwanted flirtations, propositions, or advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, putting ones arm around another, or any other similar physical contact considered unacceptable by another individual.
 2. Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning an individual's employment.
 3. Verbal abuses or kidding that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance when such comments go beyond an isolated innocuous compliment; off-color jokes or offensive language; or any other tasteless, sexually oriented comments, innuendoes, or offensive actions, including leering, whistling, or gesturing.
 4. Participation in fostering a work environment that is generally intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, use of derogatory language, office décor, suggestions, requests, demands, physical contacts, or attention.
- C. For the purpose of this policy, "other harassment/discrimination" (non-sexual) is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of such individual's protected statuses or characteristics such as his/her race, color, religion, gender, national origin, age, marital status, sexual orientation, and any physical or mental disability or that of his/her relatives, friends, or associates and that:
1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
 2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
 3. Otherwise adversely affects an individual's employment opportunities.

Examples of such harassment/discrimination includes, but is not limited to: using epithets, slurs, or negative stereotypes; or threatening, intimidating, or engaging in hostile acts that relate to protected statuses or characteristics such as those referred to above (including purported jokes or pranks or placing on walls, bulletin boards, or elsewhere on the work premises or circulating in the workplace written or graphic material that denigrates or

shows hostility or aversion toward a person or group because of a protected characteristic).

2.3 HARASSMENT/DISCRIMINATION COMPLAINT PROCESS

- A. An employee who believes that he or she is being harassed or discriminated against in violation of this policy should report the incident promptly after the cause has occurred or should have been discovered.
- B. A complaint can be made verbally or in writing to the employee's supervisor or the employee's Department Head. In addition, or in the alternative, as the employee may wish, the complaint may be brought to the attention of the County Manager, or his/her designee.
- C. The complaint form (Appendix B) available from the Department Head, the County Manager, or his/her designee, may be used to file a written complaint here under. A harassment/discrimination complaint will be handled as follows:
 - 1. Every complaint is to be reported promptly to the County Manager, or his/her designee, either by the complainant or by the person receiving the complaint.
 - 2. The complaint will be immediately investigated. However, choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
 - 3. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the County's need to undertake a full investigation.
 - 4. There shall be no retaliation by the County, its officers, elected officials, supervisors, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment/discrimination complaint.
 - 5. Where the investigation confirms the allegations, the County will take prompt corrective action and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
 - 6. There may be instances in which an employee reporting harassment/discrimination seeks only to discuss the matter informally and does not wish the County to undertake an investigation or to take further steps. The County will attempt to honor the wishes of the reporting individual. In such situations, the County may arrange some informal mechanism for resolving the issues. However, an individual

reporting harassment/discrimination should be aware that the County might decide it must take action to address the harassment/discrimination beyond informal means.

- D. The County Manager, or his/her designee, shall be responsible for disseminating information on the County's Policy against Sexual and Other Kinds of Harassment/discrimination, for developing training programs and guidelines for preventing sexual or other forms of harassment/discrimination, and for investigating and resolving allegations of harassment/discrimination.
- E. All Department Heads are assigned responsibility for implementing these policies, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action where warranted. Department Heads must open and maintain channels of communication to permit employees to raise concerns of sexual or other harassment/discrimination without fear of retaliation, stop any observed harassment/discrimination, and treat harassment/discrimination matters with sensitivity, confidentiality, and objectivity. A Department Head's failure to carry out these responsibilities may be reflected in the Department Head's performance review or salary adjustment or may result in discipline or termination.

2.4 NO TOBACCO USE POLICY.

- A. For health and safety considerations, all County owned or leased buildings, vehicles and equipment are hereby designated as no tobacco use areas pursuant to the County Policy.
- B. This policy applies to all employees, visitors and members of the public utilizing any facility of Luzerne County.
- C. All Department Heads are responsible for enforcing this policy among those employees under their supervision. Every Luzerne County employee has the responsibility to notify visitors to our facilities, of our no tobacco use policy. All encounters regarding the enforcement of this policy must utilize tact, diplomacy and courtesy at all times.
- D. As to employees of the County, the failure to comply with our no tobacco use policy will result in the following:
 - 1. First Offense – Oral warning. The Department Head, or his/her designee, who is imposing this warning will make a record of it and record the offense in the employee's personnel file.
 - 2. Second Offense – Written warning. The Department Head, or his/her designee, who is imposing the written warning will document the incident, send the original to the employee involved and maintain a copy in the employee's personnel file.

3. Third Offense – second written warning. The Department Head, or his/her designee, who is imposing the written warning, will follow the same procedure as for a second offense.
4. Fourth Offense – Employee will receive a one (1) day suspension, without pay.
5. Fifth Offense – Employee will receive a three (3) day suspension, without pay.
6. Sixth Offense – Employee will be terminated.

2.5 DRUG AND ALCOHOL FREE WORKPLACE

It is in the best interest of the County, its employees and customers that all employees are able to work to the best of their capabilities, and that employees are not exposed to the hazards which arise when drugs or alcohol are present on the premises. Therefore, the County will not tolerate the possession, use or sale of alcohol, controlled substances, or any illegal drug on Company premises or at any job/work site, or the impairment of job performance arising from the use of these substances.

A. PURPOSE

1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and a healthy manner;
2. Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse;
3. Prohibit the unlawful manufacturing distribution dispensing, possession, or use of controlled substances; and
4. Encourage employees to seek professional assistance to overcome any addiction to, dependence upon, or problem with drugs or alcohol prior to testing positive under this policy

B. DEFINITIONS

While on-the-job involvement with drugs and/or alcohol is a violation of the policy, the employer also expects employees to report for work in a condition to perform their duties. It is recognized that employee's off-the-job involvement with drugs and/or alcohol can have an impact on the work place and the employer's ability to accomplish the goal of a drug and alcohol-free work environment. For the purpose of this policy, the following definitions apply:

1. Alcohol or alcoholic beverage - any beverage or medication that may be legally sold and consumed and that has an alcoholic content in excess of

.5% by volume.

2. Illegal drug - any drug or controlled substance, the possession, sale, purchase, consumption, manufacturing, or other use of which is illegal under federal or state law.
3. County property - all premises, facilities, buildings, or motor vehicles (whether owned, leased, or used), including other work locations or while traveling to and from these locations while in the course of employment. The term includes locations that are non-County facilities where the employee represents the employer in any capacity.
4. Work hours - includes all working hours as well as meal periods and break periods, regardless of whether on County property.
5. Medical Review Officer (MRO) - A licensed physician responsible for receiving a laboratory result generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

C. PROHIBITED ACTIVITIES:

Employees are prohibited from being under the influence of alcohol or illegal drugs during work hours, on County property, or while performing County business. Employees are prohibited from:

1. Using alcohol during work hours, on County property, or while performing County business, or
2. Using, selling, possessing, manufacturing, or purchasing illegal drugs during work hours, on County property, or while performing County business.

D. TESTING

The Cost of testing, except a split sample test, will be paid by the employer. Employees will be paid for time lost while taking the test.

1. **Pre-employment Testing.** The parties recognize that the Employer has the management right to require pre-employment testing of applicants, and to establish its own policies concerning such testing. The provisions of this policy shall therefore not apply to pre-employment testing.
2. **Reasonable Suspicion/Test.** There are circumstances under which

the employer reserves the right to request that an employee submit to a controlled urine drug screen test or breathalyzer test by qualified personnel for the presence of alcohol or illegal drugs. Each employee is expected to comply with the drug and alcohol policy as implemented. County security will be contacted to escort the employee to the designated facility for testing. An employee who fails to submit to the test as required, tampers with the urine sample, or after reasonable opportunity, fails to complete any step in the testing process will be deemed to have refused a drug and/or alcohol test. Such individuals will be terminated.

A reasonable suspicion test will be given when the employer has a reason to believe that an employee is using or has used drugs or alcohol in violation of the policy based on specific objective and articulated facts and circumstances which are consistent with the short-term effects of substance abuse. Examples of reasonable suspicion include, but are not limited to the following:

- a. observable phenomena, such as direct observation of drugs, or the physical symptoms or manifestations of being under the influence of drugs or alcohol, such as slurred speech or glassy eyes;
- b. abnormal conduct or erratic behavior while at work, including absenteeism, tardiness, or deterioration in work performance including flagrant disrespect or violation of established safety, security or other operating procedures.
- c. A report of drug use provided by reliable and credible sources and which has been independently corroborated;
- d. Evidence that an individual has tampered with a drug test during his/her term of employment with the employer.
- e. Information that an employee has caused or contributed to an accident while at work; and
- f. Evidence that an employee is involved in the use, possession, sale, solicitation, manufacturing, or transfer of illegal drugs while working or while on the county's premises or operating County vehicles or equipment.

3. Post-Accident Test will be conducted on an employee who is involved in an accident or unsafe practice during work hours or while performing County business that involves:

- a. a fatality
 - b. an injury requiring immediate medical treatment away from the scene of the accident, or
 - c. significant property damage unless employee performance, as determined by the Department Head using information available at the time of the accident, is discounted completely as a causative of contributing factor for the damage.
- Employees are to report such accidents promptly and failure

to notify their immediate supervisor or designee can result in disciplinary action up to and including termination.

Employees must not consume alcohol after an accident until after she/he has been tested, eight hours have elapsed, or the employee is notified that she/he will not be tested, whichever occurs first.

4. Urine Drug Testing:

- a. The Employer will utilize testing facilities that are certified by DHHS to perform urinalysis tests. Initial and confirmation tests will utilize DOT/NIDA cutoff levels. All specimens identified as positive on the initial test shall be confirmed and reported to the employer's Medical Review Officer (MRO). The MRO will review the test results, discuss the positive findings with the employee or applicant, and if the MRO has reason to doubt the test findings, can order a retest. The MRO can reverse a positive finding without retesting if his/her review raises questions about the validity of the results.
- b. An employee may request, within 72 hours of notification of a positive test by the MRO, that a split sample be tested at a different or the same DHHS certified laboratory. If the second test is performed at the same DHHS certified laboratory, the employer shall pay for the cost of the second test. If the second test is performed at a different DHHS certified laboratory then the employee shall pay for the cost of transporting and testing; provided, however, that if the employee tests negative on the second test, the Employer shall reimburse the employee for these costs. Provided further that applicants shall in all cases pay for all costs associated with a second test.

5. Alcohol Breath Testing:

An initial test will be administered by a breath alcohol technician using an Evidential Breath Testing (EBT) device on the national Highway Traffic Safety Administration's Conforming Products List. Initial and confirmation tests will be identified as positive if the alcohol concentration is .04 or greater. An initial test with an alcohol concentration below .04 will be reported as negative. If the results of the initial test are .04 or greater, a confirmation test will be conducted on the same EBT. The confirmation test is deemed to be the final test result.

- E. Positive Test Result.** A positive test result means that an employee has violated the policy and will be subject to immediate termination. If the employee has never previously violated this policy, the Employer shall offer the employee a "last chance agreement" which shall set forth terms and conditions that the employee must comply with in order to continue employment.

- F. **Negative Test Result.** A negative test result means that an employee has not violated this policy. The employment status of the tested employee remains unchanged.
- G. Failure to comply with the request for drug/alcohol testing will be cause for termination.

2.6 SAFETY.

- A. It is the responsibility of each employee that all tasks be conducted in a safe and efficient manner complying with all local, state and federal safety and health regulations, programmatic standards, and with any special safety concerns identified by County for use in a particular area.
- B. Although most safety regulations are consistent throughout each department and program, it is the responsibility of the employee to identify and familiarize himself with the Emergency Plan and Safety and Health guidelines for his working area.
- C. Each facility shall have posted an Emergency Plan detailing procedures in dealing with emergencies such as Fire, Weather, Medical Emergency, etc.
- D. It is the responsibility of the immediate Supervisor, with Department Head review, to complete an "Accident and Incident Report" (available on the County website), for each safety and health infraction that occurs by an employee or that an employee witnesses.
- E. Failure to report such an accident/incident immediately, but no later than twenty four (24) hours may result in employee disciplinary action, including termination.
- F. Each employee should sign a safety statement during new employee orientation. Furthermore, management requires that every person in the organization assume the responsibility of individual and organizational safety.
- G. Failure to follow County safety and health guidelines or conduct which places the employee, volunteer, citizens or agency property at risk can lead to employee disciplinary action and/or termination.
- H. The Safety Committee and the County Manager shall have the responsibility to develop, and authority to implement, the safety and health program in the interest of a safer work environment.

CHAPTER 3

RECRUITMENT, HIRING AND EMPLOYMENT

3.1 GENERAL POLICY

- A. All staffing levels, changes to staffing levels and changes in individual employee status must be approved in advance by the County Manager. This includes new hires, terminations, layoffs, promotions, transfers, changes in compensation / benefits, leaves of absence, discipline and any other change in employee status in line with the County Personnel and Administrative Code and/or approved Personnel Policy.
- B. Official changes in staffing and individual employee status can only be made effective by utilizing the “Employee Change of Status Procedure”. Each category of change for either new or existing employees must be documented and submitted for approval using the “Request for Employee Change of Status Form”. The required levels of approval to effect change are set forth in the “Authorization Schedule” portion of the Employee Change of Status Procedure.
- C. The Human Resources Department is responsible for administering the Employee Change of Status Procedure.

3.2 RECRUITING & HIRING

- A. The County’s policy/practice is to first consider existing employees in filling vacant positions. In the event it is necessary to recruit externally, the County will publicly advertise the vacant position(s) utilizing the County Website and Career Link and then, only if it is deemed necessary and appropriate, will advertise in other media channels.
- B. Whether filling a vacant position internally by promotion or transfer, or by recruiting externally, the Department Head is required to develop a written Position Profile to serve as a guideline in the recruiting and hiring process. A current updated job description shall be used for this purpose to identify key background, experience and educational requirements necessary to evaluate potential candidates during the recruiting and hiring process. The written Position Profile is to be submitted to the Human Resources Department for review and approval by the Human Resources Department prior to starting the recruiting process for new hires, transfers or promotions.
- C. A recruiting strategy will be determined and executed by both Human Resource Director, or designee, and the Department Head. The specific strategy will depend on the kind and level of the position being recruited for, and complexities of the market for certain positions.

- D. Any number or combination of Candidate Evaluation Methods may be used in the screening process, but the process must include at a minimum:
- Written resume/application
 - Personal interview
 - Reference checks
1. Evaluations for Non-exempt positions must meet the minimum steps above.
 2. Evaluations for exempt positions must include a first and second interview with the Human Resources Director or designee and Department Head participating in at least the second interview.
 3. The Division Head and the Human Resources Director shall participate in all interviews and shall present/recommend 3-5 candidates to the County for interview and ultimate hiring decisions for all open Department Head positions.
 4. The County Manager reserve the right to participate in any interview process for any open position as deemed appropriate and necessary.
 5. During the evaluation phase a candidate's background will be measured against the key background requirements of the position inclusive of experience, education and critical personal performance characteristics. Only candidates that meet and exceed the requirements shall be recommended for hire.
 6. An "offer of employment" with the County shall only occur after the Employee Change of Status Procedure is followed to secure approval by the County Manager.
 7. The County may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the County. The County may contract with any competent agency or individual to prepare and/or administer examinations. The County may also conduct certain background procedures as required by law. Examples of such procedures include, but are not limited to: requiring applicants/employees to show proof they are authorized to work in the United States, child abuse, criminal history background checks, educational credentials, including diplomas, transcripts and/or certifications. For certain higher-level positions, an application fee may be required to cover the costs of this research. When applicable, the Sheriff's Department or other County office, will conduct the research. Each applicant will be required to authorize the examinations or research by completing and signing the Background Check Authorization form.

- H. After an offer of employment has been made and prior to commencement of employment, the County may require persons selected for employment to successfully pass a medical or psychological examination related to this position offered, which may include testing for alcohol and controlled substances. Drug and Alcohol Testing will be governed by Department of Transportation (DOT) procedures for collecting the samples, laboratory analysis and reporting results as contained in the County's personnel Policy on Drug & Alcohol Testing Program. Changes in DOT procedures will become part of this policy, when necessary, to assure continued DOT funding.
- I. Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace, the County's official application.
- J. Any applicant supplying false or misleading information will be eliminated from consideration. If the falsification is discovered after the applicant is hired, the employee is subject to immediate termination.
- K. Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least eighteen (18) years old and will be required to present a valid Pennsylvania State Drivers License with any necessary endorsements. Driving records of applicants will be checked for the previous three to five (3-5) years. Applicants with poor driving records, as determined by the County, may be disqualified from employment with the County in those positions which require driving.
- L. A candidate may be disqualified from consideration if: (1) found to be physically or mentally unable to perform the duties of the position, and the individuals condition cannot reasonably be accommodated in the workplace; (2) the candidate refuses to submit to a pre-employment medical or psychological examination or to complete medical history forms; or, (3) if the pre-employment exam reveals use of alcohol and/or controlled substances.

3.3 RESIDENCY

Residency within the County shall not be a condition of employment provided, that an employee's selection of residence does not interfere with the daily performance of his/her duties and responsibilities.

3.4 ANTI-NEPOTISM

- A. No elected County official, employee of the County, or any member or employee of any County Board or Commission shall be allowed to hire a member of his/her immediate family or the spouse or child of a member of his/her immediate family.

- B. It is the policy of Luzerne County, that the County will not hire an individual if a member of that individual's immediate family is engaged in an Administrative and/or Supervisory capacity within the same department. These persons may however, be considered for employment in other County departments.
- C. The term immediate family includes the employee's spouse or domestic partner, child, parent, siblings, mothers and fathers-in-law, sons and daughters-in-law, grandparents and step relatives of the same degree listed above.

3.5 EMPLOYMENT

A. Regular Full-Time Employees:

An employee who has successfully completed a probationary period and has been certified to regular full-time employment status. Such employees regularly work between thirty two and one-half (32 ½) and forty hours (40) per week on a continuing basis and are eligible to fully participate in the County Benefits Program. For purposes of this section, the Chief County Solicitor and Assistant Solicitors in the Office of Law are considered as employees eligible for County benefits.

B. Part Time Employees

1. Regular Part-time employees (those working a minimum of 20 hours per week or 1,000 hours per year) on a continuing regular basis (year to year) are eligible for pension and pro-rated vacation benefits only. Requests for eligibility must be made in writing to the Human Resources Department with final determination/approval by the County Manager. Years of service for regular part-time employees will be pro-rated for purposes of calculating benefit levels, where years of service is a component of the benefit.
2. Should a Regular Part-Time employee change status to a Full-Time employee, the years of service as a part-time employee will be pro-rated to determine the total years of service carried forward for purposes of benefit calculation. i.e. two (2) years at part-time with 1,000 hours/year equals one (1) year of service, etc..

C. Temporary/Seasonal Employees

1. With approval of the County Manager, or his/her designee, temporary/seasonal employees may be used during emergencies or other peak workload periods; or to temporarily replace regular employees absent due to disability, illness, vacation, or other approved leave; or to temporarily fill a vacancy until a regular employee is hired.

2. Temporary/seasonal employees are eligible for overtime pay as required by law. Temporary/seasonal employees are not eligible for County benefits.
3. Employment of minors will only be allowed on a temporary, part-time basis, and only in accordance with Child Labor Laws.

C. Per Diem Employees

Per Diem employees are employees who have established an employment relationship with the County, but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for the County's other benefit programs.

Should a Per Diem employee be subsequently hired as a regular Full Time employee, under no circumstances shall time worked as a Per Diem employee be counted as years of service in the calculation of benefits, nor be considered in the determination of the employee's official date of hire.

D. Probationary Employee

1. All newly hired employees, or former employees who have been rehired, or employees promoted to a new classification, enter a probation period, which is considered an integral part of the selection and evaluation process. During the probation period an employee is required to demonstrate suitability for the position through actual work performance.
2. The normal probation period is six (6) months from the employee's date of hire, rehire or promotion.
3. An employee's probation period may be extended for up to an additional six (6) months when needed due to circumstances such as extended illness or a need to continue to evaluate an employee's performance.
4. During the probationary period, all regular full time employees are covered by benefits as described in Appendix E.
5. During the probation period, the employee may be terminated at any time, with or without cause. Completion of the probationary period does not change employment status as an "at-will" employee.

4. When a Department Head determines an employee has satisfactorily completed the probation period, the Department Head shall prepare a written performance evaluation and shall notify the County Manager or his/her designee. If the probation period is satisfactorily completed, the employee shall be notified in writing of regular employment status and until so notified shall be a probationary employee.

E. Promotion & Transfer

1. The County encourages current County employees to apply for vacant County positions for which they are qualified. Promotions and transfers are based on the Department Heads recommendation, work force requirements, performance evaluations, job descriptions and related County qualifications and requirements, A current updated job description must be used or developed as a guideline for the promotional/transfer process as per Section 3.2-B of the Personnel Policy.
2. In order for a promotion or transfer to occur, the position to which an employee is being promoted or transferred to must exist as a valid “vacant and budgeted” position and approved by the County Manager under the Personnel Change Requisition Procedure.
3. All promotions shall be based on “merit”. Should more than one (1) employee be in contention for the promotion, the Department Head will structure an evaluation process similar to that of a new hire in Section 3.2-B,D
3. All promotions or transfers must follow the Employee Change of Status Procedure with appropriate approval in order to be effective.
4. A new six (6) month probationary period will be established for an employee promoted or transferred into a new position.

3.6 EMPLOYEE PERSONNEL RECORDS.

- A. An official personnel file for each employee is under the control of the County Manager and housed in the respective Human Resources Office. Access to personnel files is limited to the employee’s immediate Supervisor, the Department Head, and, Human Resources Representative, unless otherwise required by law. An employee’s personnel file will include the employees name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information. Medical information about employees is contained in a separate confidential file.

- B. An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the immediate Supervisor, Department Head, or Human Resources Representative denies the employees request to remove the information, the employee may deliver a written rebuttal statement to be delivered to the County Manager to be placed in his/her file.
- C. Personnel files are kept confidential to the maximum extent permitted by law. Thus, generally speaking, except for routine verifications of employment and information subject to disclosure under the law, no information from an employee's personnel file will be released to the public, including the press, without a written request or authorization from the employee for specific information.

3.7 REFERENCES

- A. The County does not give references other than to confirm the dates of employment, position and last salary. This information may only be provided by the Human Resources Representative or the employee's Department Head.

3.8 EMPLOYEE TERMINATION

- A. Employees of Luzerne County are employed on an at-will basis, and the County retains the right to terminate an employee at any time. Termination of employment is defined by and occurs when an employee officially terminates payroll by leaving the employ of the County for any one of the following reasons:

1. Voluntary Termination:

An employee is considered to have voluntarily terminated employment when an employee is solely responsible for the decision to do so. This mostly is referred to as employee resignation.

2. Termination With Cause:

An employee is considered to be terminated from employment "with cause" when the action to terminate an employee is initiated and solely decided by the Management. "With Cause" is defined as any one or combination of the following which may have occurred "on or off the job".

- An intentional act of fraud, embezzlement, a misappropriation of funds, theft or any other material violation of the law.
- Intentional damage to company property, assets or equipment.
- Conviction of a crime involving moral turpitude.
- Intentional breach/violation of County policy, work rules, or standards relating to Drug and Alcohol use,

Harassment/Discrimination, Attendance, Falsification of Documents and Records, Insubordination, etc.

- Willful misconduct, negligence or behavior which places or potentially places the economic and/or non-economic welfare of the County, fellow employees, or public confidence at risk.
- Willful and continued failure to substantially perform the duties and responsibilities of the employee's job description. Failure or inability to meet performance standards or objectives, by itself, does not constitute "cause".
- Any other employee conduct/behavior that has resulted in termination after following the progressive discipline procedure.
- Any other conduct, behavior, or violations that by their character, nature or severity warrant termination with cause.

3. **Termination Without Cause**

An employee is considered to be terminated from employment "without cause" when the County exercises its right to terminate employment under the "At-Will" employer/employee relationship at the County for any other reason not covered by the intent and definition of "With Cause" Section 3.8-2.

4. **Layoff**

An employee is considered to be terminated from employment when the employee has been "laid-off" from work due to lack of work, downsizing, restructuring, job elimination or similar reasons. A layoff can be temporary or permanent. Temporary Layoffs are normally of shorter duration with an expectation of being recalled to work in the relatively near future. Permanent Layoffs are definite and with no commitment or expectation of being recalled to work in the future.

5. **Retirement**

An employee is considered to be terminated from employment upon official retirement from the County. An employee must make a request to retire in writing to the Department Head and Human Resources Department at least one (1) month before the planned retirement date.

6. **Permanent Disability**

An employee is considered to be terminated from employment upon official medical professional determination of being "permanently disabled" and thus unable to perform the regular duties and responsibilities of any job position with any employer during the remainder of the employee's lifetime.

7. Death

An employee is considered terminated from employment upon the unfortunate death of the employee while employed with the County.

8. Job Abandonment

- a. This is a special category of termination. An employee who fails to report to work for two (2) consecutive work days and does not contact their Supervisor with a reason/explanation, shall be considered to have voluntarily resigned by “abandoning” their position. The county will respond by terminating the employee “with cause” effective the end of the second workday absent from work with no report or contact.
- b. An employee who abandons their job is considered terminated “with cause” and ineligible to receive accrued benefits or be rehired by the County.

9. Automatic Termination

If an employee has not returned to full-duty status from an authorized leave of absence(s) at the end of one (1) year, employment will be automatically terminated. An employee will be considered unable to return to work if he or she cannot perform the essential functions of the job in full capacity, with or without reasonable accommodation. Under no circumstances may an employee be absent from the workplace for more than one (1) consecutive year, unless on Military Leave or with approval of the Human Resource Director and the County Manager.

B. Notice of Termination

1. An employee making a decision to voluntarily resign from their position must provide a minimum of two (2) weeks advance notice to the County. Such notice must be in writing to the Department Head and specify the effective date of the resignation. Failure to provide such notice will jeopardize payment to an employee for any unused vacation, personal or sick leave.
2. The Department Head must notify the Human Resources Department immediately of an employee’s decision to resign and forward a copy of the employee’s resignation letter.
3. Use of accrued vacation, personal or sick leave will not count as part of the two (2) week notification period, as this notification requirement is meant to provide for orderly organizational transition. At the Department Head’s discretion, accrued paid leave may be granted for this period. Such action requires County Manager approval and Department Head assurance that an orderly organizational transition will occur.

4. The County will as much as practical, give an employee advance notice of its intent to terminate employment. The County reserves the right to terminate employment immediately as it deems necessary and warranted.

C. Return of Property

An employee that has terminated employment with the County must return all county property at the time of separation, including but not limited to uniforms, cell phones, keys, PCs and identification cards. Failure to return County Property will hold up the receipt of the employee's last paycheck and/or payout of unused accumulated leave. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

D. Exit Interview

To the extent practical, an Exit Interview will be conducted with every employee leaving the employ of the County for any reason. The employee and/or Department Head shall contact the Human Resources Department as soon as notice of separation is given so as to arrange the exit interview.

The separating employee shall contact the Human Resource Department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or other day, as mutually agreed upon.

E. Termination: Payroll/Benefits

1. An employee will terminate from payroll as of the "effective date" officially established by the employee and Department Head and confirmed by the Human Resources Department.
2. For all categories of termination listed in Section 3.8, except "Termination With Cause" and "Job Abandonment", an employee shall be paid accumulated and/or unused Vacation (Section 6.2-C,D) and Personal Leave (Section 6.3). Accumulated and/or unused Sick Leave will be "bought back in accordance with (Section 6.4-G). Employees terminated "with cause or job abandonment" are not eligible for payments of these benefits.
 - a. An employee who tenders their resignation while on "Suspension or Administrative Leave, with or without pay pending fact finding, investigation or legal due process associated with their individual behavior, conduct or actions", shall not be eligible to receive payment for any benefits upon termination of employment. This includes any accumulated/unused vacation, sick, personal leave, healthcare, life insurance, or any other benefits for which the County makes payment in order to provide. All benefits will stop effective the date of termination.

- b. The provisions of this section regarding ineligibility for any payment of benefits upon termination also applies to an employee that voluntarily resigns in lieu of termination or when misconduct, neglect, criminal or other similar actions are involved with or discovered subsequent to the voluntary resignation. In these instances the County reserves the right to treat the employees' separation of employment with the County as "Termination With Cause".
3. For all categories of termination listed in Section 3.8, except "Termination With Cause, Job Abandonment and Voluntary Resignation while on Suspension/Administrative Leave (Section 11.1 - F, Health and Dental Insurance benefits shall terminate the last day of the month of employment unless the employee requests immediate termination of benefits. Employee contributions for Health Insurance must be maintained through this period. Life Insurance benefits shall terminate on the effective date of termination of employee. Health, Life and Dental Benefits will terminate on the effective date of employment termination for those employees terminated "With Cause, Job Abandonment or Voluntary Resignation while on Suspension or Administrative Leave".
4. Upon death of an employee, while actively employed with the County, the effective date of termination will be determined to be the "Date of Death". Any compensation or payments for accumulated/unused leave will be paid to the beneficiary or estate of the deceased employee.

CHAPTER 4

HOURS OF WORK AND ATTENDANCE

4.1 HOURS OF WORK

- A. All employees are required to be present for the work scheduled for their specific work function. The LCC business office is to be open from 9:00 am to 4:30 pm daily, Monday through Friday, holidays excepted. Employees are entitled to a one-hour unpaid lunch period to be scheduled with their Department Supervisor. Hours of work may vary by Department and may range from 32.5 to 40 hours per week as established by the Department Heads and approved by the County Manager when applicable. Upon application, the Department Supervisor may grant an employee an alternate work schedule. The decision to grant an alternate work schedule shall be based on factors including but not limited to employee justification for the alternate schedule, the needs of the County, and compatibility with schedules of coworkers. In no case shall the number of hours of work in the alternate work schedule be less than the total number of hours required to be worked by all other employees.
- B. The ability to routinely report to work on time and work hours as scheduled is an essential requirement for all “nonexempt” employees. In this context, the word “nonexempt” has the meaning applied to it under the Fair Labor Standards Act (FLSA) and that Act’s regulations. Exempt employees, as defined by FLSA have, as an essential function of their job, the requirement that the work of the job be timely, efficiently, and appropriately completed without regard to any specific schedule of work however, Exempt employees are expected to report regularly to work on time and work hours as scheduled within the framework of this FLSA definition of flexibility.

4.2 ATTENDANCE.

- A. Punctual and consistent attendance is a condition of employment. Each Department Head is responsible for maintaining an accurate attendance record of all departmental employees.
- B. Employees unable to work or unable to report to work on time should notify their Department Head or their immediate supervisor as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employees’ usual starting time or scheduled shift. If an absence continues beyond one day, the employee is responsible for reporting off each day stating the reason for being late or unable to report for work.
- C. Employees are expected to be at work during inclement weather. A “Liberal Leave Policy” will be implemented in certain weather or emergency situations determined by the County Manager, not by any individual department head or elected official. When Liberal Leave is enacted by the

Board, every office is expected to be operational during regular hours, but may be done so with a limited staff. It is the department head or elected official's responsibility to ensure that the office is open and operational.

- D. The County Manager, or his/her designee, will notify the major local electronic media for the announcement if the liberal leave policy or a closing is in effect.
- E.. Employees, who arrive late, leave early, or call off due to hazardous weather conditions may be authorized to use any form of leave that they have accrued, not anticipated, except for sick time. When calling off, employees must state the type of leave they wish to utilize. If the employee fails to call off within the prescribed time, designated by their individual office, they will be unexcused and without pay. Leave may be denied by the department head or elected official within reason, if it is necessary to maintain an operational staff in order to conduct business.
- F. Should a decision be made by the County Manager to "close-down operations" due to inclement weather, hazardous conditions, those employees exercising "liberal leave" and have called-off from work will be paid for the entire day based on their call-off i.e. vacation or personal day. Those employees at work and subsequently leave work after a "close-down" decision has been announced will be paid for the entire day as regular pay.
- G. An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination.

4.3 BREAKS AND MEAL PERIODS.

Employees shall be allowed to take one (1) fifteen (15)-minute break for every scheduled four (4) hours worked. All breaks and meals shall be arranged so that they do not interfere with County business or service to the public. The employees' Department Head shall schedule meal periods. The scheduling of meal periods may vary depending upon department workload.

4.4 REHIRE.

Rehire occurs when an individual's employment had been previously terminated and then is subsequently "rehired" into the same or different position. Only employees in "Good Standing" may be rehired into the County. A Former employee terminated "with cause" or any other serious violation of policy or rules of conduct shall not be rehired under any circumstances. All employees in this category will be treated as new employees, with benefit entitlement accordingly, until such time when the amount of time worked as a new employee equals the amount of time in the "break of service" i.e. the time between the employee's previous termination date and the date of rehire. Afterword, the rehired employee's break-in-service will have been considered to have been "bridged" with employee being credited with previous years of service prior to the break-in-service. Example: An employee with five (5) years of previous employment and with a one (1) year break-in-service is rehired and must work one (1) year before being credited with the

previous five (5) years of service. The employee's total years of service for benefit calculation will be six (6) years i.e. Five (5) years before the bread-in-service and one (1) year after the break-in-service.

4.5 PAYROLL RECORDS.

Upon request with adequate notice, employees are permitted to view their individual payroll records.

CHAPTER 5
COMPENSATION

5.1 GENERAL POLICY (under development)

5.2 CHANGES TO COMPENSATION (under development)

5.3 PAY PERIODS

Employees are paid biweekly, every other Friday. Whenever a payday falls on a holiday, paychecks will be distributed on the preceding workday. An employee will have their paycheck automatically deposited into a checking or savings account.

5.4 OVERTIME AND COMPENSATORY TIME.

A. Exempt employees – Exempt employees as defined by the FLSA (administrators, executive, and professional employees) are not eligible for overtime or compensatory time.

B. Non-Exempt Employees

1. Non-exempt employees working in excess of their normally scheduled hours of work per week but less than forty (40) hours, shall receive either one (1) hour pay or one (1) hour compensatory time for each excess hour worked, with the Department Manager deciding the method of payment.
2. Non-exempt employees working in excess of forty (40) hours per week will be compensated at time-and-one-half (1 ½) their regular rate of pay for each excess hours; or may be granted one-and-one-half (1 ½) hours in compensatory time for each excess hour. The Department Head will decide the method of payment i.e. Overtime Pay vs. Compensatory Time.
3. Non-exempt employees are not to work in excess of scheduled work hours without specific advance approval of their respective Department Head.
4. For Overtime Pay and Compensatory Time purposes, paid time off for sick leave, personal leave and holiday(s) shall be counted as time worked in calculating eligibility for payment.
5. Under no circumstances shall a non-exempt employee work through lunch and/or break periods nor should the Department Head authorize the same without providing for lunch and/or break at another reasonable equal time that same day. Lunches and breaks are to be

taken as scheduled and never used as a method to secure Overtime or Compensatory Time payment.

6. For non-exempt employees in addition to normal hours of work, time worked at Department Head authorized seminars meetings, conventions shall be considered time worked for purposes of calculating Overtime Pay and Compensatory Time.
7. The immediate Supervisor and Department Heads are required to keep accurate official records of Compensatory Time earned and used by their respective employees.
8. When compensatory time is earned, it is expected that it will be scheduled for use within ninety (90) days of having earned it. To the extent possible, the employee and Supervisor should try to mutually agree to specific times/dates for use, otherwise the Supervisor shall make the final decision.
9. Compensatory Time earned is a pay obligation to an employee and therefore is never forfeited. Upon termination of employment for whatever reason, an employee will be paid for any balance of Compensatory Time earned but not used. The official Department Record of compensatory time will be used for this purpose.

5.5 PAYROLL DEDUCTIONS

Salaries paid to employees reflect the gross amount set forth in the Compensation Schedule, less mandated deductions for Social Security, Federal, State, and local taxes, as well as, for such other benefits as may be elected by the employee in accordance with this policy.

5.6 CLOTHING ALLOWANCE

Non-Union employees working at the Luzerne County Correctional Facility, who are required to wear uniforms by virtue of their position, will receive an “Annual Clothing Allowance”. The amount of the clothing allowance will follow the amounts paid annually to union employees under the Collective Bargaining Agreement.

CHAPTER 6

PAID AND UNPAID TIME OFF (PTO)

6.1 ADMINISTRATION

- A. Supervisors, and ultimately Department Heads, are responsible for administering all Time-Off (paid and unpaid) policies/programs of the County. An employee requesting time-off from work in any category below of Chapter 8 must make such request utilizing a "Request for Leave" form (available on the County website). The immediate Supervisor/Department Head must approve such request and properly document and maintain records of time off in all categories (i.e., vacation, personal leave, sick leave, funeral, etc.).
- B. Each Department must maintain a departmental record of Time-Off (paid and unpaid) for each employee which will be submitted to the Human Resources Department quarterly.
- C. An employee's personally-kept file of Time-Off will not be recognized as an official record nor used as the basis for determining carryover or payment of unused leave upon termination of employment. The Human Resources Departments record shall be considered "official" for these purposes.
- D. All leave described in this Article shall be approved by the Department Head, except unpaid leave, which shall be approved by the County Manager. In all cases, adequate notice of leave shall be provided on forms furnished by the County.
- E. At the end of the year after Human Resources has verified and established the official record of Paid Time-Off entitlement for each employee, the Department Head communicates to their respective employees their accumulated leave and leave entitlement for the upcoming year.

6.2 VACATION

- A. Regular fulltime employees are entitled to annual (vacation) leave, which is to be scheduled in advance with the approval of their Department Head. Annual leave is earned as follows:
 - **First year of service:** Employees in this category receive seven (7) annual leave days per year. For fractions of a year, this entitlement is calculated at a rate of 4/7 day per month of employment.
 - **Second through fifth years of service:** Employees in this category receive fifteen (15) annual leave days per year. For fractions of a year, this entitlement is calculated at a rate of 1-1/4 days per month of employment.

- **Sixth through tenth years of service:** Employees in this category receive eighteen (18) annual leave days per year. For fractions of a year, this entitlement is calculated at a rate of 1-1/2 days per month of employment.
- **Eleven through fourteen years of service:** Employees in this category receive twenty (20) annual leave days per year. For fractions of a year, this entitlement is calculated at a rate of 1-2/3 days per month of employment.
- **Fifteen through twenty years of service:** Employees in this category receive twenty-two (22) annual leave days per year. For fractions of a year, this entitlement is calculated at a rate of 1-5/6 days per month.
- **Twenty-one plus years of service:** Employees in this category receive twenty-five (25) annual leave days per year plus an additional ½ day for each year of service over 21 years, not to exceed thirty days. For fractions of a year, this entitlement is calculated at a rate of 2-1/12 days per month.

Length of Service	Annual Vacation Time	Annual Days Per Month	Annual Hours Per Month
FIRST YEAR	7 days	4/7 day	3.79145
2 to 5 years	15 days	1.25 days	8.125
6 thru 10 years	18 days	1.50 days	9.75
11 thru 14 years	20 days	1.67 days	10.855
15 thru 20 years	22 days	1.833 days	11.91
21 years	25 days	2.08 days	13.52
22 years	25.5 days	2.125 days	13.81
23 years	26 days	2.167 days	14.086
24 years	26.5 days	2.208 days	14.35
25 years	27 days	2.25 days	14.63
26 years	27.5 days	2.29 days	14.9
27 years	28.0 days	2.333 days	15.17
28 years	28.5 days	2.38 days	15.44
29 years	29 days	2.42 days	15.71
30 years	29.5 days	2.458 days	15.9791
31 years	30 days	2.5 days	16.25

County Manager, and Department Heads will begin at the second level of the accrual schedule.

- A. It is generally expected that employees use their vacation entitlement. Employees may carry over only an accumulated maximum of twenty (20) days per year.
- B. Employees are entitled to only take vacation that is earned and therefore taking vacations in advance of having been earned is strictly prohibited. Upon Termination a review will be conducted to assure no such advanced use of vacation has occurred. The employee shall reimburse the County should such discovery occur.
- C. Upon termination of employment for any reason, other than “with cause” (see Chapter 3, Section 3.8 for definition and examples) will be compensated for unused accumulated vacation. Death, Permanent Disability, Voluntary Resignation, Performance other than “with cause” are included in this category. Only properly documented unused vacation is payable as determined by both the Department Head and Human Resources.
- D. The rate for “compensation” or “reimbursement” above shall be at the employee’s average base wage/salary rate for the immediately preceding twelve (12) months.
- E. Regular Part-Time working on a continuing year-to-year basis, and working a minimum of twenty (20) hours on week to week basis, for a minimum of 1,000 hours annually shall be entitled to pro-rated vacation benefits to a maximum of two (2) weeks per year. Employees in this category are entitled to five (5) days after the first year of service and ten (10) of vacation each year thereafter. The Human Resources Department will calculate and set the entitlement in conjunction with the Department Manager.
- F. Supervisors and ultimately Department Heads are responsible for administering vacation entitlements. Employee requests for vacation must be in writing utilizing a “Request for Leave” form (available on the County website). Employee requests are to be authorized by the immediate Supervisor and the Department Head who must document and maintain official records of vacation.

6.3 PERSONAL LEAVE DAYS

A regular full-time employee is granted five (5) personal days each year in accordance with the following:

- A. Personal Days will be effective forty five (45) days after date of hire.
- B. For new employees during the first year of employment the following schedule of personal leave will apply based on date of hire:

HIRE DATE

Number of Personal Leave Days

January – February	Five (5) Days
March – April	Four (4) Days
May – June	Three (3) Days
July – August	Two (2) Days
September – October	One (1) Day
November – December	None (0)

- C. Personal Days must be scheduled at least one (1) week in advance with an employee’s immediate Supervisor and Department Head approval.
- D. Conflicts in scheduling between employees shall be decided by the immediate Supervisor/Department Head utilizing seniority and/or “last-used” as a basis.
- E. Any consecutive scheduling of Personal Days is at the Department Head’s discretion and is subject to denial.
- F. Unused Personal Days cannot be carried over to the next year.
- G. Upon termination of employment, the same provisions of Section 6.2 apply.
- H. Per Diem, Temporary, Seasonal and Part-Time employees are not entitled to Personal Leave Benefits.

6.4 SICK LEAVE

- A. Employees shall earn sick leave calculated as follows: one and one-half (1-1/2) days per month for a total of eighteen (18) days per year.
- B. Sick days shall be granted effective immediately upon hire and on the first day of each month thereafter.
- C. Employees hired after August 1, 2005 will be entitled to twelve (12) sick days per year, calculated as one (1) per month.
- D. A doctor’s certificate may be required for an absence from work due to sickness for two (2) or more consecutive days, or where the Employer has deemed that the employee has been abusing sick leave.
- E. Sick Leave is granted for and therefore to be used strictly for those occasions on which an employee is not able to report to work because of sickness or injury. The only exception allowed is where sickness in the immediate family requires the employee's absence from work, employees may not use more than five (5) days of such leave entitlement in each calendar year for that purpose. Immediate family is defined as the following persons: Husband, wife, child, parent, or in-laws of the employee. The employer may require proof of such family illness.

- F. An employee may accumulate unused sick leave and carry them forward year to year. Only the official documented sick leave authorized by the Department Head and Human Resources will be recognized for this purpose.
- G.. An employee's unused accumulated Sick Leave will be "bought back" by the County upon Retirement, Death, Permanent Disability, Permanent Layoff, Voluntary Resignation and for Terminations without cause. The buy-out rate shall be fifty dollars (\$50.00) per day each day accumulated to a maximum of sixty (60) days. Sick Leave will not be bought back when an employee is terminated "With Cause".

6.5 JURY AND WITNESS LEAVE

An employee will receive regular pay for those days attending jury duty. An employee must submit proof of jury duty to the County in order to be compensated for the days missed from work while attending jury duty.

6.6 MILITARY LEAVE

Employees who are members of the United States Armed Forces Reserves or the Pennsylvania National Guard are entitled to up to fifteen days of paid leave per year whenever called into active duty or other authorized activity. In addition, the County shall adhere to the requirements of 51 Pa. C.S.A. Sections 7302 to 7317.

6.7 FAMILY MEDICAL LEAVE ACT

A. Overview

This policy establishes guidelines and procedures for leaves under the Family & Medical Leave Act of 1993 (FMLA). This policy applies to all employees; however, if it conflicts with a collective bargaining agreement or interest arbitration award, the conditions of leave for bargaining unit employees will be governed by the respective agreement/award. All employees must make FMLA requests in writing utilizing the "Request for FMLA" format available on the County website.

All full-time, part-time and per diem employees, who have been employed by Luzerne County for at least 12 months and have worked at least 1,250 hours within the previous 12 months, are eligible for Family & Medical Leave. An employee who meets the eligibility requirements may receive up to 12 weeks of leave and continuation of health benefits coverage (if applicable) for qualified events within each 12-month period. This leave may be taken as continuous leave or, depending upon the nature of the qualifying event, on an intermittent basis.

In reviewing the 1,250-hour requirement, only actual hours worked during the 12 months prior to the date leave is to begin are included; hours used for vacation, sick leave, bereavement leave, etc. are excluded.

A rolling 12-month period, measured backward from the date the leave will begin, will be used to calculate the amount of leave available to an employee. For example, if the employee has taken eight weeks of Family & Medical Leave within the past 12 months, the employee has available a balance of four weeks.

Family & Medical Leave provides job security and continuation of benefits. It does not provide paid leave. However, if an employee has paid leave available (vacation, sick, personal) that leave must be used concurrently with Family & Medical Leave. Paid leave will count as part of the 12 weeks of leave to which the employee may be entitled under this policy. Once paid leave is exhausted, or if paid leave is not available, time on Family & Medical Leave is unpaid.

B. **Qualified Events**

1. The birth of an employee's child, or placement of a child with the employee for adoption or foster care;
2. Care of a family member (spouse, dependent child or parent, but not parent-in-law) with a serious health condition;
3. Serious health condition of an employee, who renders the employee unable to perform the functions of his/her position.

C. **Definitions**

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

1. Inpatient care: an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity which results in inability to work, attend school or perform other regular daily activities due to the serious health condition, or treatment for or recovery from the serious health condition, or any subsequent treatment in connection with this inpatient care; or
2. Continuing treatment by a health care provider: a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - a. A period of incapacity involving an inability to work, attend school, or perform other regular daily activities due to the serious health condition, or treatment for or recovery from the serious health condition which lasts longer than three consecutive calendar days, and any later treatment or period of incapacity related to the same condition, that also involves:

1. Two or more treatments by a health care provider, by a nurse or physician's assistant under a health care provider's direct supervision, or by a provider of health care services under orders of or on referral by, a health care provider; or
 2. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
- b. Any period of incapacity because of pregnancy, childbirth, or for prenatal care
 - c. Any period of incapacity or treatment for incapacity due to a chronic serious condition which:
 1. 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;
 2. continues over an extended time period, including recurring episodes of a single underlying condition; and
 3. which may cause episodic periods rather than one continuing period of incapacity (examples include asthma, diabetes, epilepsy, migraine headaches, etc.).
 - d. A period of incapacity that is permanent or long-term because of a condition for which treatment may not be effective (examples include Alzheimer's, a severe stroke, or the terminal stages of cancer).
 - e. Any period of absence to receive multiple treatments (and any period of recovery from those treatments), 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 that would likely cause a period of incapacity of more than three consecutive calendar days if there were no medical intervention or treatment (examples include chemotherapy, radiation, etc. for cancer; physical therapy for severe arthritis; and dialysis for kidney disease).
 - f. Dental appointments, eye exams and similar routine procedures are not considered serious health conditions. Ordinarily, minor health problems such as the common cold, flu, earaches, upset stomachs, headaches (other than migraine), and routine cosmetic surgery are not considered as "serious health conditions" for FMLA purposes unless complications arise.
 - g. Family & Medical Leave is available for treatment for substance abuse (provided the employee otherwise meets the conditions for a "serious

health condition”), but not for absences due to drug use or time off to recover from drug use.

- h. A **"health care provider"** is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices. The definition also includes podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners, nurse-midwives, clinical social workers, and Christian Science practitioners. These professionals must be performing “within the scope of their practice as defined under state law.”
- i. A **“family member”** consists of spouse, parents (biological or “loco parentis,” which does not include in-laws), children (biological, adopted, step and foster) under the age of 18, or children who are over the age of 18 who are incapable of self-care.

D. Coordination with Other Leaves

Family & Medical Leave is unpaid, unless covered by another policy, such as workers’ compensation, or unless an employee has available paid leave.

If not covered by another policy, all available paid leave (vacation, sick, personal) must be used concurrently with Family & Medical Leave. Paid leave will count as part of the 12 weeks of leave to which the employee may be entitled under this policy. Once paid leave is exhausted, or if paid leave is not available, time on Family & Medical Leave is unpaid. For example, if an employee has paid vacation leave available, the employee must take such paid vacation leave, and such leave will count as part of the 12 weeks under this policy. As further example, if an employee is entitled to workers’ compensation, the employee must take the workers’ compensation, and such leave will count as part of the 12 weeks under this policy.

The order in which paid leave is used, depends upon the qualifying event:

- Employee’s own serious health condition** – The employee may use available paid leave in any order.
- 2. Serious Health Condition of Spouse/Dependent** – Each year, an employee may use up to five days of sick leave before using vacation or personal leave. If all vacation and personal leave is exhausted before the conclusion of Family & Medical Leave, the employee may use additional sick leave.
- 3. Childbirth (Male Employee)** – Follow the same guidelines as provided above in #2.
- 4. Childbirth (Female Employee)** – The employee may use available paid leave in any order through the date on which she is medically released to return to work (normally six or eight weeks after delivery). If additional

Family & Medical Leave will be taken, the employee must exhaust available vacation and personal leave before using additional sick leave.

5. **Adoption or Placement for Foster Care** – The employee would first use available vacation and personal leave. If vacation and personal leave is exhausted before the conclusion of Family & Medical Leave, the employee may use sick leave.

An employee may reserve up to five (5) days of sick leave for use upon his/her return to work.

If a designated County holiday falls while the employee is on paid leave, the employee receives holiday pay for that day. If the employee is on unpaid leave, no holiday pay is granted.

Vacation, sick leave, and personal leave do not accrue while the employee is in an unpaid status.

E. Benefits Continuation During Leave

While on Family & Medical Leave, an employee retains all health benefits.

If the employee is on unpaid leave and has enrolled for supplemental benefits, the employee is responsible for making payments directly to the provider.

F. Duration of Leave

The length of Family & Medical Leave is limited to a total of 12 weeks within each 12-month period. A total of 12 weeks of leave is available even if an employee experiences more than one qualifying event per year.

Generally, the employee may determine the length of leave desired following the birth of the employee's child or placement of a child with the employee for adoption or foster care. Leave for one of these reasons must be completed within 12 months from the date of birth or placement and may not be taken on an intermittent basis, unless medically necessary.

The amount of leave available for a serious health condition is based upon the professional opinion of a qualified healthcare provider.

“Twelve (12) weeks of leave” equates to 480 hours for a full-time employee on a 40-hour work week, 450 hours for a 37.5 hour work week, 420 hours for a 35 hour work week, 390 hours for a 32.5 hour workweek, and to determine the entitlement for a part-time employee, multiply the number of hours in a normal work week by 12.

G. Intermittent or Reduced Leave Schedules

Employees may take leave on an intermittent or reduced leave schedule, if medically necessary for a serious health condition of the employee or the employee's spouse, child or parent.

Intermittent leave is taken in separate blocks of time; it may consist of days, weeks, or hours, but the total cannot exceed 12 weeks. Intermittent leave may include time off for medical treatments, such chemotherapy, dialysis, physical therapy, etc.

If an employee requests leave on this basis, the County may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence, if the position has equivalent pay and benefits. When intermittent leave is required for medical treatments, the employee must schedule appointments in a manner that causes the least disruption to the operations of the department.

H. Request for Leave/Medical Certification

When an employee can foresee the need for leave (such as leave for birth or adoption of a child or planned medical treatment), the employee must, if able to do so, give reasonable prior notice and try to schedule leave so as not to disrupt county operations. In case of an emergency, the employee must provide a verbal notice to his/her supervisor at the earliest possible time (within one to two business days).

An employee requesting leave under this policy shall complete a Family/Medical Leave of Absence Request form accompanied by a completed Certification of Healthcare Provider Form. These forms must be completed and returned to the department head at least 30 calendar days before taking leave, or within 15 calendar days following an emergency.

Luzerne County will require medical certification from a qualified healthcare provider to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement that the employee cannot perform the functions of his or her job. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee will be needed to provide care.

All requests for leave of absence due to illness must include the following sufficient medical certification attached to the written leave request:

1. the date when the serious health condition began;
2. the probable duration of the condition; and
3. the appropriate medical facts, which the health care provider knows about the condition.

In the case of intermittent leave or leave on a reduced leave schedule for planned medical treatment, the certification must state the dates when such treatment is planned and how long the treatment will take.

The county, at its expense, may require an examination by a second medical provider designated by the county, if it reasonably doubts the medical certification initially provided. If the first and second opinions differ, Luzerne County, at its expense, may require the binding opinion of a third health care provider, approved jointly by Luzerne County and the employee.

The county reserves the right to require periodic medical updates. Furthermore, the county also reserves the right to require recertification no more often than once every 30 days. Provided, however, if the original certification is for more than 30 days, no recertification may be required until the initial certification period expires. Requests for recertification may be more frequent if the employee requests an extension of the leave, if conditions have significantly changed, or if information arises which casts doubt on the stated reason for the absence. The employee must provide the recertification within 15 calendar days after the county requests it.

If the employee's healthcare provider fails to cooperate by completing the Certification of Healthcare Provider form, or fails to complete the form on a timely basis, the employee is expected to find a healthcare provider who will meet the deadline. If the employee never provides the Certification of Healthcare Provider form, Luzerne County may refuse to designate or may remove its conditional designation of the leave as Family & Medical Leave.

I. Periodic Status Reports

While on leave, the employee may be periodically required to contact his/her supervisor regarding the status of the condition and intention to return to work. Employees must also give notice as soon as practical (within two business days) if the dates of leave change. If the dates of leave were initially unknown, the employee must contact his/her supervisor within two business days, once this information is available.

J. Return to Work After Leave

When an employee returns to active employment, he/she shall return to the same or an equivalent position with equivalent employee benefits and compensation and other conditions of employment. "**Equivalent**" means substantially the same but not exactly equal.

“Key Employee” Exception: If the employee on leave is a salaried employee and is among the highest paid ten percent of all County employees within 75 miles of the employee's worksite, and keeping the job open for the employee would result in substantial economic injury to the County, leave is provided, but reinstatement can be denied. In this situation, however, the employee will

be given an opportunity to return to work before Luzerne County fills the position.

If the employee was on leave for three or more days for his/her own serious health condition, the employee must present written certification from the health care provider indicating that the employee is able to return to work. The certification must be provided to the employee's supervisor on the day the employee returns to work.

K. Extension of Leave

Any request for an extension of leave following the conclusion of Family & Medical Leave, or any leave taken in excess of the 12-week period, will be considered on an individual basis and will be subject to the parameters set forth in Section 6.8 Leave Without Pay.

L. Attendance Policies

An employee on intermittent Family & Medical Leave is expected to follow his/her department's guidelines for reporting an absence ("calling off" work) unless the condition prohibits the employee from calling. In this case, the employee must contact his/her supervisor as soon as possible.

6.8 LEAVE WITHOUT PAY

Employees may request time off without pay for reasons not otherwise provided for above, or as extensions of leave authorized by this Policy. Requests in this category are considered rare and exceptional and generally for periods of longer duration. Each such request will be judged on its own merits and the terms of any such unpaid leave shall be put in writing in advance utilizing the "Request for Leave" form (available on the County website) Any such requests require approval by the County Manager. Unpaid leaves will not be considered when an employee has vacation or personal leave available to otherwise cover the request period.

6.9 CONTINUATION OF BENEFITS/LEAVE OF ABSENCE

- A. An employee on an authorized leave of absence that is being compensated under any of the paid leave programs of the County (i.e. vacation, sick, military, or other), shall have all benefits, including Healthcare Insurance continue through the period of the leave of absence. Years of Service shall also accumulate during the period.
- B. An employee on an authorized unpaid leave of absence under the Family Medical Leave (FMLA) Act shall have benefits continue for a maximum period of twenty six (26) weeks. Years of Service shall also accumulate during the period.

- C. An employee on an authorized “Medical Leave of Absence”, whether paid or unpaid, shall have benefits, including Healthcare Insurance, continue for a maximum period of one (1) year. Years of Service shall also accumulate during the period. Benefits may be extended beyond the one (1) year maximum for special circumstances and require approval by the County Manager before any such extension is granted.
- D. An employee on an authorized unpaid leave of absence for any reason not covered by Section 6-A,B,C above shall not have benefits continue during the leave period. Benefits shall continue through the leave period, provided that the employee pays any and all of the full insurance premiums typically covered by the County or elected by the employee. Access to this benefit must comply with and not put the plan at risk.
- E. Time spent on unpaid leave shall be considered continuous service for purposes of determining benefit levels under this policy when regular employment status resumes.
- F. An employee shall not accumulate, be eligible for, or be compensated for holidays, sick leave, or annual or other leave or other benefits during the period of unpaid leave.

6.10 BEREAVEMENT LEAVE

Employees are granted a maximum of four (4) paid days in cases of a death in the employee’s immediate family, which includes spouse, son, daughter, brother, sister or parent. Employees are granted a maximum of three (3) days in the event of the death of an employee’s grandparent, grandchild, daughter-in-law, son-in-law, sister-in-law, brother-in-law, parent-in-law, grandparent-in-law, or any relative residing in the household of the employee. The Bereavement Leave period must be continuous and include the day of the funeral. When the day of the funeral occurs on Saturday or Sunday, the bereavement leave paid is three (3) and two (2) days respectively in the categories above. The employee must make this request utilizing the “Request for Leave” form (available on the County website) and provide evidence of the relationship and date of funeral service to the Department Head for approval.

6.11 HOLIDAYS

- A. The following legal holidays are observed with an employee receiving one (1) regular day paid time off on the holiday.

1. New Year’s Day	January 1
2. Martin Luther King, Jr. Day	3 rd Monday in January
3. President’s Day	3 rd Monday in February
4. Good Friday	Friday preceding Easter
5. Memorial Day	Last Monday in May
6. Independence	4 th of July
7. Labor	1 st Monday in September
8. Columbus Day	2 nd Monday in October
9. Veterans’ Day	November 11 th

10. Thanksgiving Day	4 th Thursday in November
11. Day after Thanksgiving	4 th Friday in November
12. Christmas Day	December 25 th

- B. If a holiday falls on Sunday, the following Monday will be observed as a paid holiday. If the holiday falls on a Saturday, it will be observed as a paid holiday on the preceding Friday. An employee must work the scheduled day before and after the holiday in order to be paid for the holiday. Scheduled Paid Time Off of Vacation or Personal Leave shall satisfy this requirement. The Supervisor/Manager reserves the right to require a Doctor's Certificate, should Sick Leave be utilized the day before or after the holiday.
- C. Only regular full-time and regular part-time employees shall receive holiday pay. Such holiday pay will be prorated for regular part-time employees.

CHAPTER 7

BENEFITS

The County provides a comprehensive benefits package to its employees. Only Regular Full-Time employees are defined in Chapter 1, Section 1.4 - G are eligible for participation.

Details of all insurance benefits are provided in separate Summary Plan Descriptions (SPD) provided to an employee upon eligibility. The SPD's are also available on the County website. The following is only a brief summary of current programs. The County reserves the right to amend, modify or discontinue these programs at their discretion as per legal requirements.

7.1 RETIREMENT BENEFITS

Two retirement plans are offered to full-time employees:

A. Defined Pension Benefit Plan (IRS SECTION 401(a))

1. The plan is a self-directed money purchase plan qualified under IRS Section 401(a). The employee is required to contribute a minimum of 5% with the opportunity to contribute up to 15% of their gross pay. See Appendix E for further information.
2. For the purpose of this subsection only, a "full-time employee" is an employee of the County who works in excess of 1,000 hours in a calendar year on a regular schedule.

B. Deferred Compensation Plan (457 Plan)

The County administers an IRS qualified Section 457 deferred compensation plan. All employees are eligible to participate through salary reduction. There is no employer contribution. Information on the plan is available on request.

7.2 HEALTHCARE INSURANCE

- A. The County currently offers regular full-time employees who have been employed by the County for 30 days health coverage under an HMO (Health Maintenance Organization) Plan through First Priority of NEPA or Geisinger Health Plan. The plan provides comprehensive medical and prescription coverage. Under the plan, participants must choose a primary care physician that is in the chosen health network. Many in-network services are fully covered (some require a co-payment) and no claim forms

need to be completed. The current list of participating physicians may be found at www.bcbsnepa.com or www.thehealthplan.com

- B. In order to participate in the Healthcare Insurance Plan employees are required to contribute to the overall cost of the Healthcare Insurance premium associated with providing the comprehensive and high level of benefit under the program. The current employee contribution rate is 10 % of the yearly premium payment paid via automatic payroll deductions.
- C. Employees have up to 30 days from their date of hire to make a medical plan election. This election is generally fixed for the remainder of the plan year. However, if a qualifying event occurs (as defined in the Plan document), a mid-year change in coverage will be allowed (i.e., change in coverage from individual to family or from family to individual, add or delete dependents, or revoke coverage), provided it is done within 30 days from the date of the change in family status. The Benefits Coordinator in the Human Resources Department will assist employees in determining if a family status change qualifies under the Plan document and IRS regulations.
- D. At the end of each calendar year, during open enrollment an employee is free to change medical elections including choice of medical carrier for the following calendar year, whether or not the employee has a change in family status.

Healthcare Insurance “Cash Out Option”

1. An employee may elect to participate in the “Cash Out Option” program. Employees making this selection are opting to receive a cash payment annually in lieu of participating in the County’s Healthcare Insurance benefit program. The current annual cash-out option payment is \$1,500 and is subject to change as determined by the Human Resources Department and approved by the County Manager. An employee making this selection must meet the following conditions:
 - The employee must be eligible for Health under the County plan; and
 - The employee produces evidence of comprehensive Healthcare Insurance coverage from a source other than the County; and
 - The employee signs a voluntary waiver not to receive health insurance benefits from the County. (see appendix)
2. An employee hired after January 1, 2011, whose spouse is employed by the County, and where that employee is covered under the County Healthcare Plan as a spouse, is not eligible to participate in the Cash-Out Option. An employee hired before January 1, 2011 who is

currently participating in the Cash-Out Option and is currently covered under the County Healthcare as a “spouse”, shall continue to be eligible to participate.

3. An employee who has waived participation in the County’s Healthcare Insurance Plan, for themselves and their dependents, if any, shall not be eligible for any benefits provided by such program except if an employee selecting the Cash-Out Option is covered under spousal coverage under the County’s plan.
4. An employee may re-enroll in the Healthcare Insurance Plan, after selecting the Cash-Out Option, provided that a “change of family status” has occurred. i.e. marriage, divorce, death of a spouse, birth or adoption, termination of spousal employment. For any other reason, other than change in family status, an employee may re-enroll in the Healthcare Insurance Plan only during the yearly open enrollment period.
5. An employee participating in the Cash-Out Option shall receive pro-rated payments upon termination of employment, should such termination occur prior to the annual Cash-Out payment date.

The Benefits Coordinator in the Human Resources Department will assist employees in making the necessary arrangements for enrollment. A complete description of the plans is provided to each employee as Summary Plan Descriptions and appropriate supplements. A brief description is available in Appendix E of this document.

7.3 EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) provides employees and their family members with a wide variety of services associated with personal issues. Examples of problems/issues are anxiety and depression, family issues, or substance abuse that may have a negative impact on job performance, relationships with family members or co-workers. Further information is available in Appendix E.

7.4 LIFE INSURANCE BENEFITS

A Life Insurance Policy of \$50,000 Death Benefit is provided to all eligible regular full time employees. The level of benefit may change from time to time as determined and approved by the County Manager. See Appendix E for more specific benefit information.

7.5 TRAVEL AND EXPENSE REIMBURSEMENT

- A.** The County will assume or reimburse an employee for all reasonable expenses associated with business travel and employee-incurred expenses that are business-related. All travel, educational training, and other County-related business activity must be approved in advance by the Department Head. All expenses will be scrutinized against what is normal and reasonable for its use and purpose.

B. DEFINITIONS

1. Authorized Travel:

Travel to be performed by County employees that is reviewed and approved in the budget process and for which funds are included in the adopted budget. Department Heads will manage the allocation of available resources to accomplish travel most efficiently and effectively throughout the year.

2. Daily Travel:

All travel not requiring overnight accommodations and/or performed within the boundaries of Luzerne County by employees in accomplishing their assigned duties is considered daily travel. Daily travel for Department Heads is at the discretion of the Department Heads. Daily travel for all other employees requires advance approval as outlined in Travel/Reimbursement Approval - Appendix G-1

3. Extended Travel:

All overnight trips to attend meetings, conferences, training, or other work-related functions are considered extended travel. Extended travel requires advance approval as outlined in the Travel/Reimbursement Approval – Appendix G-1

4. International Travel:

Travel to locales outside the 48 contiguous United States is considered international travel. International travel requires advance approval as outlined in the Travel Reimbursement Approval – Appendix G-1

C. GENERAL POLICIES

1. Applicability:

This policy shall apply to all employees and members of boards, commissions, and authorities of Luzerne County engaged in travel required to conduct Luzerne County business. Employees are not guaranteed attendance at conferences and training seminars. County Administration/Department Heads will determine the appropriateness of all travel undertaken by staff and have the authority to approve or disapprove requests for conferences, training, seminars and other

business travel. Supervisors are encouraged to provide these opportunities appropriately and fairly.

Travel undertaken by sworn officers of the Sheriff's Office for the purposes of prisoner extradition is subject to extradition policies and procedures as contained in the Sheriff's Office Standard Operating Procedures Manual.

2. Responsibility:

Each Department Head is expected to exercise sound and prudent judgment when approving, arranging for, and incurring travel expenditures.

It shall be the responsibility of the Department Head to determine who is eligible for reimbursement for Internet access, if the place of lodging does not provide this service for free. The fee(s) for Internet access shall be included in the itemization of anticipated travel expenses when submitted for advance approval. Each employee participating in County-funded travel shall submit a "Travel Authorization Form" (Appendix G-2) to obtain advance approval for travel as outlined in Appendix G-1 – Travel/Reimbursement Approval, below. All travel-related expenses are to be itemized on one form; expenses may not be divided between two forms to avoid the expenditure limit as defined in C-3 below. Within ten (10) business days of return from travel, the original, approved Travel Authorization/Reimbursement Form shall be submitted to the Controllers Office with all appropriate receipts, details of expenses, explanations, and, if applicable, refund of unused travel advance funds. It is the responsibility of the Department Head to ensure the refund of any unused travel advance is submitted with the Travel Authorization/Reimbursement Form to the Controller's Office within ten (10) business days of return from travel.

3. Expenditure Limits:

- a. Total Expenditures: Expenditures for any individual employee to attend any single meeting, conference, training, seminar or other work-related function shall not exceed \$1,500. The \$1,500 limit is inclusive of travel, registration, and all other costs associated with attending such work-related functions. In those instances where funds for certain travel are anticipated to exceed the \$1,500 limit the requesting employee may make an appeal for an exception to policy. Such an appeal must demonstrate good cause and must be made through the County Manager

If an employee exceeds the \$1,500 expenditure limit without obtaining approval of the County Manager prior to scheduling travel, such

employee shall be personally responsible for all expenditures exceeding that amount.

b. **Meal Expenses:** An individual employee will be reimbursed for actual meal expenses to a daily maximum of \$45.00. Receipts are required for each meal submitted for reimbursement. This maximum includes gratuities to a maximum of 15 % per meal.

4. Advance Payments:

Only registration, per diem and advance conference fees may be paid prior to travel. All other travel payments shall be in the form of employee reimbursements after travel unless prior approval for advance payment is obtained from the County Manager.

5. Excessive Expenses:

Persons traveling on official County business will exercise care in incurring expenses to minimize the cost to the County Government. Excessive and unnecessary expenses will not be reimbursed. The County Manager and/or the Department Head will determine if expenses are excessive. Examples of non-reimbursable excessive expenses are:

- Travel or accommodations upgrades
- In room movies, hotel gym or spa expenses
- Theatre, concert and sporting event tickets
- Other incidentals such as medicines, toiletries, snacks or hotel personal services
- Any additional meal expenses over and above those mentioned in this policy
- Any costs incurred by individuals accompanying the county employee
- Any alcohol expenses

a. Joint Travel:

When it is known that two (2) or more employees will be traveling to the same destination, maximum use shall be made of special group travel discounts, joint use of taxicabs and joint use of County-owned, leased or privately-owned vehicles. County Government strongly urges such employees to carpool or use commercial transportation where feasible.

D. POLICY ADMINISTRATION

1. County Administration will adopt provisions of policy, set rates of reimbursement, and make any significant alterations.
2. County Manager will implement all provisions of this policy, authorize exceptions as permitted and make changes to operating procedures as necessary.
3. County Manager approval is required prior to making any travel arrangements when multiple employees in one department plan extended travel, as defined in Section B-3 above, to the same event.
4. Controllers Office will administer the policy (review practices for policy compliance, keep records, prepare advances and checks, note discrepancies, etc.).

E. TRANSPORTATION

1. It is expected that the most direct, practical and economical mode and route of travel is arranged and used. Transportation is paid only if it is reasonable and necessary to accomplish the County's business.
 - a. County Vehicle: County vehicles should be used for daily or extended travel when available and cost beneficial to the department.
 - b. Personal Vehicle: Employees are permitted to use their personally owned automobiles when a County-owned vehicle is not available, or when the use of a personally owned vehicle is cost beneficial to the department, or whenever authorized by the Department Head. In the event of an accident, the employee's insurance will be sole and primary.
 - c. When traveling to training, conferences, etc., the distance normally traveled from home to worksite (or the equivalent distance) is not reimbursable.
 - d. If an employee is required to return to work after going home for the day, the department head, depending on circumstances, may approve mileage reimbursement for the return trip.
 - e. Transportation should be shared by employees traveling together whenever possible. Rental cars may be used only when necessary for official purposes while traveling. Rental cars may not be used for personal purposes when traveling.

2. Mileage Reimbursement:

- a. Officials and employees of the county required to use their private vehicle in the performance of their official duties (routine mileage) will be compensated for business miles traveled at the current mileage rate. Employees shall be reimbursed at the rate of reimbursement adopted by the state, which follows the current IRS rates. The current IRS rates can be found at the following site: www.gsa.gov . The Luzerne County “Mileage Reimbursement Form (see appendix G-3) is to be used for this purpose.
- b. Reimbursement is based on the premise that the place of business is the headquarters of the employee. If the trip is begun or ended at a place other than the headquarters, reimbursement is allowed from the starting point, only when the cost from the starting point to the destination is less than the cost from headquarters to the destination.
- c. For purposes of Section b above all County facility locations within two (2) miles of the Luzerne County Courthouse are considered the “place of business headquarters of the employee”. Travel mileage between these County facility locations shall not be reimbursable, once an employee has traveled from home and reported to work to any one of these County facility locations.
- d. Mileage reimbursement for “actual” miles does not apply for those employees in Departments that have implemented a structured/fixed mileage reimbursement schedule based on geographic destination points. In no instance shall such schedules result in reimbursement for mileage above actual miles.

F. LODGING

1. Accommodations:

Accommodations will be reimbursed on a single occupancy basis only, unless there is more than one County employee traveling and a room is being shared voluntarily. Accommodations shall be arranged at (or closest to) the site of business. Accommodations will be reimbursed at the conference rate or government rate plus applicable taxes, whichever is lower and available. A receipt for lodging expenses shall be required and must accompany the Travel Authorization/Reimbursement form to ensure reimbursement. Extended travel must be necessary and reasonable to accomplish the County's business in order to be eligible for reimbursement. Prior approval for extended travel must be obtained in accordance with Appendix G-2 Travel/Reimbursement Approval. In the case of non-elected County officers and employees attending annual meetings of their associations, refer to the County Code section 443.

2. Non-Canceled Hotel Reservations:

Employees will communicate travel plan changes to the hotel as soon as possible if a confirmed reservation is being held. Since hotels may charge for non-canceled reservations, these charges will not be reimbursed if the traveler is negligent in canceling those reservations.

G. MISCELLANEOUS EXPENSES

The following expense may be reimbursed provided that such expenses are justified as County-related business expenses.

- Taxes, Surcharges and Lodging
- Tolls & Parking Fees
- Telephone/Fax/Internet Access

H. TRAVEL REIMBURSEMENT APPROVAL

Each category and level of travel expense requires an appropriate leave of authorization in order to receive reimbursement in line with the “Travel/ Reimbursement Approval Schedule. (Appendix G-1)

7.6 WORKERS’ COMPENSATION BENEFITS

- A. The County maintains a Workers’ Compensation Insurance Program which meets all State Law/Regulations and provides coverage in the event of on-the-job injury or illness. Any work-related injury/illness must be reported immediately to the respective employee’s Supervisor. Failure to report the incident immediately places the employee at risk for a denial of claim.
- B. An employee may utilize sick leave for any statutory waiting time before receiving disability benefits. Any worker’s compensation disability payments for this period will be signed over to the County. Dual compensation for any reason shall not occur.
- C. All accidents are to be investigated within twenty four (24) hours of the incident utilizing the approved “Accident/Injury Investigation Report” form (available on the County’s website). The report is to be forwarded to the Department Head, Safety Manager, Human Resources Department and the employee’s Personnel File. Should the injury/illness result in medical treatment and/or loss in work time the Supervisor/Manager must complete the approved “Workers Compensation Claim Form(available on the County website at www.luzernecounty.org) and forward same to the Human Resources Department for processing and the employee’s Personnel File.

- D. An employee whose employment is technically terminated from payroll due to a work related injury/illness and is receiving employee disability, shall continue to receive employee benefits including Healthcare for a period of ninety (90) days from the claimant's "first date of loss wages". After ninety (90) days, the employee has the option to enter into the County COBRA Program for eighteen (18) months only at employee's expense. An employee's benefits shall be reinstated upon return to work from disability.

CHAPTER 8

JOB DESCRIPTIONS, PERFORMANCE EVALUATIONS AND TRAINING

8.1 JOB DESCRIPTIONS

The County will develop and maintain in the Human Resources Department current job descriptions for all established and authorized positions.

The Department Head and the Human Resources Department will develop all job descriptions and recommend salary or rate ranges to the County Manager.

PROCEDURE:

Should a new or revised job description be required within a department, the Department Head will send a “Draft” of the new job description along with the old job description to the Human Resources Director.

- The Human Resources Director will review or create a new job description in line with the changed and/or new position scope, duties/responsibilities and background requirements.
- Establish a recommended salary range or wage rate.
- Finalize the new description and salary range/wage rate with the Department Head and submit the description for approval to the County Manager.
- Publish and distribute new approved job description as appropriate

8.2 PERFORMANCE EVALUATIONS

Performance Evaluations measure how well an employee’s actual performance compares to the expected “outcomes and standards” of their respective position. Employee and Supervisor are both provided an opportunity to discuss strength and weaknesses, encourage and recognize achievement, determine goals, and set corrective action and developmental strategies.

- A. Performance Evaluations will be conducted for each employee at least once per year at an official time designated by Human Resources for this purpose. Supervisors/Department Heads shall use official Performance Evaluation Forms distributed by Human Resources as the platform for conducting evaluations by job category/level (i.e., Exempt and non-exempt, etc).
- B. Performance Evaluations are encouraged to take place frequently on an informal basis throughout the year as a supplement to the once-a-year formal evaluation.
- C. Performance Evaluations are to be conducted within one (1) month of the expiration of the six (6) month probationary period for each new hire, transfer or promotion into a new position.

- D. A completed Performance Evaluation by the immediate supervisor, reviewed and approved by the Department Head and submitted to Human Resources for review and entry into the employee's Personnel File.
- E. Performance Evaluations are an important determinant of merit increases, promotions and continued employment. Merit increases and/or promotions shall not occur without a current satisfactory Performance Evaluation for each employee.

8.3 TRAINING AND DEVELOPMENT

County staff members may participate in relevant seminars, programs and other training events in accordance with the following:

- A. All requests to attend training activities are to be made to the Department Head and, if the meeting is out of state, approval must be obtained from the County Manager. Permission to participate will be contingent upon program relevance, employee workload, and budget availability.
- B. The County will pay expenses related to attendance at approved training events, including travel, meals and lodging. Such reimbursements will be made as provided in Section 7.5.
- C. Undergraduate and Graduate-level course work or similar academic study is not considered training and therefore is not reimbursable as such. Any undergraduate or graduate coursework pursued by an employee shall not interfere with an employees hours of work.
- D. All Staff Training and Development is subject to review and approval in line with budget availability.

CHAPTER 9

INFORMATION TECHNOLOGY (IT) RESOURCES

- 9.1. PURPOSE.** To establish policy and responsibilities to provide Authorized Users with guidelines for, restrictions upon, and standards for the acceptable use of IT Resources.
- 9.2 SCOPE.** This directive applies to all Authorized Users of all departments, agencies, and offices (hereinafter referred to as “departments”) under the County Manager’s jurisdiction and contractors, consultants, volunteers, and any other Authorized User who utilizes or has access to IT Resources.
- 9.3 OBJECTIVE.** To ensure that all Authorized Users that have access to IT Resources are made aware of and comply with the standards set forth in this directive.
- 9.4 DEFINITIONS.**
- a. Authorized Users.** Luzerne County employees, contractors, consultants, volunteers and any other Authorized User who utilizes or has access to IT Resources.
 - b.. IT Resources.** Luzerne County IT Resources include but are not limited to the following: the County’s computer systems, together with any electronic resource used for communications, which includes, but is not limited to laptops, individual desktop computers, wired or wireless telephones, cellular phones, pagers, beepers, personal data assistants and handheld devices, e.g. Blackberry devices, Palm devices, etc., and, further, includes use of the Internet, electronic mail (e-mail), instant messaging, texting, voice mail, facsimile, copiers, printers or other electronic messaging through County facilities, equipment or networks (collectively “IT Resources”).
- 9.5 POLICY.**
- a. Authorized Users of IT Resources are required to understand the permissible scope of usage.** These standards are designed to prevent use that may be illegal, unlawful, abusive, or which may have an adverse impact on Luzerne County or its IT Resources. In addition, they identify for Authorized Users the permissible and effective uses of IT Resources. Authorized Users are encouraged to assist in the enforcement of these standards by promptly reporting any observed violations to their supervisor, the Human Resources Office, department contact or contracting officer.
 - b. Abuse or misuse of IT Resources will have consequences.** The improper use of County IT Resources by employees or volunteers may result in disciplinary action, up to and including termination of employment or volunteer status, depending on the circumstances of the incident. The improper use of IT Resources by contractors or consultants may result in disciplinary action that may include termination of engagement, and other formal action under the terms of the

applicable contract. When warranted, the County may pursue or refer matters to other authorities for criminal prosecution against persons who violate local, state, or federal laws through the misuse of IT Resources.

- c. Ownership of IT Resources.** All data and records, including those pertaining to computer use, Internet use, e-mail communication, voicemail communication, text messages and other electronic communication (whether sent, received, or stored), as well as the content of such communications, are presumed to be the sole and exclusive property of the County. Individual Authorized Users do not control the access to or the use of such data or records. In addition, Authorized Users have no property or other rights to any or all related physical equipment, hardware and software applications that are provided, stored or otherwise utilized in connection with IT Resources.
- d. Authorized Users should have no expectation of privacy when using IT Resources.** At its discretion, executive level or Human Resources staff or their authorized designees may access, retrieve and review any files, data or records which are stored on or accessed through IT Resources, as well as, data or records related to IT Resource usage, including Internet records or e-mail communications, in order to determine compliance with the provisions of this directive or any other directive, personnel policy or applicable local, state or federal law. Department heads may determine who may access these files, data, and records, including, but not limited to, executive level staff, legal staff, human resource management staff, network or security system administrators, individuals in the Authorized User's chain of command or others, including law enforcement. Files, data and records which are stored on IT Resources together with records of IT Resources use may be reviewed at any time and are routinely backed up and stored without the user's knowledge. As such, Authorized Users should have no expectation of privacy in any electronic file, data, record stored on or accessed through IT Resources nor should an Authorized User have any expectation of privacy in any communication sent or received via, or stored within, IT Resources.
- e. IT Resources are subject to monitoring or other access by authorized County personnel.** All files, data or records stored on or accessed through IT Resources and all electronic communication and access to County IT Resources may be traced, audited and/or monitored, with or without notice to the Authorized User. This includes, but is not limited to; all files stored on County computers, Internet activity, all Internet Web site access and all e-mail, voice mail and text messages. Departments and their designees may use tracking, blocking, logging and monitoring software to investigate IT resource usage, restrict certain access and/or alert IT staff to certain inappropriate uses. Use of IT Resources by Authorized User is consent to monitoring.
- f. Authorized Users may not access unauthorized data and should take measures to protect the security of their data.** As part of the privilege of being an Authorized User, Authorized Users may not attempt to access any data or programs contained on County systems for which they do not have authorization or explicit consent. Authorized Users must use passwords and/or encryption in a manner that is consistent with County policy. Utilization of special passwords or

encryption does not, however, guarantee the confidentiality of any electronic communication or of any file, data or record stored or accessed through IT Resources. Authorized Users must keep passwords secure and must not share them with others.

- g. IT Resources are intended for business use and should be used primarily for that purpose.** IT Resources are tools that the County has made available for County business purposes. Where personal use of IT Resources does not interfere with the efficiency of operations and is not otherwise in conflict with the interests of the County, reasonable use for personal purposes will be permitted in accordance with standards established for business use. Such personal use shall be limited, occasional and incidental. Any personal use which is inconsistent with County policy regarding availability or capability of computer equipment, or inappropriate content of communications as defined by this policy is prohibited.
- h. IT Resources must never be used in a manner that violates other County directives and policies.** All use of IT Resources must conform with the County policies on nondiscrimination and sexual harassment. Violations of these directives and policies through IT Resources will be treated in the same manner as other violations.
- i. All Authorized Users must be provided with this directive.** All existing employees must be provided a copy of this policy. All new employees must review this policy during new employee orientation. All non-employee Authorized Users must review this policy prior to their use of and access to County IT Resources. Copies may be provided either electronically or in hard copy.
- j. Departments must ensure that all Authorized Users have signed an Acknowledgement of Receipt Form.** As a condition of granting access to the IT Resources, departments must obtain an acknowledgement of receipt and understanding of this directive in the form of a signed user agreement: *Luzerne County IT Resources User Agreement - County Employee or Volunteer Form, (Appendix H-1)*, in the case of employees or volunteers, or *Luzerne County IT Resources User Agreement - County Contractor or Consultant Form, (Appendix H-2)*, in the case of contractors or consultants. Departments must obtain signed user agreements prior to granting access to IT Resources.
- k. Each department must maintain copies of the agreement signed by each Authorized User in that agency.** Completed user agreements shall be maintained as part of the employee's Official Personnel Folder. Alternately, users may sign and agencies may store these agreements in an electronic format. Signed agreements must be accessible to individuals who are authorized to view or use the documents.
- l. Requests for electronic records should be treated in the same manner as paper records.** Requests for records pertaining to IT Resources must be addressed consistent with all laws, directives or policies that would apply to the same information if maintained in a non-electronic format. These requests should be referred to County legal counsel.

- m. This directive supersedes prior or inconsistent policies.** This policy supersedes any existing IT, Internet and/or e-mail use policy issued by departments under the County Manager's jurisdiction that is inconsistent with this directive, unless specific exemptions are granted by the County Manager or designee. Approved labor agreements should be read in a manner to effectuate both this policy and any such agreement. In cases where a provision of an approved labor agreement cannot be reconciled with this policy, the labor agreement will control. Departments may develop supplemental IT, Internet and/or e-mail use policies only with the approval of the County Manager or designee.

9.6 RESPONSIBILITIES.

a. Department shall:

- (1) Provide either a hard copy or electronic copy of this directive to Authorized Users.
- (2) Ensure that Authorized Users have signed the user agreement.
- (3) Maintain a copy of the signed user agreement for Authorized Users.

b. Authorized User shall:

- (1) Understand the permissible scope of usage of IT Resources.
- (2) Sign the user agreement.

9.7 STANDARDS FOR USAGE OF IT RESOURCES.

- a. Auditing, Monitoring and Reporting.** All files, data or records stored on or accessed through IT Resources and all records related to IT usage including Internet records and electronic mail (e-mail) communications may be searched, traced, audited and/or monitored, with or without notice to the Authorized User. This includes, but is not limited to, all Internet activity, all Internet Web site access and all e-mail, voice mail and text messages. Departments and their designees may use tracking, blocking, logging and monitoring software to investigate IT Resource usage, restrict certain access and/or alert IT staff to certain inappropriate uses.

Authorized Users, therefore, should have no expectation of privacy in any files data or records stored on or accessed through IT Resources, nor should they have any expectation of privacy in any electronic communication sent or received via, or stored within, IT Resources. By using IT Resources, the user authorizes any such access to or auditing and/or monitoring of IT Resources by the County.

Authorized Users are encouraged to assist in the enforcement of these standards by promptly reporting any observed violations to their supervisor, the Human Resources Office, department contact or contracting officer.

b. Discipline of Other Consequences of Misuse. The improper use of IT Resources by employees or volunteers may result in disciplinary action, up to and including termination of employment or volunteer status, depending on the circumstances of the incident. The improper use of IT Resources by contractors or consultants may result in disciplinary action that may include termination of engagement, other formal action under the terms of the applicable contract. When warranted, the County may pursue or refer matters to other authorities for criminal prosecution against persons who violate local, state, or federal laws through the misuse of IT Resources.

c. General IT Resources Use.

- (1) As part of the privilege of being an Authorized User, Authorized Users may not attempt to access any data or programs contained on County systems for which they do not have authorization or explicit consent.
- (2) Authorized Users may not share their County or department account(s), passwords, Personal Identification Numbers (PIN), Security Tokens (i.e. Smartcard), or similar information or devices used for identification and authorization purposes with any other person or Authorized User. Authorized Users are strictly responsible for maintaining the confidentiality of their County or department account(s), passwords, PIN, Security Tokens or similar information or devices.
- (3) Authorized Users may not make unauthorized copies of copyrighted software.
- (4) Authorized Users may not use non-standard shareware or freeware software without IT management approval unless it is on the department's standard software list.
- (5) Authorized Users may not purposely engage in activity that may: harass, threaten or abuse others; degrade the performance of IT Resources; deprive an Authorized User of access to an IT Resource; obtain extra IT Resources beyond those allocated; or circumvent computer security measures.
- (6) Authorized Users may not use IT Resources to engage in personal, for-profit transactions or business, or to conduct any fundraising activity not specifically sponsored, endorsed, or approved by the County.
- (7) Authorized Users may not engage in illegal activity in connection with their use of IT Resources, including, but not limited to downloading, installing or running security programs or utilities that reveal or exploit weaknesses in the security of a system. For example, Authorized Users may not run password cracking programs, packet sniffers, port scanners or any other non-approved programs on IT Resources, unless they are specifically authorized to do so.
- (8) Authorized Users may not access, create, store, transmit, post or view

material that is generally considered to be inappropriate or personally offensive or which may be construed as discriminatory or harassing, including sexually suggestive, pornographic or obscene material.

- (9) Authorized Users may not utilize unauthorized proprietary and/or commercial “social networking” products on County computer resources.
- (10) Authorized Users are personally responsible for the security of authorized portable IT Resources. Care must be exercised to ensure these devices are not lost, stolen or otherwise accessed in an unauthorized manner.
- (11) Authorized Users may not store non-public information on IT Resources, if those IT Resources may be removed from County facilities without prior approval from the department head or designee.
- (12) Authorized Users may only use encryption methods approved by the County to encrypt information. Authorized Users may not rely on any business communications via the Internet using IT Resources being secure, private, or inaccessible, even where appropriate security applications are used, e.g. data encryption.
- (13) Authorized Users may not use non-County or non-approved storage devices or storage facilities without the approval of the department head or designee.

d. Internet Use. All security policies of the County and its agencies, as well as policies of Internet Web sites being accessed, must be strictly adhered to by Authorized Users.

- (1) **Software.** In connection with Authorized Users’ use of and access to IT Resources:
 - a. All software used to access the Internet must be part of the agency’s standard software suite or approved by the IT department. This software must incorporate all vendor provided security patches.
 - b. All files downloaded from the Internet must be scanned for viruses using the approved County distributed software suite and current virus detection software.
 - c. All software used to access the Internet shall be configured to use the County’s standard Internet Access Control and Content Filtering solution.
- (2) **Access Control and Authorization.** Departments should authorize access to the Internet using County computer resources through the utilization of a user ID/password system. Security violations can occur through unauthorized access, and all possible precautions should be taken to protect passwords. Authorized Users are responsible for activity and communications, including but not limited to e-mail, voice mail, text messages, data and any other

electronic communications transmitted under their account.

(3) Incidental Use

- a. IT Resources are communication tools that the County has made available for County business purposes. Where personal use of these resources does not interfere with the efficiency of operations and is not otherwise in conflict with the interests of the County, reasonable use for personal purposes will be permitted in accordance with standards established for business use. Such personal use shall be limited, occasional and incidental.
- b. Incidental personal use of Internet access is restricted to Authorized Users; it does not extend to family members, other acquaintances or any other persons.
- c. Access to IT Resources that are home-based, e.g., accessing the Internet from a County owned, home based computer or laptop, must adhere to all the same policies that apply to use from within County facilities. Employees may not allow family members or other non-employees to access home-based IT Resources.
- d. Incidental use must not result in direct costs to the County.
- e. Incidental use must not interfere with the normal performance of an Authorized User's work duties.
- f. No user may send or solicit files, documents or data that may risk legal liability for, or embarrassment to, the County.
- g. All files and documents located on IT Resources, including personal files and documents, are generally owned by the County and may be accessed and retrieved in accordance with this policy. In addition, it should be understood that such documents may be subject to requests for disclosure under the *Right to Know Law*, 65 P.S. §§ 66.1, et seq., and other similar laws.

(4) Acceptable Use of the Internet. Accepted and encouraged use of the Internet for Authorized Users on IT Resources includes, but is not limited to, the following:

- a. Access, research, exchange or posting of information that relates to the assigned job duties of an Authorized User for carrying out County business.
- b. Promotion of public awareness in regard to County services and public policies.
- c. Posting of department information that has been authorized by appropriate management.

e. Email Use.

(1) Expectation of Privacy

- a.** When sensitive material is sent electronically via e-mail, it is important to verify that all recipients are authorized to receive such information and to understand that e-mail is not fully secure and/or private, except where appropriate security applications are used, e.g. data encryption.
- b.** Users should understand that messages can be quickly and easily copied and may be forwarded inappropriately.
- c.** Where it is necessary to transmit County proprietary or restricted information beyond the County e-mail network, the messages should be protected by encryption. Authorized Users should contact the IT department for assistance if encryption is needed.
- d.** E-mail messages to be transmitted outside of the United States should comply with local laws governing international transmission of data as well as United States export control regulations. For assistance, Authorized Users should contact the IT department.
- e.** The department head or designee should determine specific department policy regarding business information which is determined to be too confidential or sensitive to be transmitted via e-mail.
- f.** All user activity and electronic communication, including the contents of such communication, including but not limited to, e-mail, voicemail, text messages and data, on IT Resources is subject to tracking, blocking, logging, auditing, monitoring, accessing, retrieving and reviewing, as described more fully in this directive.

(2) Access Control and Authorization

- a.** Only Authorized Users may use IT Resources to send or view e-mail or access the County's e-mail systems.
- b.** Unauthorized persons may not use the County network or equipment to originate e-mail messages or read e-mail messages directed to others.
- c.** Access to County e-mail will only be granted to County employees, contractors, consultants, volunteers, in their capacity as Authorized Users, if they agree to abide by all applicable rules of the system, including this directive and its related standards.
- d.** An Authorized User may not access the e-mail or account of another Authorized User unless granted permission to do so by the Authorized User. Unauthorized access of an Authorized User's e-mail files is a breach

of security and ethics and is prohibited. This restriction does not apply to system administrators and management staff in the Authorized User's chain of command who are authorized to access e-mail for legitimate business purposes.

- e. In accordance with department policy, Authorized Users should use password protection to limit access to e-mail files. Authorized Users must safeguard their passwords so that Unauthorized Users do not have access to their e-mail. Authorized Users are responsible for all messages transmitted and originating under their account.

(3) Message Retention. All messages, including e-mail, text messages, and voice messages, are subject to the appropriate County records retention and disposition schedules.

(4) Email Security Issues, Worms and Viruses. E-mail and attachments to e-mail increasingly are reported to be sources of computer viruses. All Authorized Users should act in accordance with the latest IT Bulletins regarding containment methods for computer viruses.

(5) Maintaining Professionalism

Every Authorized User who uses IT Resources is responsible for ensuring posted messages and other electronic communications are professional and businesslike. As a way to impose personal restraint and professionalism, all employees should assume that whatever they write may at some time be made public. Authorized Users should follow the following guidelines:

- Be courteous and remember that you are representing the County with each e-mail message sent.
- Review each e-mail message before it is sent and make certain that addresses are correct and appropriate. Use spell check before sending.
- Consider that each e-mail message sent, received, deleted, or stored has the potential to be retrieved, seen, and reviewed by audiences, including the general public, who were not the intended recipient of the message.
- Ensure that content is appropriate and consistent with business communication; avoid sarcasm, exaggeration and speculation which could be misconstrued. Remember that intonation and inflection are lost in e-mail.

- Be as clear and concise as possible; be sure to clearly fill in the subject field so that recipients of e-mail can easily identify different e-mail messages. Avoid subject fields that are vague and general, e.g. “question,” “comment,” etc.

(6) Electronic Message Distribution, Size and Technical Standards

- a. Authorized Users should receive authorization from their chain supervisor before wide scale “broadcasting” an e-mail bulletin to groups of employees.
- b. The use of “reply to all” should be avoided unless it is appropriate to respond to all addressees.
- c. Authorized Users wishing to send e-mail bulletins to all County or department employees must first obtain authorization from department management.
- d. E-mail messages should be brief, and attachments to e-mail messages should not be overly large. County IT staff will inform Authorized Users of limitations on the size of e-mail messages and attachments. The IT department will periodically provide technical standards and guidance to departments through IT Bulletins on the technical capacities of the County email system and limitations on e-mail message size. Technical standards will be defined in areas such as file size and backup procedures, and will be distributed as appropriate.

f. Unacceptable Uses of IT Resources.

The following are examples of impermissible uses of IT Resources. This list is by way of example and is not intended to be exhaustive or exclusive. Authorized Users are prohibited from:

- Accessing, creating, storing, transmitting, posting or viewing material that is generally considered to be inappropriate or personally offensive or which may be construed as harassing, including sexually suggestive, pornographic or obscene material.
- Accessing, creating, storing, transmitting, posting or viewing material that expresses or promotes discriminatory attitudes toward race, gender, age, nationality, religion, or other groups including, but not limited to, protected groups identified in Equal Employment Opportunity legislation.
- Engaging in personal, for-profit transactions or business, or conducting any fundraising activity not specifically sponsored, endorsed, or approved by the County.

- Participating in Internet activities that inhibit an employee's job performance or present a negative image to the public, such as auctions, games, or any other activity that is prohibited by directive, policy or law.
- Attempting to test or bypass the security ("hacking" or "cracking") of computing resources or to alter internal or external computer security systems.
- Participating in or promoting computer sabotage through the intentional introduction of computer viruses, worms or other forms of malware, i.e. malicious software.
- Promoting, soliciting or participating in any activities that are prohibited by local, state, or federal law or the County's Personnel Policy.
- Violating or infringing the rights of any other person.
- Using any other Authorized User's password and/or equipment to conduct unacceptable activities on IT Resources.
- Harassing or threatening activities including, but not limited to, the distribution or solicitation of defamatory, fraudulent, intimidating, abusive, or offensive material.
- Transmitting or soliciting any proprietary material, such as copyrighted software, publications, audio or video files, as well as trademarks or service marks without the owner's permission.
- Promoting or participating in any unethical behavior or activities that would bring discredit on the County or its departments.
- Downloading and/or installing any unapproved software.
- Transmitting or posting any messages that intentionally misrepresent the identity of the sender, hide the identity of the sender or alter a sender's message.
- Sending or forwarding confidential or sensitive County information through non-County e-mail or webmail accounts. Examples of non-County e-mail accounts include, but are not limited to, Hotmail, Yahoo mail, AOL mail, Gmail and e-mail provided by other Internet Service Providers.
- Sending, forwarding or storing confidential or sensitive County information utilizing non-County accredited mobile devices. Examples of mobile devices include, but are not limited to, Personal Data Assistants, Blackberry devices, two-way pagers and cellular telephones.

- Participating in any other Internet or e-mail use that is deemed inappropriate by the County and/or its departments and is communicated as such to Authorized Users.

- g. **Additional technical standards.** Additional technical standards for use of IT Resources may be published by the Luzerne County Information Technology (IT) Department and distributed as appropriate.

CHAPTER 10

EMPLOYEE RESPONSIBILITY & CONDUCT

10.1 GENERAL POLICY.

- A. All County employees are expected to represent the County to the public in a professionally courteous, efficient and helpful manner. Employees must maintain a clean and neat appearance appropriate to their position assignment, as determined by their Department Head.
- B. Since the proper working relationship between employees and the County depends on each employee's on-going job performance, professional conduct and behavior, the County has established certain minimum standards of personal conduct. Among the County expectations are: basic tact, respect and courtesy towards the public and fellow employees; adherence to County policies, procedures, safety rules and safe work practices; compliance with directions from Supervisors; preserving and protecting the County's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.
- C. Employees shall respect and comply with the law, rules of court and the regulations specifically applicable to the department in which they are employed and shall conduct themselves at all times in a manner that promotes public trust and confidence in the integrity and impartiality of the County

10.2 CONFIDENTIALITY

- A. Employees of Luzerne County shall safeguard confidential information acquired in the course of their employment. Employees shall not disclose or use confidential information for any purpose not connected with the performance of their official duties.
- B. For the purpose of this section, "confidential information" is that required to be kept confidential pursuant to federal law, state law, court rule, court order, administrative regulation, policy or directive. Confidential information includes, but is not limited to: data, source code, notes, papers, memoranda, discussions, deliberations, proprietary information and electronic communications, such as e-mail or facsimile.
- C. The work product of former employees of Luzerne County shall remain confidential. Upon termination from employment, employees may, with the permission of their supervisor, take with them copies of written material in which they participated as a part of a personal file, but shall not release such material to any other party without the written consent of the Department Head and County Manager. "Work product" does not include documents that are published or filed of public record.

10.3 CONFLICTS OF INTEREST AND RELATED PROHIBITIONS

A. Acceptance of Gifts and/or Use of Position for Personal Gain.

Employees of the County shall not solicit, accept or agree to accept anything of value from any person or entity doing or seeking to do business with Luzerne County subject to the following exceptions:

1. acceptance of a gift from a family member when the circumstances make it clear that the purpose is personal

Note: "Family member" is defined as a parent, step-parent, spouse, domestic partner, father in-law, brother-in-law, child, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, first cousin, aunt, uncle, grandchild, and grandparent.

2. acceptance of meals or refreshments of nominal value in the ordinary course of a meeting, conference or other official business;
3. acceptance of loans from banks or other financial institutions on similar terms offered to the public for purposes such as a home mortgage
4. acceptance of gifts of nominal value for special occasions such as marriage, illness or retirement;
5. acceptance of a plaque or other item offered as a token of appreciation for a public appearance.
6. acceptance of educational materials directly related to the employee's duties; and
7. acceptance of unsolicited advertising or promotional material of nominal value, such as pens, pencils, note pads, calendars and items of apparel with vendor logo.

Note: Employees must exercise diligence in observing high standards of conduct that promote integrity, impartiality of and trust in Luzerne County. If it might reasonably be inferred that the donor's primary purpose in providing the unsolicited advertising or promotional material is to influence an employee in the performance of official duties, acceptance of the unsolicited material should be declined.

Employees shall report any prohibited offer or gift from any person or entity doing or seeking to do business with Luzerne County.

B. Acceptance of Additional Compensation.

1. Employees of the County are appropriately compensated for the performance of their duties and shall not solicit or accept any additional compensation or anything of value from any other source for performing the duties and responsibilities of their position.
2. Employees shall not accept honoraria or fees given for speaking in their official capacity, but may be reimbursed for related travel expenses. Employees may accept such fees for speaking engagements for appearances unrelated to their employment and made on their own time.

C. Special Treatment and/or Special Favors.

Employees of the County shall not permit family, social, or other relationships to influence their official conduct or judgment, or to create the appearance of influencing their official conduct. Employees shall inform their supervisor of any situation creating undue influence or the appearance of undue influence.

D. Employment Practices.

Employees of the County shall make all hiring, employment, and supervisory decisions in compliance with the County on Non-Discrimination and Equal Employment Opportunity, and all applicable state and federal laws. Employees of Luzerne County shall avoid favoritism or the appearance of favoritism, when making hiring, employment, and supervisory decisions and shall make such decisions impartially and on the basis of merit.

Note: Reflecting the values of impartiality and fairness that promote the integrity of County's Administration, it is the policy of the County to recruit and employ the most qualified job applicants through an open and competitive hiring process which allows for a full, complete, and unbiased assessment of each applicant's relative knowledge, experience, skills, and abilities.

E. Misuse of Employment Position, Equipment, or Supplies.

Employees of the County shall not use the resources, employees, property, facilities, equipment, time, or funds under their control to improperly benefit themselves or any other person.

F. Outside Employment & Conflicts of Interest

1. Employment with the County as a regular full-time employee shall be considered as the “primary” employment of each employee. Regular Full-Time and Regular Part-Time employees holding employment outside the County are required to notify the County in writing of such employment to their respective Department Head. Before engaging in any outside employment, an employee shall first consult his/her Supervisor/Department Head to determine whether the proposed employment or business dealing is consistent with the standards of this policy. Such notification must include name of employer, position, title and hours of work. Each Department Head in conjunction with the County Manager and Human Resources Director will review the employer’s outside employment from a standpoint of conflict and/or interference with County employment. Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, with the interests of the County or interfere with an employee’s ability to perform his/her assigned County job. Examples include, but are not limited to, outside employment which:

- a. Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods;
- b. Is conducted during the employee’s work hours;
- c. An employee’s compensation is contingent upon or a result of his/her employment with the County;
- d. Utilizes County telephones, computers, supplies, or any other resources, facilities or equipment; or
- e. May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

G.. Personal and Financial Interests.

Employees of the County shall not participate in any County work-related matter wherein they have more than a minimal personal or financial interest. All Elected Officials and certain management employees are required to annually file a statement of Financial Interests under the Public Official and Employee Ethics Law.

H. Duty to Disclose

If a conflict of interest should arise, the employee shall immediately advise his or her supervisor. If the supervisor determines that a conflict of interest exists, then the employee shall abide by any employment restrictions that are deemed to be necessary.

10.4 PERSONAL RELATIONSHIPS AND ACTIVITIES

- A. Employees of the County may participate in civic and charitable activities that do not detract from the impartiality of the County or interfere with the performance of their official duties or the functioning of the workplace. Employees may serve as officers, directors, trustees, or non-legal advisors of educational, religious, charitable, fraternal, social or civic organizations, and may solicit funds for any such organization, subject to the limitation that the name and prestige of the county shall not be used in the solicitation of funds and funds are not knowingly solicited from parties or attorneys who are likely to come before the court by which they are employed.
- B. Employees of the County shall not require, request or accept the offer of any subordinate to perform tasks of a personal nature.
- C. Employees of the County shall not engage in financial or business dealings or in any other personal activities that may detract from the interests and impartiality of the County, may otherwise interfere with the performance of their official duties, or may exploit the employee's official position.

10.5 WORKPLACE CONDUCT

Employees of Luzerne County shall conduct themselves in an appropriate and lawful manner at all times and shall adhere to all workplace policies including, but not limited to, the standards of workplace conduct outlined below:

Employees of Luzerne County:

1. shall treat all persons respectfully and impartially;
2. shall work diligently at all times;
3. shall comply with all lawful directives unless such compliance would be injurious to the health or safety of themselves or others.
4. shall avoid impropriety and the appearance of impropriety in all activities;
5. shall cooperate fully with any internal investigation conducted by their employer;
6. shall not engage in any form of discrimination, harassment, or retaliation against any person as prohibited by law or county policy;

7. shall not engage in any form of violence, threat of violence, or disruptive conduct;
8. shall not make intentionally false or misleading statements when performing their duties;
9. shall not falsify, or improperly alter or destroy work-related documents or records;
10. shall not improperly use or destroy County property;
11. shall not be impaired by alcohol, drugs, medications or other intoxicating substances while on duty;
12. shall refer all requests for information from other government entities, the media, and/or the public to those individuals who have been formally designated to respond to such inquiries; and
13. shall not illegally possess weapons or controlled substances in the workplace.

10.6 PARTISAN POLITICAL ACTIVITY.

- A. County employees may participate in political or partisan activities of their choosing provided that County resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees shall not campaign on County time or in a County uniform or while representing the County in any way. Employees may not allow others to use County facilities for political activities.
- B. Any County employee who meets with or may be observed by the public or otherwise represents the County to the public, while performing his/her regular duties may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on County property or County time, for a contribution for a partisan political cause.
- C. Except as noted in this policy, County employees are otherwise free to fully exercise their constitutional First Amendment Rights.
- D. County Civil Service employees must comply with “Political Activities of Classified Service Employees” as detailed in the Management Directive 580.25 (Appendix E).

10.7 DUTY TO REPORT/WHISTLEBLOWER POLICY

- A. Employees of the County shall report to their immediate supervisor any attempt by anyone to induce them to violate any provision of this Code of Conduct or any policy of the County. Any employee who reports a problem or grievance will not be retaliated against, harassed or made to stand out in a negative manner because of the act of reporting. Knowingly making false reports through, will be grounds for disciplinary action, up to and including dismissal.

Note: Pennsylvania's Whistleblower Law (43 P.S. § 1421 et seq.) prohibits, among other things, the discrimination or retaliation against an employee who makes a good faith report of wrongdoing or participates in an investigation, hearing or inquiry held by an appropriate authority.

- B. Employees who are arrested, charged with, or convicted of a crime (other than summary traffic offenses that do not hinder or prevent the performance of their official duties) in any jurisdiction shall report this fact to their immediate supervisor at the earliest reasonable opportunity.

10.8 DESIGNATED SANCTIONS

Employees of Luzerne County who fail to properly follow these standards of conduct will be subject to disciplinary action including the termination of their employment.

10.9 PERSONAL POSSESSIONS

- A. The County furnishes desks, closets, and/or lockers for security of employee coats, purses, and other personal possessions, whenever possible. The County does not, however, assume responsibility for any theft or damage to the personal belongings of employees, and reserves the right to search employee desks, lockers, vehicles and personal belongings brought onto County premises, if necessary.

10.10 USE OF COUNTY EQUIPMENT.

- A. County equipment is to be used by employees for County **business** only. Use of County telephones for personal emergency or unavoidable necessary local calls are permitted. Long distance use is prohibited. An employee's misuse of County services, telephones, equipment or supplies can result in disciplinary action, including termination.
- B. Cell Phone Policy
 - 1. The County may at its discretion issue a Cellular Device i.e. Blackberry, Cell Phone, Air Card to an employee in order to facilitate efficient conduct

of the County's business. Such devices are issued to an employee strictly for "Business-Use Only". Certain abbreviated personal calls for emergencies, notification of changes or extension of work schedules and similar categories are permissible provided such calls are kept to a minimum.

2. The County Manager or designee is responsible for oversight and administration of the County's Cellular Device Policy & Procedure.
 - a. All requests for Cellular Devices will be made by Department Heads to the County Manager. The County Manager will be responsible for reviewing appropriateness and funding availability, as well as making authorization.
 - b. A written record will be made of each issuance inclusive of the name of the department and employee the Cellular Device was issued to; the Cost Center for billing purposes; the type of device; purposes; as well as "Employee Acknowledgement of Receipt".
 - c. Employees must take reasonable precautions to prevent loss, damage, or theft to County-issued Cellular Devices. The County will accept responsibility for equipment that is damaged accidentally and/or for normal "wear and tear" in the course of business. Damages resulting from recklessness and/or destructiveness will be the responsibility of the employee.
 - d. Lost or stolen Cellular Devices must be reported immediately to the Department Head and County Manager.
 - e. Employees when using Cellular Devices must abide by all applicable Federal, State, Local Laws governing use as well as any restrictions otherwise imposed by the Department Heads, Security Department, Courts, etc.
 - f. Employees must not use Cellular Devices while operating County vehicles
 - g. Upon separation of employment with the County, the employee must return the issued Cellular Device to his/her Department Head and will be responsible for all costs of the equipment and retrieval thereof if not returned.
 - h. Failure to comply with this Policy/Procedure may result in disciplinary action up to and including termination.

10.11 USE OF COUNTY VEHICLES

- A. It is the policy of Luzerne County that all vehicles owned by the county are solely the property of Luzerne County. As such, those vehicles are to be used for the exclusive purpose of conducting county government business and operated in the safest manner possible to ensure the well being of its employees and other sharing the roadway.
- B. The following rules govern the appropriate use of the Luzerne County fleet of automobiles:

1. PROPERTY:

- a. All county vehicles will be appropriately and universally marked with the County seal, municipal license plate, numbered and labeled for identification and to indicate county ownership and business.
- b. As deemed necessary, selected vehicles will be designated as “departmental vehicles” and based relative to the location of the department (i.e. Human Services, 111 North Pennsylvania Ave.; Solid Waste Management, 77 Water St., etc.).
- c. Surplus vehicles as they are or become available in any department must be reassigned before any purchase of new vehicles occurs.

2. OPERATION

- a. All county personnel are required to provide their own transportation to and from work, but will have access to the use of a county vehicle for official county business and limited to regular business hours (9:00am to 5:00pm) or the specific hours related to the position.
- b. Any employee who is determined operating a county vehicle for personal use is subject to disciplinary action as described in Section 10
- c. All potential operators of county vehicles are required to maintain a valid driver’s license and participate in the driver education and training program described in Section 9.7. Should a county vehicle be required for county business between 5:00pm and 9:00am, weekends or holidays, a written request, explanation and justification must be presented to the “Fleet Manager”, as defined in Section 9.7, for record-keeping, vehicle rotation and maintenance purposes.
- d. Department Managers, in conjunction with the Fleet Manager are responsible to ensure compliance with driver’s license and

education requirements. A written record shall be maintained of all employees who may be required to operate County Vehicles as part of their position responsibilities. Such record will include a copy of the Drivers' License, date of last verification and completion date and proof of Driver Education and Training. Quarterly audits to verify validity of Driver's License are to be conducted with records kept of such verification. Spot verifications may be conducted at any time determined by the Department or Fleet Manager.

- e. Necessary exceptions to this policy are limited to the following positions requiring 24-hour/7 day availability:

EMA Director; EMA Initial Response (rotation), Road and Bridge Director, Building and Grounds, 9-1-1, Sheriff, Prison, Engineers, and any other Department Head as may be needed depending upon the severity and nature of the emergency.

3. FLEET MANAGER:

- a. The County Manager or designee, will function as the "Fleet Manager".
- b. The Fleet Manager is responsible for maintaining the fleet of county vehicles in an efficient and safe working condition at all times and monitoring their operation during other than regular business hours including, but not limited to, keeping records regarding department, driver, vehicle identification, purpose, mileage, condition, and time in/out.
- c. The Fleet Manager, in consultation with the County Manager, or designee, will review all written requests for the off-hours use of a county vehicle and make a final determination regarding appropriateness.

4. VEHICLE & EQUIPMENT FUEL CARD POLICY

- a. **GENERAL POLICY**

The purpose of this policy and procedure is to provide guidelines for the issue, control and use of Fuel Cards to/by County employees in County-owned and operated vehicles/equipment with fuel dispersed from County-owned fuel depots.

b. DEFINITIONS

Program Administrator (PA)

The Program Administrator designated in the Road and Bridge Department to oversee compliance with Fuel Card Policy & Procedure to include:

- Issue and cancellation of fuel cards
- Serve as the principal contact and administrator of processes/procedures including disputed purchases, credits and/or billing errors.
- Act as liaison between Department Heads, County Manager, Controller and Chief of Budget & Finance on all matters relating to fuel cards.

County-Owned Equipment

Any fuel-powered tools and equipment purchased and maintained exclusively by the County.

County-Owned Vehicles

Any Motor Vehicle which is titled, licensed and/or leased by the County for the exclusive purpose and use of transporting employees, prisoners, residents under approved Human Services programs and any other authorized purpose under official County business.

Fuel Card

The current official authorized card issued specifically to a County-owned Vehicle and/or piece of equipment or to a Department for use restricted to only that specific vehicle, equipment or Department.

Fuel Usage & Vehicle Log Sheet

The only document recognized as the official record of all fuel dispensed to, record of mileage for and employee operating a specific County-owned Vehicle/Equipment. A Fuel Usage and Log Sheet are assigned to each vehicle and/or piece of equipment and must remain in the assigned vehicle at all times. Under no circumstances shall it be transferred to another vehicle.

Statement of Account

This statement is the official monthly report of the total amount of fuel dispensed to each County-owned Vehicle/Equipment and charge allocation by Department.

c. FUEL CARD POLICY

Fuel Cards will be issued at the sole discretion of County Management, for use in dispensing fuel from County Fuel Depot(s) to County-owned Vehicles/Equipment. Such Fuel Cards are assigned to specific vehicles/equipment and/or Departments and are not to be used in any other Vehicle/Equipment for which it is not assigned. Fuel Cards are not interchangeable between Departments, Vehicles, and pieces of Equipment.

d. FUEL CARD PROCEDURE & ADMINISTRATION

1. Establishing Fuel Card Account:
Department Heads will provide the PA with all vehicle/equipment information necessary to establish an account. This information will include vehicle make and model, license plate number, vehicle information and any other relevant information requested.
2. The PA will issue an official Vehicle Fuel Log Sheet assigned to the specific Vehicles/Equipment or Department. Department Heads may make copies as needed. See appendix J.
3. The PA will issue an official Fuel Card assigned to the specific County Vehicle/Equipment or Department after an Account has been established and Vehicle Fuel Log Sheet issued to the specific vehicle or Department.
4. The Fuel Card and Vehicle Fuel Log Sheet must be kept in the Vehicle to which it was assigned at all times.
5. When dispensing fuel, mileage, time and date of transaction, gallons dispensed and signature of employee dispensing fuel must be recorded immediately utilizing the Vehicle Fuel Log Sheet.
6. Mileage and PIN Number must be entered into the County Gas Pump System each time fuel is dispensed into a County-owned Vehicle, in order for the County Fuel Pump to accurately record the transaction.

7. Vehicle Fuel Log Sheets must be submitted to the PA and Controller's Office upon the completion of the entire sheet, or upon demand by the PA or Controller's Office. Each such Log Sheet must be signed and dated by the respective Department Head serving as verification of accuracy and authorization of fuel dispensed.
8. Vehicle Fuel Log Sheets must be submitted to the PA and to the Controller's Office no later than ten (10) days after the end of each month. Upon submission of the previous month's Vehicle Fuel Log Sheet, a new Vehicle Fuel Log Sheet must be placed in each Vehicle/Equipment/ Department as applicable.
9. Dispensing of fuel into County equipment or container shall be the responsibility of the PA in order to insure the safety of County employees.

e **UNAUTHORIZED USE**

1. County employees hold a public trust; their conduct must meet the highest ethical standards, All County employees shall use Fuel Cards within the guidance of established policy and procedure.
2. It is a violation of policy for any employee to use a Fuel Card to dispense fuel into another County-owned Vehicle/Equipment for which the card was not assigned. Such violations will subject an employee to disciplinary action.
3. An employee using a County fuel Card to dispense fuel into a non-County-owned Vehicle/Equipment will be subject to immediate termination.
4. Any employee making false statements in any way related to Fuel Card use and reporting will be subject to disciplinary action up to and including termination.
5. The county will not be liable for any unauthorized use of Fuel Cards.
6. Any employee or Department found to have made an unauthorized purchase or use of fuel with a Fuel Card shall be liable to Luzerne County for the total dollar amount involved in the misuse of the Fuel Card, regardless of whether the County had already processed the purchased/use for payment.

f. **LOST OF STOLEN CARDS**

1. Employees and Department Heads, as appropriate, must report lost or stolen cards immediately upon discovery. The Department Head must submit a written report within two (2) days to the PA and Controller's Office to include:
 - The Card Number
 - The County-owned Vehicle or Department involved
 - The date and location lost or stolen (if known)
 - If stolen, the date reported
 - Any other relevant information
2. A new card will be issued as soon as possible after a report of lost or stolen card has been received and judged to warrant replacement

g. **FUEL CARD SECURITY**

1. The Department Head is responsible for safeguarding the Fuel Card and Account Number at all times, and will be held accountable for Fuel Card use within the Department.
2. In the event a County-owned Vehicle is sold or replaced the Department Head shall remove the existing fuel card immediately and forward it to the PA for proper disposal.

5. DISCIPLINARY ACTION:

A department head or employee determined to be in violation of this policy shall be subject to disciplinary action, which may include, but not limited to, the revocation of vehicle operating privileges, reimbursement for mileage, repayment for fuel or damages incurred while operating county vehicle without authorization, suspension without pay and/or termination from county employment. Subsequent disciplinary action shall be determined at the discretion of the County Manager and administered as soon as reasonably possible.

6. DRIVER TRAINING AND RESPONSIBILITIES

- a. All employees who operate county owned vehicles and equipment are required to attend a defensive driving program. This program is designed to increase the employee's skills and awareness in defensive driving.

- b. All employees who operate a county owned vehicle must be a minimum of 18 years of age and possess a valid Pennsylvania Drivers license.
- c. Employees who are required to operate vehicles or equipment in the scope of their employment must maintain a valid Pennsylvania Drivers license and notify the Department and Fleet Manager immediately of any issues surrounding their driver's license (i.e. suspension, revocation, and serious traffic violations with points accumulation). If an employee's driver's license has been suspended or revoked for any reason, the employee must notify their Department Head or the County Manager upon receipt of the notification from the Commonwealth of Pennsylvania. The employee will not be eligible to operate a county owned vehicle for the duration of the suspension/revocation. Once the employee's driving record has been cleared by the Department of Motor Vehicles, the employee may be declared eligible to operate a county owned vehicle. If an employee is not able to perform the normal duties and responsibilities of their position without a driver's license, they shall be suspended without pay and benefits until they obtain a valid Pennsylvania Driver's License. Depending on the duration of the suspension the employee may be subject to discipline including termination.
- d.. Any employee who operates a county owned vehicle in excess of 26,000 pounds is required by the US Department of Transportation, Federal Highway Administration **OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991**, to obtain a commercial drivers license. Luzerne County has in place an established policy outlining the testing and training requirements to meet the federal regulations. This information/policy is maintained in file at the Luzerne County Personnel office. The program is administered by the Luzerne County Road & Bridge Department.
- e.. All employees who operate a county owned vehicle are required to comply with all applicable motor vehicle laws.
- f. All operators and front-seated passengers of county owned vehicles are required to wear seat belts in accordance with all applicable motor vehicle laws.
- g. Any operator of a county vehicle who receives a citation/summons for any violation while in control of the vehicle shall be responsible for all fines personally. All violations must be reported to your Department Head within 24 hours of the said violation. Should a holiday weekend occur within the 24-hour period, the Department Head must be notified during the next working day.

- h. Any employee operating or riding in County vehicles and equipment, or operating their own vehicle on County business, must wear seat belts at all times in accordance with Pennsylvania Law.
- i. An employee operating a County-owned vehicle shall not use a cellular telephone, or any other electronic device while operating the vehicle.

7. ACCIDENT REPORTING

- a. Whenever there is an accident involving a county owned vehicle, the Fleet Manager and Department Head must be notified immediately.
- b. It shall be the responsibility of the Department Head to obtain the following information from the accident scene and report to the Fleet Manager:
 - 1. Date and time of the accident
 - 2. Location of the accident
 - 3. Authority contact and report number (local/state)
 - 4. Description of the accident
 - 5. County vehicle information, vehicle year, make, model, VIN number and registration number
 - 6. Operator of the vehicle
 - 7. Property damage (if other vehicle involved, provide year, make, model registration number and insurance company name and policy number).
 - 8. Owners name and address
 - 9. Other drivers name and address
 - 10. Any injured persons (name, address, phone number and extent of injuries)
 - 11. Any witnesses or passengers (name, address and phone number)
- c. Upon collection of this information the Department Head is to contact the County Controller's Office within 24 hours of the accident to file an official accident report.
- d. The Court of Common Pleas are not presently subject to this policy, but may, at their discretion, develop a separate document to govern their respective employees or participate in the enforcement of this policy and procedure.

10.12 CONTACT WITH NEWS MEDIA.

The County Manager, or designated Department Heads shall be responsible for all official contacts with the news media. The County Manager, Department Head may designate specific employees to give out procedural, factual or historical information on particular subjects. All other employees should defer any comments concerning county business to their Department Head or the County Manager.

10.13 BULLETIN BOARDS.

All Bulletin Boards are considered County property and are to be used solely by the County for official notices and communications.

CHAPTER 11

EMPLOYEE RELATIONS

11.1 DISCIPLINE.

- A. All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the County.
- B. Conduct acts, errors, or omissions occurring on or off the job, which discredit the public service or impair the provision of orderly services to the citizens of the County, may result in discipline, including termination.
- C. The County Manager, Department Head and/or Supervisor, as appropriate, have full discretion and authority to impose disciplinary action in accordance with County policy and the circumstances of the particular case. The degree of disciplinary action, up to and including termination, will depend on the severity of the infraction
- D. **Table of Offenses:**

The following are examples of the types of behavior, conduct, and violation of policy that may result in discipline:

- 1. Consumption or possession of alcohol on the job or arriving at work under the influence of alcohol; being under the influence of any drug or controlled substance when it affects the employees ability to perform the assigned job; or, the possession of illegal drugs or other illegal controlled substance;
- 2. Violation of lawful duty;
- 3. Insubordination;
- 4. Absence from work without first notifying and securing permission from the Supervisor;
- 5. Habitual absences or tardiness for any reason;
- 6. Unsatisfactory job performance, as determined by the County;
- 7. Conviction of a felony or a misdemeanor involving moral turpitude;
- 8. Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the County;
- 9. Inability, refusal or failure to perform the duties of the assigned job; and,
- 10. Violations of policy as provided in Chapter 10, Employee Responsibility & Conduct:
 - a. Confidentiality (Section 10.20)
 - b. Conflicts of Interest and Other Related Prohibitions (Section 10.3)

- c. Personal Relationships and Activities (Section 10.4)
- d. Workplace Conduct (Section 10.5)
- e. Partisan Political Activity (Section 10.6)
- f. Duty to Report/ Whistle Blowing Policy (Section 10.7)
- g. Use of County Equipment (Section 10.10)
- h. Use of County Vehicles (section 10.11)

This list is not all-inclusive, but only serves as a general guide. The County may discipline or terminate employees for other misconduct not stated above.

E. Table of Penalties:

The following step levels of disciplinary action may be taken, depending on the particular situation. Any and/or all of step levels through suspension may be waived, should the violation, misconduct or act warrant.

1. **Oral Warning.** The Department Head, or their designee, who is imposing this warning will make a record of it and record the offense in the employee's personnel file.
2. **Written Warning.** The Department Head, or their designee, who is imposing the written warning will document the incident, send the original to the employee involved and maintain a copy in the employee's personnel file.
3. **Suspension.** Suspension without pay for a period of 1-5 days, depending on the nature of the infraction and/or severity of the offence.
4. **Termination of Employment**
Generally, disciplinary action should be progressive with a goal of bringing about a corrective outcome in performance or conduct. Contingent upon the severity of the alleged offence, any and all steps could be waived based on the Employer's decision. No employee can be terminated or suspended without the approval of the County Manager.

F. Suspensions With Pay/Administrative Leave

1. In certain instances an employee may be suspended with pay and placed on Administrative Leave pending investigation. In this case the nature of the infraction/offence rises to the level of requiring such immediate action in the judgment of the Department Head and County Manager. Factors to be considered include the severity of the offence/misconduct, public confidence, safety of the employee and co-workers, efficient functioning of the County or other similar factors.

2. Fact-Finding and investigation shall be promptly initiated to include involvement of law enforcement officials if deemed necessary. Upon completion, a final determination will be made with communication to the employee as to whether to return to work with no guilt or charge for the offence/misconduct, or be subjected to disciplinary action up to and including termination. If guilty of charges involving the offence/misconduct the employee is responsible for repayment for wages/benefits for the period dating back to the official Suspension With Pay Notice.

11.2 COMPLAINT PROCEDURES.

Periodically situations may arise within the workplace in which an employee believes they have not been treated fairly or in accordance with County rules and procedures. In the event this occurs the following procedure shall be followed:

- A. Step 1: An employee should first try to resolve any problem or complaint with his/her immediate Supervisor.
- B. Step 2: When normal communication between an employee and the Supervisor is not successful, or the employee should file a written complaint, and include, at a minimum, the information detailed in Step 3, with his/her Department Head. The Department Head has thirty (30) calendar days to attempt to resolve the complaint. If no decision is made, or is unsatisfactory, the employee has fourteen (14) calendar days from the disposition at step 2, to submit the complaint to Step 3.
- C. Step 3: If the employee is not satisfied with the response from the Department Head, the employee may submit the issue, in writing, to the County Manager, or his/her designee. The written complaint must contain, at a minimum, the following:
 1. A description of the problem;
 2. A specific policy or procedure, which the employee believes, has been violated or misapplied;
 3. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances; and,
 4. The remedy sought by the employee to resolve the complaint.

The written complaint must be filed within the timeframes noted above.

The County Manager, or his/her designee, has thirty (30) calendar days to meet with the parties, either individually or together, and will respond in

writing to the aggrieved employee within fourteen (14) calendar days of the meeting. The County Manager, or his/her designee's, response and decision shall be final.

- D. In the event the complaint is with the County Manager the written complaint at Step 3, should be directed to their designee.

- E. An employee's status/category shall determine which complaint procedure must be followed in an attempt to resolve issues/problems/conflicts. rights, Employees represented by a collective bargaining unit or who are covered under Civil Service Rules must follow grievance procedures set out in their respective collective bargaining agreement or Civil Service Rules, where applicable. The procedures described in this section apply to non-union County employees. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee under a Collective Bargaining Agreement and/or Civil Service Rules.

ACKNOWLEDGEMENT

Please read the following and then sign, date and return to the Human Resources Department or your Department Head. One copy of this acknowledgement will be placed in your personnel file and one copy will be provided with your copy of these personnel policies. It is your responsibility to read the personnel policy and any amendments adopted thereafter. By signing below, you acknowledge that you have received a copy of the County's personnel policy and that you have had a full opportunity to read and review it.

A copy of the County's Personnel Policy is also kept in the office of the County Manager, on the County's Web Site and by your Department Head. You may review these copies of the policy should you need to reacquaint yourself with any provisions of the personnel policies.

These personnel policies are a general informational guide to the County's current employment policies and shall not be construed as a contract or to create any contractual obligation. The County reserves the rights to amend, delete, supplement, or extend any of the provisions of these policies, as the County deems necessary and appropriate.

These policies are not intended to be a contract, expressed or implied, or a guarantee of employment for any specific duration. Your employment with the County is "At-Will with the mutual agreement and understanding that you or the County may terminate employment at any time for any reason.

No non-elected representative of the County has the authority to enter into any agreement with you for employment for any specified period or to make any written or verbal commitments regarding employment for a specific period of time.

By signing below, you acknowledge that you have received a copy of the County's personnel policies and have had a full opportunity to read and review such policies.

Employee Name (Printed)

Date

Appendix A

LUZERNE COUNTY CONTACTS

	CONTACT	PHONE
BENEFITS (health, dental, vision, life insurance)	ANDREW D. CHECK	570-825-1892
CLASSIFICATION/COMPENSATION (new positions, reclassification, etc.)	ANDREW D. CHECK	570-825-1509
COLLECTIVE BARGAINING	MAX BLASKIEWICZ	570-830-5150
CREDIT UNION (checking, savings, loans, etc.)	DAN STEMPLSKI	570-825-1841
DEDUCTIONS (state, federal, local taxes, etc.)	ADAM SZUMSKI	570-825-1557
DEFERRED COMPENSATION 457 PLAN	ANDREW D. CHECK	570-825-1509
EMPLOYEE RECORDS/FILES	ANDREW D. CHECK	570-825-1509
FAMILY MEDICAL LEAVE ACT	ANDREW D. CHECK	570-825-1509
ID CARDS	BRIAN SZUMSKI	570-706-8403
PAYROLL QUESTIONS	ADAM SZUMSKI	570-825-1557
PERSONNEL POLICY	ANDREW D. CHECK	570-825-1509
UNEMPLOYMENT COMPENSATION	ANDREW D. CHECK	570-825-1509
RETIREMENT	RICK HUMMER	570-825-1628
ADDITIONAL NUMBERS		
BLUE CARE HMO	CUSTOMER SERVICE	1-800-822-8753
UNITED CONCORDIA	CUSTOMER SERVICE	1-800-332-0366
DAVIS VISION	CUSTOMER SERVICE	1-800-406-1324
UNITED OF OMAHA LIFE INSURANCE	ANDREW D. CHECK	570-825-1509
EMPLOYEE ASSISTANCE PROGRAM – MAZZITTI & SULLIVAN	CLIENT CARE	1-800-543-5080
AFLAC	JOSEPH GRABLICK	570-970-7900

COMPLAINED CONDUCT:

ARE THERE ANY DOCUMENTS WHICH CONTAIN INFORMATION SUPPORTING THE OCCURRENCES DESCRIBED ABOVE:

IS THERE ANY PHYSICAL EVIDENCE THAT SUPPORTS YOUR COMPLAINT? IF SO, PLEASE DESCRIBE:

HAVE YOU MISSED ANY WORK TIME AS THE RESULT OF THE ALLEGED HARASSMENT? IF "YES", IDENTIFY THE OCCASIONS:

HAVE YOU INCURRED ANY NON-REIMBURSABLE MEDICAL EXPENSES AS THE RESULT OF THE ALLEGED HARASSMENT?

IF YOU PREVIOUSLY COMPLAINED ABOUT THIS OR RELATED ACTS OF SEXUAL HARASSMENT TO A COUNTY SUPERVISOR OR OFFICIAL, PLEASE IDENTIFY THE INDIVIDUAL TO WHOM YOU COMPLAINED, THE DATE OF THE COMPLAINT AND THE RESOLUTION OF YOUR COMPLAINT:

WHAT IS YOUR REQUESTED REMEDY IN THIS COMPLAINT?

ACKNOWLEDGMENTS

THE INFORMATION PROVIDED HEREIN IS TRUE AND CORRECT.

BY: _____

DATE: _____

IN ORDER TO INVESTIGATE YOUR COMPLAINT, IT WILL BE NECESSARY TO INTERVIEW YOU, THE ALLEGED HARASSER (S), AND ANY WITNESSES WITH KNOWLEDGE OF THE ALLEGATIONS OR DEFENSES. THE COUNTY WILL NOTIFY ALL PERSONS INVOLVED IN THE INVESTIGATION THAT IT IS CONFIDENTIAL AND THAT UNAUTHORIZED DISCLOSURES OF INFORMATION CONCERNING THE INVESTIGATION COULD RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE.

I AM WILLING TO COOPERATE FULLY IN THE INVESTIGATION OF MY COMPLAINT AND TO PROVIDE WHATEVER EVIDENCE THE COUNTY DEEMS RELEVANT.

BY: _____

DATE: _____

Appendix C

BACKGROUND CHECK AUTHORIZATION FORM

I authorize any investigator(s) or other duly authorized representative(s) of Luzerne County to obtain any information relating to my activities and background from individuals, schools, employers, criminal justice agencies or other sources of such information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, financial and credit information as well as criminal history record information about me from criminal justice agencies for the purpose of determining my eligibility for a position of trust and confidence with Luzerne County.

I authorize Luzerne County, its representative(s) as well as those within the Luzerne County Human Resources Office, conducting my employment-suitability background investigation to disclose the record of my employment-suitability background investigation.

I authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator(s) or other duly authorized representative(s) of Luzerne County. I understand that the information released by records custodians and sources of information is for the sole use of Luzerne County Human Resources Office and the Administrative Office of Luzerne County. This information will not be released by Luzerne County to anyone else unless authorized by law or the undersigned herein.

I further understand that in the event my application is not approved, the sources of confidential information cannot be revealed to me. A photocopy of this release will be valid as an original hereof, even though the said copy does not contain an original writing of my signature.

Signature (Sign in ink)	Full Name (Type or Print Legibly)	Date Signed
Date of Birth	Social Security Number	Home Phone

Appendix D

**LUZERNE COUNTY
REQUEST FOR LEAVE**

EMPLOYEE'S NAME _____ DEPARTMENT: _____

TYPE OF LEAVE/HOURS:
(CHECK ONE)

ANNUAL SICK PERSONAL COMP TIME
OTHER BEREAVEMENT

(EXPLAIN OTHER) _____

OTHER LEAVE TYPES : ADMINISTRATIVE MILITARY OTHER

EXPLAIN / REMARKS: _____

DATES OF LEAVE: _____

DATE OF RETURN: _____

TOTAL HOURS: _____

PAID LEAVE UNPAID LEAVE
(check one)

APPROVED DISAPPROVED

(JUSTIFY IN REMARKS SECTION ABOVE)

EMPLOYEE'S SIGNATURE DATE

AUTHORIZING SIGNATURE DATE

Appendix E

BENEFITS SCHEDULE

Employee Assistance Program (EAP)

Employees who wish assistance in dealing with a drug or an alcohol problem are encouraged to seek help voluntarily by contacting a substance abuse professional through the employer’s EAP provider or their medical insurance. Requests for assistance will be kept confidential. Employees undergoing rehabilitation are not exempt from this policy.

Employees may be granted Leaves of Absence, to participate in an approved drug/alcohol treatment plan with the approval of the Human Resource Director and/or County Manager.

Confidentiality

All information obtained in the course of testing, rehabilitation and treatment of the employees for drug and alcohol problems is considered confidential medical information.

Luzerne County Employee Benefits Summary

The following table describes the benefits offered to all full-time employees of Luzerne County. Please refer to plan documents for more detailed information on terms of coverage and eligibility.

BENEFIT	DATE OF ELIGIBILITY
Medical: Blue Care HMO	Coverage begins on 1st day of month following 30 calendar days*. EE pays 10% of premium.
Dental: United Concordia	Coverage begins on 1 st day of the month following 30 calendar days*. EE responsible for 100% of premium.
Life/AD&D Insurance – United of Omaha	Coverage begins on 1 st day of the month following 30 calendar days*. EE receives \$50k of coverage.
Section 125	EE may elect medical, dental, vision, life and disability premiums as pre-tax deductions. Allows for significant tax savings.
Disability & other supplemental insurances – AFLAC	Coverage begins on 1 st day of the month following 30 calendar days*. EE responsible for 100% of all supplemental premiums.
Vision care – Davis Vision	Coverage commences on 1 st day of the month following 30 calendar days*. EE Covered only.
–Pension –	EE required to contribute a minimum of 5% with the opportunity to contribute up to 15% of their gross pay. Vesting after 5 years of employment.

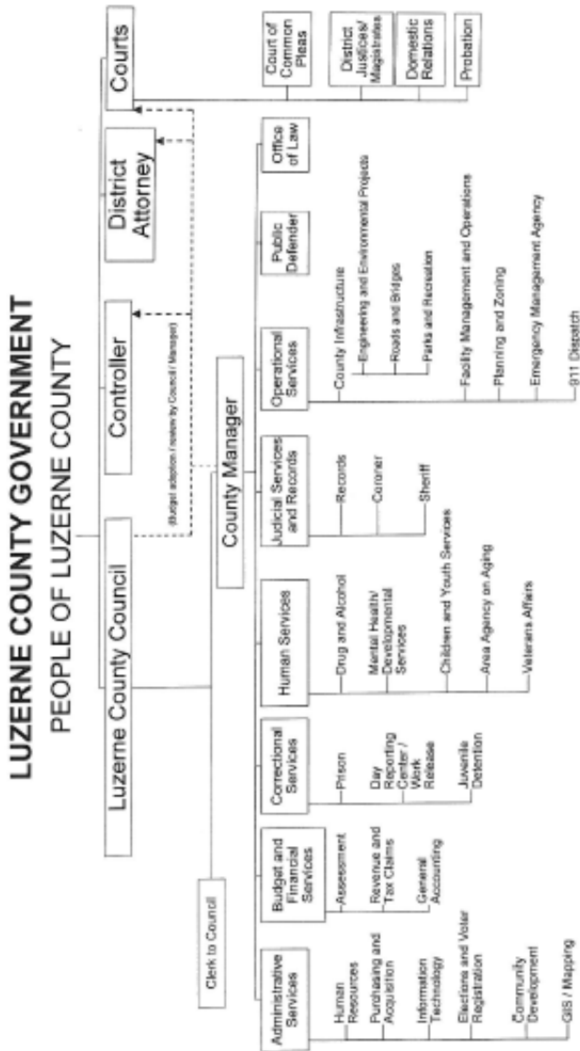
Holidays	<ul style="list-style-type: none"> • New Year's Day • Martin Luther King Jr. • President's Day • Good Friday • Memorial Day • Independence Day • Labor Day • Columbus Day • Veterans' Day • Thanksgiving Day & following Friday • Christmas Day
Credit Union – Luzerne County Credit Union	Immediate eligibility. Offers savings, Christmas and Vacation clubs, loans etc.
Employee Assistance Program	Immediate eligibility – no cost to employee Offers free 24/7 confidential, professional consultation/short term counseling/crisis intervention/referral service up to 3 sessions

*Coverage is contingent upon timely enrollment of benefit.

NOTE: This table is intended to be a general summary of benefits, and is not meant to supersede or modify the benefits as defined and described in the plan documents, which are provided to all employees. Furthermore, Luzerne County reserves the right to alter or cancel the type and terms of benefits at any time. In addition, Luzerne County employees are considered at will employees, and thus may, without notice, resign or be terminated immediately at any time. Nothing in this table, nor in the plan documents, or in any other description of benefits, which might be provided to employee's can or should be considered an employment contract or any grounds by which each employee's status as an at-will employee may be altered in any way. **It is important to note that this Benefit Summary is only applicable to those employees NOT covered by a separate Collective Bargaining Agreement.**

Appendix F

ADMINISTRATIVE REPORTING FLOW CHART



**Luzerne County Travel Authorization Form
Advanced Payment Travel Request**

Requesting Employee Information	Reason for Advance Payment Request:
Name: _____	_____
Department: _____	_____
Address: _____	_____
City, State, Zip: _____	_____
Purpose of Travel: _____	_____
Travel Date(s): _____	_____

Estimated Funding Required	
Registration: _____	Lodging: _____
Lodging Taxes: _____	Transportation: _____
Incidentals: _____	Parking, tolls: _____
Meals: _____	Taxi, Shuttle: _____

Employee Signature	Department Head Signature
Date	Date

If estimated expenditures per employee exceed \$1,000,
County Manager approval is required

County Manager	Date
----------------	------

If estimated expenditures per employee exceed \$1,500,
Board of Commissioners approval is required

Chairman Board of Commissioners

Date of BOC Meeting

Notes:

Travel must be budgeted and approved in advance in accordance with the Luzerne County Travel Policy, in order to receive payment. Complete the Estimated Funding Required and submit for approval prior to travel. Receipts are required for meals, lodging, airfare, gasoline, parking and other travel related expenditures. Attach the receipts to this form along with payment authorization forms when submitting for Payment. Meals included in conference fees, or provided at no expense to the employee, are not reimbursable. To document registration fees attach a copy of the brochure, which specifies the charges being paid. Travel outside the contiguous 48 states must be approved in advance by the County Manager and or the Chairman Commissioner. County Manager approval is required when more than one employee in a department plan to attend an event requiring extended travel. Business justification for telephone/fax/Internet charges must accompany request for payment. If funds are not in budget for requested travel, approval must come from the Board of Commissioners. All reimbursements that are needed after travel occurred need to be submitted on the Employee Travel Reimbursement Form.

APPENDIX H-1

**LUZERNE COUNTY IT RESOURCES USER AGREEMENT -
COUNTY EMPLOYEE OR VOLUNTEER**

This user agreement does not prohibit employees from performing authorized job duties.

I have read the attached policy, “**Information Technology (IT) Resources**” and in consideration of Luzerne County making its IT Resources available to me, I agree to abide by the requirements set forth therein. I understand that disciplinary action, up to and including termination, may be taken if I fail to abide by any of the requirements of this directive.

I further understand that my County IT resource usage, including electronic communications such as e-mail, voice mail, text messages and other data and records, may be accessed and monitored at any time, with or without advance notice to me. By signing this Agreement, I specifically acknowledge and consent to such access and monitoring.

I further understand that if I have any questions regarding this directive, I am required to ask for clarification from my supervisor or a representative of Human Resources.

Printed Name: _____

Employee Number: _____

Signature: _____

Date: _____

Department: _____

Facility: _____

Division/Section: _____

Mailing/E-mail Address: _____

Work Phone: _____

Optional Dept. Approval: _____

Date: _____

APPENDIX H-2

**LUZERNE COUNTY IT RESOURCES USER AGREEMENT -
COUNTY CONTRACTOR OR CONSULTANT**

This user agreement does not prohibit contractors or consultants from performing services required by their contract with the County.

I have read the attached policy, “**Information Technology (IT) Resources**” and in consideration of Luzerne County making its IT Resources available to me, I agree to abide by the requirements set forth therein. I understand that the County may take appropriate action, including any action specified in my contract with the County, if I fail to abide by any of the requirements of this agreement.

I further understand that my County IT resource usage, including electronic communications such as e-mail, voice mail, text messages and other data and records, may be accessed and monitored at any time, with or without advance notice to me. By signing this Agreement, I specifically acknowledge and consent to such access and monitoring.

Printed Name: _____

Contractor: _____

Signature: _____

Date: _____

Contracting Department: _____

Facility: _____

Division/Section: _____

Mailing/E-mail Address: _____

Work Phone: _____

Optional Agency Approval: _____

Date: _____

Federal ID #: _____

Mailing Address: _____

E-mail address: _____

Work Phone: _____

Signature _____

CHANGE OF STATUS FORM (INSERT HERE)

Appendix I-2

Change of Status – Authorization Schedule

	PAYROLL / ORIGINATOR	DEPARTMENT MANAGER	DIVISION HEAD	HUMAN RESOURCES DIRECTOR	COUNTY MANAGER
NEW EMPLOYEE HIRES: (All terms and conditions)	X	X	X	X	X
EXISTING EMPLOYEES:					
Position Title	X	X	X	X	
Department	X	X	X	X	
Hours of Work	X	X	X	X	
Promotion	X	X	X	X	X
Transfer	X	X	X	X	
Demotion	X	X	X	X	X
Salary/Wages:					
General Wage Increases - CBA	X	X	X	X	
Merit Wage Increase - Non-Union	X	X	X	X	
Reclassification:					
w/salary increase	X	X	X	X	X
w/o salary increase	X	X	X	X	
Certification Pay	X	X	X	X	
All Other Changes	X	X	X	X	X
Termination/Suspension:				X	X
Voluntary Resignation	X	X	X	X	
Retirement	X	X	X	X	
Termination w/Cause	X	X	X	X	X

Termination w/o Cause	X	X	X	X	X
Suspension	X	X	X	X	X
Health Care Deduction	X	X			
Leave of Absence:					
FMLA	X	X	X	X	
Military Leave	X	X	X	X	
Workers Comp	X	X	X	X	
Personal	X	X	X	X	
Personal Information:					
(Process Only)					
Name	X	X		X	
Address	X	X		X	
Phone	X	X		X	
OFFICIAL STATUS:					
Union/Non-Union	X	X	X	X	
Regular	X	X	X	X	
Temporary	X	X	X	X	
Seasonal	X	X	X	X	
Per-Diem	X	X	X	X	
Full-Time	X	X	X	X	
Part-Time	X	X	X	X	
Exempt/Non-Exempt	X	X	X	X	

Appendix J
Vehicle Fuel Log Sheet