



CUSTER COUNTY EMPLOYEE HANDBOOK

Adopted by the Custer County Commission on May 8, 2024

COUNTY MISSION STATEMENT

Custer County is dedicated to building our communities through a commitment to excellence through effective, efficient, and respectful public service while creating a foundation of trust, accountability, and unity while promoting sustainable growth and contributing to the county's quality of life.

COMMISSIONERS VISION

Through selfless service, Custer County will continue to have a strong sense of history, community pride, environmental responsibility and rural culture. Custer County will always be a great place to be, to work, and to live for you and your family.

EMPLOYEE CODE OF ETHICS

We will adhere to the highest ethical standards.

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

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

We will adhere to all applicable laws and regulations.

We will be fair to and respectful of fellow employees.

We will be accountable and responsible for all personal actions.

We will value diversity in the community and workplace.

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

ABOUT THIS HANDBOOK / DISCLAIMER

This Employee Handbook ("Handbook") is intended to provide general information and guidance to employees of Custer County (referred to as "the County"). If you have questions that are not answered in this Handbook, please ask your supervisor, Department Head, and/or the Human Resources Director.

This Handbook, including the policies, procedures and standard practices described herein, are not conditions of employment. This Handbook does not create a contract or agreement of employment, express or implied, between Custer County and the employee. Only the Custer County Commission ("the Commission") has the right to enter into written employment agreements with an employee. No other County official, supervisor or employee has the authority to enter into any oral or written employment contract or agreement with an employee or prospective employee of Custer County. Any such agreement, if made, shall not be enforceable unless it is reduced to writing and approved and signed by the Commission. Custer County adheres to the policy of employment at will, and the County and employee have the right to terminate the employment relationship at any time, for any reason, with or without cause or notice.

This Handbook provides information on many topics, such as benefit plans that are included as Addenda to this Handbook, which may be updated, modified or otherwise changed during the course of employment. Please make sure you check with the Human Resources Director to insure you have the most current and up-to-date policies in effect.

Custer County reserves the right, at any time, in its sole discretion, to modify, terminate or otherwise change anything set forth in this Handbook, including but not limited to, any benefit plans, policies, procedures, or standards of conduct, with or without notice to employees. The exception to this is the rights of the parties to terminate employment at will, which may only be modified by an express written agreement signed by the employee and the County Commission.

This Handbook is subject to the terms of any applicable collective bargaining agreement. To the extent that any provision in a collective bargaining agreement conflicts with these policies, that collective bargaining agreement shall control and be the policy applicable to the members of the affected bargaining unit. For any issue or area of employment not covered by the union agreement, the policies, procedures and standards set forth in this Handbook shall govern the bargaining unit employees. This Handbook is not an exhaustive list of all employee obligations. In addition to this handbook, employees must also abide by federal and state laws, regulations, and administrative rules.

ALL PREVIOUS EMPLOYEE HANDBOOKS AND/OR POLICY MANUALS ISSUED BY THE CUSTER COUNTY COMMISSION ARE HEREBY REVOKED AND RESCINDED, AND THE PROVISIONS THEREOF ARE NULL AND VOID.

INTRODUCTION

Welcome to the Custer County Team!

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

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

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

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

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook within the first 30 days of employment and use it as a reference for it will answer many questions about employment with Custer County.

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

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1.0 CONDITIONS OF EMPLOYMENT

1.1 Equal Employment Opportunity (EEO)

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

In accordance with South Dakota Veteran Preference Law (SDCL Chapter 3-3 and 33), If the applicant possesses at least the minimum qualifications necessary to fill the position, the veteran shall be granted an interview. In addition, pursuant to South Dakota Law, a veteran who has a service-connected disability shall be given preference over a non-disabled veteran, provided the veteran possesses the qualifications and business capabilities necessary to discharge the duties of the position involved. In some cases, spouses of veterans are entitled to preference.

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

1.2 Disability Accommodation

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

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

1.3 Genetic Information

The Federal Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by the law(s). We respect your medical privacy and take our responsibility to

comply with these laws seriously. The County will not request or require you to provide genetic information except in those limited circumstances allowed by law. If you have any questions about this policy, please contact your supervisor, Department Head or the Human Resource Department. If you believe there has been a violation of this policy, please follow the procedure set forth in the County's Equal Employment Opportunity policy.

1.4 Harassment

It is the County's policy to foster and maintain a work environment that is free from unlawful harassment. The County will not tolerate harassment of any employee based on the person's race, color, national origin, ancestry, age, physical or mental disability, genetic information, religion, creed, sex or any other prohibited basis of discrimination. Employees who are the subject of conduct which may violate this policy and employees who observe conduct which may violate this policy should report such conduct immediately to their supervisor or the appropriate Department Head.

1. Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, and which is motivated by a person's race, color, national origin, ancestry, age, physical or mental disability, genetic information, religion, creed, sex or any other prohibited basis of discrimination, whether or not the statements or conduct are overtly derogatory toward those protected characteristics. Prohibited behaviors may include, but are not limited to, the following:
 - a. Written form, electronic communications, and social media, such as cartoons, e-mail, text messaging, posters, memes, drawings or photographs.
 - b. Verbal conduct as epithets, derogatory comments, slurs or jokes, innuendos or insults.
 - c. Physical conduct such as unwanted physical contact, threatening behavior, assault, blocking an individual's movements or other negatively-perceived nonverbal conduct.
 - d. Sexual harassment is another form of discrimination and harassment which is based on the individual's gender. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Types of Sexual Harassment include Quid Pro Quo, where submission to such conduct is either explicitly or implicitly made, or submission to or rejection of such conduct by the individual is used as the basis for employment decisions affective such individual.
 - e. Hostile Work Environment: A circumstance in which an employee or employees, against their wishes, are confronted with an environment involving sexually explicit language, photos or conduct that has the purpose of effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or otherwise offensive work environment.
2. Sex Discrimination
 - a. Sex discrimination involves treating an employee unfavorably because of that person's sex, or because of their connection with an organization or group that is generally associated with people of a certain sex.

- b. The law forbids sexual discrimination when it comes to any aspect of employment including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, and any other term of condition of employment. The sex of an employee can be the basis for an employment decision only when a bona-fide occupational qualification exists; such as to maintain male/female ratios in incarceration prisoner pods.
3. All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes:
 - a. Written form and social media, such as, electronic communications, cartoons, posters, calendars, memes, notes, letters, emails or text messaging.
 - b. Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
 - c. Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging and brushing up against another's body.

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

1.5 Workplace Violence Prevention

Custer County is strongly committed to providing a safe workplace. Threats, threatening language, or any other acts of aggression or violence made toward or by another employee, a customer or a member of the public at any time will not be tolerated. For purposes of this handbook, a threat includes any verbal or physical harassment or abuse; any attempt at intimidating or instilling fear in others; menacing gestures; flashing of weapons; stalking; or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.

Procedures for Reporting a Threat

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to Law Enforcement and your Department Head, Elected Official or Supervisor and Human Resources. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible. Do not place yourself in danger.

Custer County will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Custer

County may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

1.6 Drug and Alcohol Use

It is Custer County's desire to provide a drug-free, healthy and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. Any individual who conducts business for the County, is being considered for a position, or is conducting business on County property will abide by the County's drug-free workplace environment.

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

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

1) Pre-employment:

The County may conduct drug testing of prospective employees for safety-sensitive positions after a conditional offer of employment has been made.

2) Reasonable Suspicion:

The County may conduct reasonable suspicion testing of any employee for drugs and/or alcohol based upon evidence that the employee is using or has used alcohol or other drugs in violation of its policy.

3) Post-Accident Testing:

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

- (a) Has sustained a personal injury resulting in a lost-time accident or has been involved in an accident where another individual has sustained such a personal injury; or
- (b) Has caused a work-related accident or was operating, or helping to operate machinery, equipment or vehicles involved in a work-related accident where property damage is expected to be in excess of \$1,000.

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

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

1.7 Rules of Conduct

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

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

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

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

As to the possession of firearms, refer to the Courthouse Security and Emergency Action Plan Pages 47and 48.

2.0 OPERATIONAL POLICIES

2.1 Business Ethics and Public Relations

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

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

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

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

2.2 Confidentiality

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

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

2.3 Conflicts of Interest and Gratuities

No County employee shall use their position with the County to seek or obtain courtesies, gratuities, or personal favors.

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

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

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

Employees will not solicit or accept any gift or gratuity, any item of value exceeding Fifty (\$50) dollars or more (such as electronic equipment, "IPADS", sporting or entertainment event tickets), loan or service which would be given due to the employee's employment with Custer County, except as authorized by the Board of Commissioners or other Elected Official.

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

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

2.4 Outside Employment

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

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

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

2.5 Political Activity

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

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

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

2.6 Hiring of Relatives/Employee Relationships (Nepotism)

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

1. Relatives or individuals in intimate relationships with current employees who are classified as regular full-time or regular part-time may not be hired into a position that will be working directly for, or supervising the current employee.
2. If a relative relationship is established or an intimate relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of those employees to disclose the existence of the relationship to the Department Head, Elected Official or Supervisor. The Department Head, Elected Official or Supervisor in conjunction with the Human Resource Department shall determine the appropriate resolution based on the best interest of the County.
3. In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment.

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

2.7 Smoking

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

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

2.8 Computer and E-mail Usage

Computers, computer files, data, the e-mail system and software furnished to employees are Custer County property intended for sole purpose of business use. To ensure compliance with this policy, computer and e-mail usage may be monitored. The security inspection provisions of Section 2.16 of this handbook apply to any equipment or item listed in this section.

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

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

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

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

Employees should notify their immediate Department Head, Elected Official and Supervisor or any member of management upon learning of violations of this policy.

Internet Usage

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

All Internet data that is composed, transmitted or received via our computer communications systems is considered to be part of the official records of Custer County and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in e-mail messages and other transmissions is accurate, appropriate, ethical and lawful. The equipment, services and technology provided to access the Internet remain at all times the property of Custer County. As such, Custer County reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent or received through our online connections and stored in our computer systems. The security inspection provisions of Section 2.16 of this handbook apply to any equipment or item listed in this section.

Data that is composed, transmitted, accessed or received via the Internet must not contain content that could be considered discriminatory, obscene, or threatening to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments or any other comments or images that could reasonably offend someone on the basis of race, color, age, sex, religious or political beliefs, national origin, creed, ancestry, genetic information, disability, or any other characteristic protected by applicable law. The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

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

- Sending or posting discriminatory, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using or disclosing someone else's password
- Copying, or downloading software and electronic files without permission
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials

- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Sending anonymous e-mail messages
- Engaging in any other illegal activities

Workplace Monitoring

Workplace monitoring may possibly be conducted by Custer County to ensure quality control, as well as the employees' and the public's safety, security and satisfaction. Employees who regularly communicate with the public may be video recorded or have their telephone conversations monitored or recorded. Video and telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances the public's image of Custer County as well as their satisfaction with our service. Because Custer County is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

2.9 Cell Phone Use - Use While Driving on County Business

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

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

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

2.10 Personal Use on County Time

Personal use of cell phones during the workday (including texting & e-mail) can create substantial distractions to the employee and to others. Therefore, as a general rule, employees should keep personal use to a minimum.

Employees who do not respect these guidelines, and exceed what their Elected Official (or supervisor) believe to be an appropriate level of personal use on public time, will be subject to discipline. Such discipline may include: verbal warning; written warning; and ultimately termination.

2.11 Social Media

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

Custer County Departments

1. Custer County social media sites make every effort to clearly identify their official status. Feed names will incorporate the program or unit's name or acronym whenever possible and will use the appropriate official logo if possible.
2. Some social media sites allow user comments. Custer County will consider carefully whether to allow comments before launching a social media initiative. However, if comments are allowed, user feedback should remain regardless of whether it is favorable or unfavorable to the agency. Comments will be removed only if they are offensive, abusive, racially inflammatory, threatening or clearly off topic. Comments that endorse a political candidate, party or commercial product will be deleted.
3. When reposting or referencing a post on one of the County's online sites, provide a link to the original post.
4. Do not post or link to any materials that are defamatory or obscene.
5. Always be mindful of functions that allow the organization to be a "fan" or "follower" of an individual or cause. Consider whether such an action would imply support for a political cause.

Custer County Employees

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

1. If you publish content to any website outside of the Custer County's official online presence and it has something to do with subjects associated with our County, provide a disclaimer such as this: "The postings are my own and do not necessarily represent the opinion of Custer County."
2. Never use or reference your formal position when writing in a nonofficial capacity. Do not use your official email to establish a private social media presence.
3. Those with leadership responsibilities, by virtue of their position, must consider whether the personal thoughts they publish, even in clearly personal venues, may be misunderstood as expressing the position of Custer County. They should assume that those outside our agency will read what is written. Be aware of your Custer County association in online social networks. If you identify yourself as a Custer County employee or have a prominent position in which your association with Custer County is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a professional, appropriate with the public trust associated with your position.

4. When writing in your official capacity, do not write anything that could appear to be legal advice. Legal issues should be handled through the agency's regular procedures to avoid conflicts and other ethical problems.
5. Emails and other correspondence conducted over personal social media channels that is official business of the agency should be preserved and retained in a manner similar to other official documents. If you receive an unsolicited official contact through your personal email or social media presence, forward a copy of the correspondence to your official email account and respond from that platform.
6. Remain focused on customers, existing commitments, and achieving Custer County's mission. Your use of social media tools should never interfere with your primary duties, with the exception of where it is a primary duty to use these tools to do your job.
7. To others online, there is no clear distinction between your work life and your personal life. Always be honest and respectful in both capacities.

2.12 Safety

The County and its department heads will attempt to provide the safest possible working conditions for its employees. All employees are expected to conduct themselves and handle equipment in such a manner as to avoid accidents. Employees are also responsible for observing all County safety rules and immediately report unsafe working conditions or equipment to their supervisor. The Safety Committee will submit to the County Commission for approval periodically the Custer County Safety Manual that is attached hereto and incorporated herein as an addendum, as amended from time to time. The success of the program depends on the alertness and personal commitment of all.

Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be subject to disciplinary action up to and including termination of employment.

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

2.13 Hazardous (Inclement) Weather

The Director of Emergency Services will consult with, County Highway Department, Sheriff's Department, State DOT, State Highway Patrol, and National Weather Service to obtain information on the current and future weather and road conditions and forecasts.

Emergency Services will contact the County Commission Chair with the information gathered. The Commission Chair will then decide whether or not to close the county offices.

If the decision is made to close Emergency Services will contact the Finance Officer who will contact all Department Heads, Elected Officials and Supervisors and notify them of the closure so that they can release their department staff from work.

When inclement weather or other emergencies result in the County offices being mandatorily closed, only County determined essential personnel are required to report to work in order to meet County operational requirements. In those cases of closure, non-essential employees may use approved admin leave of up to 24 hrs. as determined by the Commission Chairman and Finance Officer. Otherwise comp time, vacation leave, or leave without pay will be used. In circumstances where an employee does not have accrued comp time or vacation leave the employee will be required to take leave without pay and not be allowed to use sick leave.

For clarification or further questions on other weather related events, refer to the Approved Courthouse Security and Emergency Action Plan Manual.

2.14 Use of Equipment and Vehicles

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

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

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

Employees of Custer County may be provided a vehicle for use in performing County business. This may include taking the vehicle home after normal work hours. All Custer County employees are required to use safety seat belts when driving or riding in vehicles on County business. The Internal Revenue Service has numerous rules and regulations concerning the use by any employee of a vehicle owned or leased by the County. Each year a review of vehicle use will be conducted and each employee will be notified of taxable use.

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

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

2.15 Commercial Driver's License

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

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

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

2.16 Security Inspections

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

Desks, lockers, vehicles, computers and other storage devices/equipment may be provided for the convenience of employees but remain the sole property of Custer County. Accordingly, whenever there is reasonable suspicion that a County policy is being or has been violated, management or any agent or representative of Custer County may inspect such item or property at any time, either with or without prior notice in accordance with applicable state and federal laws.

2.17 Facility Closures

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

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

The Chair of the Board of Commissioners, along with Emergency Management Services of Custer County will determine whether inclement weather, or another emergency, necessitates the closing of County facilities. If the decision is made to close facilities, or in cases that it may be necessary to delay opening, appropriate announcements will be made to notify employees and the public of the closing or delay.

In the event of a facility closure, certain classifications of employees are required to report for duty in order to perform essential services (i.e. Law Enforcement, 911 Emergency Dispatch Center, Highway Department, Emergency Management Services, Facilities Maintenance, etc.). Departments that provide these essential services will schedule employees accordingly.

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

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

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

In those cases of mandatory closure, non-essential employees may use up to 3 days (24 hrs.) of administrative leave as determined by the Commission Chairman and Finance Officer. Any additional time off required, employees will have the option to use comp time, vacation leave or leave without pay.

In circumstances where an employee does not have accrued comp time or vacation leave the employee will be required to take leave without pay and not be allowed to use sick leave.

DEFINITION OF EMPLOYEES AS ESSENTIAL, NONESSENTIAL, OR TEMPORARY ESSENTIAL PERSONNEL

Classification of Personnel will be made based upon a recommendation from Department Heads, Elected Officials and Supervisors. Department Heads, Elected Officials and Supervisors shall maintain a record of all employees classified as Essential Personnel and Non-Essential Personnel for the Department or Office and shall ensure that these employees are aware of their responsibility upon hire and in the event of a facility closure or emergency. The essential personnel list shall be maintained by the Commission Manager and Human Resources department.

Essential Personnel

Those employees who are designated as such by a Department Head, Elected Official, Supervisor or County Commission, are necessary for providing essential services to County citizens and other County employees during a County emergency, and as a part of the employee's job description, are required to respond to County emergencies.

Non-Essential Personnel

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

Temporary Essential Personnel

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

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

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

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

3.0 EMPLOYMENT LIFE CYCLE

3.1 Employment Categories

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

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

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

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

PART-TIME BENEFITED employees are those who are regularly scheduled to work less than the full-time work schedule, but at least 24 hours or more per week. Regular part-time employees are eligible for the Custer County benefit package, subject to the terms, conditions and limitations of each benefit program, and are referred to as a part-time benefited classification (PTB).

PART-TIME NON-BENEFITED employees are those who are regularly scheduled to work 24 hours or less per week. While they do receive all legally mandated benefits (such as Social Security and workers compensation insurance), they are ineligible for any other Custer County benefit programs and are referred to as a part-time non-benefited classification (PTNB). PTNB employees shall also be eligible to receive annual step increases, but not performance increases or time of service pay.

SEASONAL/TEMPORARY NON-BENEFITED employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change. While temporary employees receive all legally mandated benefits (such as workers compensation insurance and Social Security), they are ineligible for any other Custer County benefit programs and are referred to as a seasonal/temporary non-benefited classification (STNB).

3.2 Job Posting

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

Job openings will be communicated to employees through the Human Resource Department(s) and are posted on the County website. Each job posting notice may include the job title, department, location, grade level, job summary, essential duties and qualifications (required skills and abilities). Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies and qualifications, but are free to apply to any position they are interested in.

To apply for an open position, employees are encouraged, but not required, to first discuss their interest with their current Department Head, Elected Official or Supervisor; then submit a completed application through the County Human Resources Director. If an employee requires an accommodation to complete the application process, please contact the Human Resource Department. Employees should describe how their current experience with Custer County and prior work experience and/or education qualifies them for the position. Interested employees must complete the application fully to be considered for the position they are applying to. Incomplete applications may exclude the candidates from consideration.

The job posting process is a way to inform employees of openings and of identifying qualified and interested applicants who might not otherwise be known to the hiring manager. Custer County may also utilize other recruiting sources to create an adequate candidate pool to fill open positions.

3.3 Job Descriptions

Custer County makes every effort to maintain accurate job descriptions for all positions within the County. The job descriptions are used to aid in orienting new employees to their jobs, identifying the

requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations and establishing a basis for making reasonable accommodations for individuals with disabilities.

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

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

3.4 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required. After a conditional offer of employment has been made to an applicant entering a designated job category, a medical examination may be required and if so will be performed at Custer County expense by a health professional of Custer County's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

3.5 Employment Applications

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

Current County employees interested in working in new departments within the County must have worked in their current positions for a minimum time period of 1 year unless approved by the Commission.

3.6 Recruitment, Transfers and Hiring

Custer County is an Equal Opportunity Employer and follows the Veterans' Preference laws as set forth in SDCL Chapter 3-3. It is the goal of Custer County to hire and maintain the most qualified, professional and competent employees, which may involve an internal transfer or hiring of an external applicant.

Postings and advertisements for hiring will be done following the Human Resources Director's guidelines. Interviews and examinations may be part of the hiring/transfer process, as well as a background check.

Custer County requires background checks on all employees at the time of hire or rehire. No employee will be hired or rehired until the successful completion of a background check. Custer County will have a background check performed by the South Dakota Division of Criminal Investigation. The charge for the background check will be paid by the Department of Human Resources. The Hiring Official, Department Head or County Commission may waive the requirement of a new hire starting employment prior to the return of the background check results.

The Human Resources Director or designee will be involved in all aspects of employee relations (e.g., recruitment, hiring, transfers, discipline, termination, etc.) for Custer County. There are exceptions to this policy concerning the Sheriff's Department. The Sheriff's Departments internal policies will take precedence concerning recruitment, hiring, transfers, discipline, and termination.

3.7 Employment Reference Checks

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

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

3.8 Probationary Period

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

All new and rehired employees will work in a probationary period of one (1) year. Any significant absence will automatically extend a probationary period by the length of the absence. If the Department Head or Elected Official determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period. If the absences unreasonably disrupt the probationary period, the Department Head or Elected Official will have the discretion to separate the employee after reviewing their intention to do so with the Human Resource Department.

During the probationary period new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They are also eligible for other Custer County-provided benefits, subject to the terms and conditions of each benefits program. Employees will collect vacation and sick leave immediately upon employment, but will not be allowed to use vacation leave within their first six months of employment. However, employees may use accrued vacation leave while on probation for inclement weather closures if their allowed 24 hrs. of administrative leave has been used. Employees should read the information for each specific benefits program for the details on eligibility requirements. The probationary period shall not change the time when employees become eligible for County-provided employee benefits. The new-employee onboarding process shall be completed during the probationary period.

3.9 Keys, Security Cards and Security Codes for Access

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

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

3.10 Personal Appearance

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affects the business image Custer County presents to the public. It's important for County employees to present themselves in an appropriate and professional manner that is not offensive to the public. During business hours or at any time when representing Custer County, you are expected to present a neat, clean and professional appearance. You should dress and groom yourself according to the professional requirements of your position and does not create a safety hazard; in some departments that requires specific uniforms.

Your Department Head or Elected Official is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed based on departmental guidelines. An example of this would be if you are displaying offensive tattoos such as the Swastika your supervisor may ask you to cover the tattoo during employment. Under such circumstance, you will not normally be compensated for the time away from work.

Basic Guidelines for All Employees:

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

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

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

3.11 Clothing Policy

Custer County, with a few limited delineated exceptions in Maintenance and Highway Department, the County shall not provide any clothing allowance or cleaning allowance for employee clothing.

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

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

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

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

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

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

3.12 Attendance and Punctuality

Custer County employees are expected to perform their job as effectively and efficiently as possible; part of such performance is attendance at work when scheduled. The County expects regular, prompt attendance from all employees and considers attendance to be an essential job function for every position.

The County is aware it may be necessary for employees to be absent from work for unexpected events and emergencies, illnesses, or even pressing personal business that cannot be scheduled outside

scheduled work hours. Notice must be provided to the Department Head/Supervisor as soon as possible, per department policy.

Excessive unapproved absences, tardiness and leaving early from a scheduled shift are detrimental to the County's ability to meet the expectations of our customers or public expectations for service; and are not acceptable. Exceptions for extenuating circumstances will be considered when evaluating attendance under this policy. Employees who are absent from work for two (2) consecutive days and/or two (2) consecutive scheduled shifts without authorization shall be deemed to have voluntarily resigned their position with Custer County, and may be terminated from employment.

Definitions:

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

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

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

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

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

Reporting and record keeping provisions

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

If employees become ill during their work shift, they must notify their Department Heads, Elected Officials and Supervisors or other employee per Department policy, prior to leaving the workplace.

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

Tardy: employees who anticipate they will be arriving to work after their scheduled shift start time shall make every effort to contact their Department Heads, Elected Officials and Supervisors to notify them of their anticipated arrival time.

Leaving Early: Employees shall notify their Department Heads, Elected Officials and Supervisors prior to leaving work before the end of the scheduled shift due to illness or other circumstances.

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

Attendance Policy Violations:

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

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

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

3.13 Work Schedules

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

Meal Breaks: Meal breaks are not to occur at the beginning or end of a work shift; they should be scheduled by the Department Head/Supervisor to coincide with the approximate mid-point of the employee's scheduled shift.

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

3.14 Overtime/Compensatory Time

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided.

All overtime work must receive the Department Head's/Supervisor's prior authorization. Overtime compensation is paid to all nonexempt employees in accordance with applicable law.

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

Non-Exempt Employees

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

In accordance with the Fair Labor Act interpreted by the South Dakota State Labor Office, Employees are encouraged to use compensatory time in the same week or pay period it is earned. The maximum allowable accumulation of compensatory time is 40 hours; time in excess of this limit is paid as overtime in the applicable payroll period. Department Heads/Supervisors must determine if unused comp time under 40 hours will be paid at the end of pay period.

Exempt Employees

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

3.15 Safe Harbor Policy for Exempt Employees

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

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

work completed will be addressed through performance management and/or positive discipline processes per County policy.

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

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

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

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

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

However, unless state law provides otherwise, deductions may be made to your accrued leave for full day absences for personal reasons, sickness or disability.

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

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

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

3.16 Time Records

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

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

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

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

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. It is the employee's responsibility to verify and acknowledge their time records to certify the accuracy of all time recorded. The Department Heads, Elected Officials and Supervisors will review and then acknowledge the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Supervisor must verify the accuracy of the changes unless the Employee is unavailable due to illness or vacation then the Supervisor has the responsibility to validate the timesheet and inform the employee appropriately.

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

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

3.17 Official County Employee Travel

The County Commission regulates County travel and approval of expenses incurred. Work related travel must have prior approval of the Department Head and notification to the Commission for travel requiring more than 200 miles and overnight stay accommodations. Work related travel must have prior approval of the Department Head and Commissioners if the travel was not previously budgeted and briefed by the Department Head. Day-to-Day work related travel that has already been budgeted by the Department Head and approved by the Commission does not require any notification to the Commission. Questions

regarding travel reimbursement requests should be referred to the County Auditor's office, who maintains the policies regarding amounts to be paid for meals, mileage, lodging, car rentals, and airplane travel. Proper receipts are required for reimbursement of expenses, except for per diem meal expenses and use of personal vehicle for approved County travel.

3.18 Paydays and Pay Cycles

For the purposes of ensuring consistent pay periods for all County employees, the pay period shall be approximately two weeks in length starting with the established pay period set by the County Finance Officer. Full-time employment averages 2,080 hrs. annually. All employees will have wages directly deposited into their designated bank accounts and itemized statements will be available through the encompass pay portal.

3.19 Administrative Pay Corrections

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

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

3.20 Compensation Administration

New Hires:

- New hires are to begin at the 1st step of the appropriate scale for the grade classification of their position. The Department Head/Elected Official may adjust the starting rate for new employees based on documented, verifiable education and/or experience.
- Exception to the new hire placement as outlined in this policy – If less than twelve (12) months has passed since the most recent seasonal layoff, returning seasonal employees from the prior season may be rehired at their prior pay level.

Promotions “Promotions” applies to any move to a position with a higher level of responsibility and classification, or to a position of greater skill or responsibility.

- Employees being moved to a job with a higher classification, or to a position of greater skill or responsibility within the same classification will be placed on the applicable classification grade and pay or as approved by the commission.

Demotions:

- Employees being placed into a position with a lower classification due to voluntary or performance-related demotions, shall have their pay decreased. The employee's rate of pay will be reduced to the position to which demoted or as approved by the commission.

Transfers:

- The transferring employee may not have their pay adjusted up to 3 steps in the first 12 months in the new position in the same manner as a new hire. This shall be left to the discretion of the hiring Department Head and Commission, with the final decision resting with the employee accepting the position.

Lay-Offs

- An employee may be laid off because of lack of work or lack of funds to compensate the employee, and no right of action or damage shall accrue to the benefit of the employee. If any recalls and reinstatements of employees from lay-off occur within six (6) months of the layoff date, employees will return to their prior job according to the employee's seniority, provided in all cases the employee is qualified to perform the essential functions of the work required for that job.

Time of Service Differential (TOS Bonus known as Longevity Pay):

Longevity pay is a reward for years of service to Custer County and is based on the total number of continuous years worked for the County. Only full-time and permanent part-time employees, including elected officials, shall be eligible for longevity pay. Longevity pay will be calculated as follows: an employee will be credited for \$10 per month of uninterrupted continuous employment with the County, and the longevity pay will start to be paid at the end of the year of employee's 5-year anniversary date of employment with the County. If an employee leaves prior to their 5-year anniversary, the employee will not receive any accrued longevity pay, and such accrued amount will revert to the longevity pay fund. Longevity pay will be distributed on an annual basis with a ceiling cap of no more than \$3,000 per employee per year.

- For purposes of calculating years of service, continuous employment shall mean continued and uninterrupted employment with Custer County in any position (including transfers, promotions or otherwise). In the event of a break in employment (i.e., an employee leaves their employment and is later rehired or elected to the same or a different position), any time spent in the prior employment shall not be used for purposes of calculating years of service. Years of service shall be calculated from the first day of new employment. If an employee is on an approved leave of absence for less than 3 months, the County will consider there to be no break in employment.
- TOS bonuses shall not be granted in advance of the employee achieving their anniversary date, and shall not be awarded in advance for employees terminating employment in the month of their anniversary.

Compensation Levels for Elected Officials:

- Custer County Board of County Commissioners shall review, and by resolution, set the compensation levels for Elected Officials annually by the 1st Commission meeting of the calendar year to mirror any wage scale adjustments made for the same year. Elected Officials are not participants in the County wage scale. An annual review of the Elected Official compensation levels shall be completed by the County Human Resources department, with the data provided to the Board of County Commissioners during the annual budget cycle period so it may be considered during annual budget work and formally applied at the 1st Board meeting of the following calendar year.

Compensation Scale Review:

- Custer County shall budget for and conduct a formal review of the employee pay scale annually, or as needed if significant market changes occur. In the interim periods, the Pay and Compensation Committee shall review market wage data annually to ensure equitable compensation levels are

maintained. Partnership with external vendors and neighboring counties shall be sought if wage scale complexity requires it.

3.21 Performance Evaluation

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

Performance evaluations are recommended to be conducted Semi-Annually between the supervisor and employee. Formally scheduled performance evaluations are required every 12 months (but may be held more often), coinciding generally with the anniversary of the employee's original date of hire or before being considered for initial employment, promotion or a pay increase. The annual performance evaluation should be conducted by the Department Heads, Elected Officials and Supervisors within the 30-day window immediately prior to the employee's employment anniversary. A copy of all employment evaluations will be submitted to the Human Resources to be placed into the employees personnel file for availability of performance review. Please see section 7.5 for performance counseling examples and formatting.

3.22 Access to Personnel Files

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

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

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

3.23 Personnel Data Changes

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

3.24 Positive Discipline

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

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

Disciplinary action may call for any of these steps:

1. Oral reminder
2. Written reminder (See Annex A Forms for Example)
3. Performance Improvement Plan (See Annex A Forms for Example)
4. Probation (See Annex A Forms for Example)
5. Suspension without pay (See Annex A Forms for Example)
6. Demotion (See Annex A Forms for Example)
7. Termination of employment (See Annex A Forms for Example)

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

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

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

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

3.25 Retaliation

Custer County prohibits taking any retaliatory action against an employee for reporting or inquiring about alleged improper or wrongful activity. Custer County will not tolerate any form of retaliation against an employee for making a good faith report of a potential improper or wrongful activity that is unlawful or a violation of County policy. No employee shall be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, state, federal or other applicable laws and regulations. Any attempted or actual retaliatory action covered under this policy will be subject to disciplinary action, up to and including termination. The County will review all complaints of retaliation.

3.26 Problem Resolution Process

Custer County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion or question receives a timely response from Custer County Department Heads/Supervisors. It is Custer County's preferred action to resolve employee and supervisor problems at the lowest level possible.

If an employee disagrees with established rules of conduct, policies or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Custer County in a reasonable, business-like manner or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps.

The employee may discontinue the procedure at any step.

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

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

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

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

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

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

Nothing contained herein shall be construed as limiting your right, if you have a complaint, to discuss the matter informally with the Department Heads, Elected Officials and Supervisors and have the complaint resolved.

If you voluntarily end your employment, your complaint would be immediately withdrawn, unless such a complaint concerns wages or benefits.

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

3.27 Employment Termination

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

- Resignation - voluntary employment termination initiated by an employee (Reference Section 7.3 Form example)
- Discharge - involuntary employment termination initiated by the County. Approved by the Commission (Reference Section 7.4 Form example)
- Retirement - voluntary employment termination initiated by the employee meeting age length of service and any other criteria for retirement from the County

Although advance notice is not required, Custer County Commission requests at least two weeks written notice of resignation from all employees. The Department Head can make the determination to wave the notification and the need for the employee to complete the final two weeks after resigning from the position.

The Department Heads, Elected Officials and Supervisors or Human Resource Director may schedule an exit interview at the time of employment termination to discuss the reasons for resignation and the effect of the resignation on benefits. The exit interview will afford an opportunity to discuss such issues as employee benefits, and conversion privileges. Suggestions, complaints and questions can also be voiced.

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

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

3.28 Return of Property

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

3.29 Personnel Record Retention

The County generates and maintains personnel records for all employees of the County. Some records are paper-based and others electronic in nature.

Records are maintained separately as required by law in the following manner.

- Employee Records
 - Medical File, if Applicable
 - Confidential File, if Applicable
 - Personnel File
 - Applicant selection and hiring records

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

- Documents maintained in Medical records include:

- Worker’s Compensation reports and claim documentation
 - Family Medical Leave Act documentation
 - Request for Accommodation documentation
 - Fitness for Duty verification documentation, to include physical exams and releases
 - Restricted Duty assignment documentation
 - Immunization records
 - Return-to-work attendance releases from medical providers for illness-related absences
 - Return-to-work medical restriction forms
 - Any required drug-screen or alcohol-screen documentation
- Documents maintained in Confidential records include:
 - Wage garnishment paperwork
 - Internal investigation summaries
 - Pre-employment background investigation summaries and related reports, as required
 - Pre-employment psychological evaluations as required

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

4.0 EMPLOYEE BENEFITS

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

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

The following employee classifications are eligible for the following benefits:

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

The following benefit programs are available to eligible employees:

- Health Insurance - Premiums Paid by County
- Dental Insurance – Premiums Paid by Employee
- Vision Insurance – Premiums Paid by Employee
- Prescription Drug Insurance – Coverage included with Health Plan based plan selected
- Life Insurance – \$15,000 Covered by County – Additional Coverage by Individual (Covered Only While Employed)
- Paid Holidays

- Paid Vacation
- Family Leave
- Medical Leave
- Military Leave
- Paid Sick Leave
- Jury Duty Leave
- Personal Emergency Leave
- Retirement Program
- Supplemental Life Insurance – Paid by Employee
- Supplemental Retirement Program – Paid by Employee
- Supplemental Medical Coverage – Paid by Employee
- Voting Time Off

4.1 Vacation Benefits

Paid vacation time is available to benefitted employees to provide opportunities for rest, relaxation and personal pursuits. Employees may not use vacation time that has not been earned.

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

For non-exempt employees, vacation accrual will be prorated based on the number of paid hours in a pay period. For exempt employees, vacation accrual will be earned based on pay periods.*

**Military Exemption – Employees required to participate in military active duty for annual training and monthly job skill training will continue to accrue vacation leave within the effected pay period(s) for both paid and approved unpaid hours.*

The employee will begin earning vacation leave upon employment and be able to utilize after six (6) months of employment with the County. If employment occurs mid pay period, it will be prorated. Full-time employees (with less than 20 years of service) earn ten (10) hours per month and permanent part-time employees earn half that amount. Vacation for full-time employees is calculated in the following manner:

TIME OF SERVICE	RATE OF ACCUMULATION	MAXIMUM THAT MAY BE ACCUMULATED
0 months to 19 years	10.00 hrs/month	240 hours
20 years and over	13.34 hrs/month	240 hours

Vacation leave must be approved in advanced by the Department Head. Although it is not always suitable, it is recommended to request Vacation Leave thirty days or two pay period’s prior date of departure. This will allow for proper planning and scheduling of employees and tasks to be performed.

Vacation leave may be used in partial-day increments. The County shall keep a running total of accumulated vacation leave hours in its payroll time entry system. When an employee ceases employment with the County, unused accumulated vacation leave time shall be paid to the employee per the amount that is recorded in the County's payroll time entry system.

4.2 Holidays

Full-time benefitted employees will be eligible for up to 96 hours of paid holiday leave per calendar year. Part-time benefitted employees will be eligible for up to 66 hours of paid holiday leave per calendar year. Holiday hours are not available for use until the holiday has occurred, unless the employee has enough vacation or comp time to cover it and approved by the Department Head/Elected Official. Department Head/Elected Officials are responsible for ensuring vacation or comp time balances remain sufficient to cover holiday hours used prior to the holiday occurring.

Custer County Administrative non-24-hour offices will be closed on the following holidays. Generally, as approved by the Commission the observed day will be dependent on the established work week for the department/office. As approved by the Commission, generally where the holiday falls on Saturday, offices will be closed the preceding Friday. If the holiday falls on a Sunday, offices will generally be closed on the following Monday. Dates subject to change based on Commissions discretion.

1. New Year's Day
2. Martin Luther King Day (3rd Monday of January)
3. President's Day (3rd Monday of February)
4. Memorial Day (last Monday of May)
5. Juneteenth National Independence Day
6. Independence Day
7. Labor Day (first Monday of September)
8. Native American Day (2nd Monday of October)
9. Veterans' Day
10. Thanksgiving Day (4th Thursday of November to include Friday)
11. Christmas Eve ½ Day
12. Christmas Day

In addition, non-24-hour County offices will be closed the Friday after Thanksgiving and will close at 12:00 noon on December 24th when Christmas Eve falls during the Monday through Thursday or Friday per the established work week. Non-Exempt County employees are to use accrued vacation time, comp time or leave without pay to cover any hours they would normally have been scheduled to work had County offices remained open. These employees may also work additional hours during the same workweek of these closures at the discretion of the Department Head or Elected Official. Exempt employees are not required to use accrued leave on any non-Holiday closure.

If required to work on one of the identified holidays, the employee will be paid for their hours worked plus an additional 8 hours for holiday pay at their regular rate.

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

4.3 Sick Leave

Custer County recognizes employees occasionally need temporary time off from work to recover from an illness, to address their medical needs, to attend required eye and dental care, in-house counseling or treatment, or to cover unpaid hours during facilities closures.

For this purpose, non-exempt employees accrue sick leave at a maximum accrual rate of four (4) hours per pay period. Benefitted part time employees accrue at a maximum accrual rate of two (2) hours per pay period. Seasonal/temporary non-benefitted and part-time non-benefitted employees do not qualify for paid sick leave.

**Military Exemption – Employees required to participate in military active duty for annual training and monthly job skill training will continue to accrue vacation leave within the effected pay period(s) for both paid and approved unpaid hours.*

Non-accrued sick leave time may not be requested or paid.

Elected Officials/Department Heads reserve the right to require documentation from a health care professional to verify the need for sick leave if extending beyond three days and/or authorizing the employee to return to work.

The following criteria must be met before an employee to request use of paid sick leave:

- Immediately upon employment and accrual of hours earned per pay period.
- When possible, provide a minimum 30-day advance notice for foreseeable sick leave requirements such as doctors' appointments.

The use of sick leave hours does not excuse time missed for attendance/performance purposes; it only ensures pay for the time missed.

Unused sick leave balances will be allowed to accrue up to 700 hrs (approximately 4.375 Months).

4.4 Emergency Personal Leave

The Department Head or Elected Official has the discretion to grant Emergency Personal Leave up to a maximum of 80 hours (2 Weeks) per calendar year. All emergency leave hours taken by the employee are deducted from their own accumulated sick leave hours and can be used for 1) the illness of a close family member or 2) the death of a close family member.

In the event of a death of a close/immediate family member, up to 40 hours of paid bereavement/funeral leave will be granted. Any additional hours needed must be approved by the Department Head or Elected Official; up to a maximum of 80 hours. If the employee has exhausted their Sick Leave and Vacation balances, any additional hours granted under this section would be unpaid personal leave time (LWOP).

For purposes of Emergency Personal Leave, a close and or immediate family member is defined as the employee's parent, spouse, spouse's parents, child, grandparent, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, step-child, grandchild or significant other.*

The Bereavement Leave Policy includes coverage in cases involving these members of the County Employee's immediate family: spouse; daughter or son, and stepdaughter or step-son; parents or step-parents; and siblings to include sister, brother, step-sister and step-brother.

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

4.5 Inclement Weather and Administrative Leave

There may be times when inclement weather or other emergencies will result in the County offices being closed and only County-determined emergency essential personnel being required to report to work in order to meet County operational requirements. In those cases of closure, nonessential employees may initially use up to 3 days (24 hrs.) of Administrative Leave if approved by the County Commission Chairman. Comp Time, vacation leave, or leave without pay will otherwise be used.

4.6 Sick Leave Transfer Program

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

The employee receiving donated sick leave hours must:

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

- a. For conditions that meet the definition of a Catastrophic or Crisis illness or injury as shown here:
 - i. Catastrophic/Crisis illness or injury: An unusually prolonged or complex illness or injury, especially one that causes severe organ dysfunction or threatens life. Catastrophic illnesses or injuries may include trauma due to accident or illness; and may suddenly or unexpectedly worsen, and make exceptional demands on patients, caregivers, families, and health care resources. Catastrophic illnesses are usually life-threatening and may leave significant residual disabilities; such as AIDS, major burns, trauma with residual paralysis or coma, and cancer.
- b. Donated hours may be used for the employee's own serious health condition that makes the employee unable to perform the essential functions of their job; or
- c. For the employee to care for a spouse, son, daughter, step-son, step-daughter, parent or step-parent who has a serious health condition and requires the assistance of the employee.
- d. Not receive more than 480 hours (3 Months) of donated sick leave in any rolling 12 month period. The 12-month period for eligibility purposes, is looking backward from the date of the current requested leave.

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

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

If an employee is found to qualify for donated sick leave, a written request for such can be made by the employee to their Department Head or Elected Official, who will then partner with the County Human Resources Department to solicit the requested hours through donations from coworkers or other County employees. (For Sick Leave Transfer Please See Section 7.2 Donation of Accrued Sick Leave)

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

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

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

1. Any employee's total donation of sick leave may not exceed 40 hours in any twelve month period.
2. Sick leave will be transferred based on the specific number of hours donated from one employee to the other.
3. Donated sick leave hours will be paid at receiving employee's rate of pay from receiving employee's departmental budget.

4. Donated sick leave may be used for a part-time return (qualifying intermittent FMLA leave) to work provided such return is under Doctor's orders.
5. Donated sick leave hours cannot be used for routine treatments, medical visits, maternity/paternity leave or pregnancy; the donated time is to only be used for catastrophic or crisis qualifying FMLA conditions as defined in this section.
6. All unused donated leave will be returned to the giving employee.

Sick Leave Separation Benefits –

When leaving the employment of the County under voluntary/favorable terms and with notice as required, separation benefits will not be payable based on your accumulated sick leave balance. Of note, employees who were employed prior to 1 July 2020 that cease employment are allowed to collect a maximum of 240 hours of unused sick leave to be paid to the employee upon completion of employment.

4.7 Bereavement Leave Policy

Full-time Benefited and Part-time Benefited County employees who have completed their initial probationary period would be eligible to request bereavement leave. In the event of death of an employee's father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, spouse, child, son or daughter-in-law, grandchild or grandparent related by blood, marriage or adoption, the employee will be permitted to take Funeral Leave with pay for up to three (3) working days. An additional two (2) days of paid funeral leave will be granted when the funeral involves the spouse, children or parents of the employee. This leave may be supplemented with any accrued vacation leave at the employee's request with the approval of the Department Head or supervisor.

4.8 Time Off to Vote

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

4.9 Jury Duty

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

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

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

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

4.10 Health Insurance

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

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

Eligible employees may participate in the healthcare plan subject to all terms and conditions of the agreement between Custer County and the insurance carrier. A change in employment classification that would result in loss of eligibility to participate in the healthcare plan may qualify an employee for benefits continuation under the South Dakota School District Benefits Fund (SDSDBF). Refer to the Benefits (SDSDBF - Wellmark) policy for more information.

You are eligible to obtain coverage on the first day of employment of the first complete month of employment (Example. Your start date of employment is on 2 September or even 21 September – Your coverage starts on 1 October). Premiums for dependents, if elected, are deducted from the first and second checks of every month, one month in advance. Custer County pays for the employee premiums and the employee is responsible for paying the balance of the healthcare premium amount for their dependent.

Details of the healthcare plan are described in the Summary Plan Description (SPD). The SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Department Head and/or Human Resource Department for more information about healthcare benefits.

4.11 Consolidated Omnibus Budget Reconciliation Act (COBRA)

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

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

4.12 Life Insurance

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

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

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

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Custer County and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Department Head or the Human Resource Department for more information about life insurance benefits.

4.13 Employee Assistance Program (South Dakota School District Benefits Fund – 211 Program)

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

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

The EAP (211 Program) is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics. Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no initial cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The employee may incur some cost through an outside referral. Costs that are not covered are the responsibility of the employee. Based on eligibility requirements some services may be covered under the health insurance plan.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it. Contact the Department Head or the Human Resource Department for more information about Employee Assistance Program benefits.

4.14 Pension Plan

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

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

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

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

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

4.15 Education Reimbursement

Where certification is required for an employee's position and the County pays for costs and time related to the certification, an employee who leaves prior to the County recouping the benefits of the costs and wages paid will be required to reimburse the County as follows:

1. Law Enforcement Certification: Employees who attend training to obtain their law enforcement certification will be required to sign a separate agreement for reimbursement depending on the length of time and under what circumstances the employee stays employed with the County. A copy of the Agreement can be obtained from the Sheriff or Human Resources Director.
2. Other Certification/Training: An employee who voluntarily quits employment with the County within six (6) months after obtaining the County-paid certification or completing training program will be required to reimburse the County 100 percent (100%) of the costs associated with the expenses paid for by the County.

Additionally, to encourage the professional and personal development of Custer County employees, the County has established an approval process and reimbursement policy for qualified and approved educational expenses toward the successful completion of certificate, undergraduate, graduate and post-graduate courses in accredited colleges and universities. Full-time and permanent part-time employees of the County are eligible to apply for educational assistance. The County will reimburse an employee for approved course tuition, including course fees and books, for all passing grades with a maximum amount of \$2,500 per year per employee. The Education Tuition and/or Fees Reimbursement Policy, Application, and Agreement may be obtained from the Human Resources Director, and are attached hereto and incorporated herein as an addendum, as amended from time to time.

5.0 LEAVES OF ABSENCE

5.1 Family and Medical Leave Act

Basic Leave Entitlement

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

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- or
- For a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees may take a leave of absence for one or more of the above reasons for up to a total of 12 weeks in a 12-month period. The 12-month period is determined on a "rolling" basis, measured backward from the date an employee uses any FMLA leave.

Military Family Leave Entitlements

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

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness. Service

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

Benefits and Protections

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

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

Eligibility Requirements

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

Definition of Serious Health Condition

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

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

Definition of Family members for the purposes of FMLA

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

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

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

Use of Leave

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

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

Leave Taken by Spouses

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

Substitution of Paid Leave for Unpaid Leave

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

Employee Responsibilities

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

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

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

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

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

Employer Responsibilities

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

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

FMLA Leave and Work-Related Injuries or Illnesses

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

Failure to Return to Work

Employees who are unable to return to work at the expiration of their FMLA leave must contact the Human Resources Department to determine if the County has other forms of leave that the employee

can use. Employees who do not report for work at the conclusion of their FMLA leave and who have not contacted the County requesting an extension of leave will be deemed to have resigned employment. Employees who are unable to return to work after 12 weeks of leave may request additional leave under the Personal Leave of Absence policy. In that case, the provisions of the Personal Leave of Absence policy will apply, not the provisions of this Family and Medical Leave policy. Employees who wish to request leave time for medical reasons who are not eligible for leave under this policy are subject to the terms of the Personal Leave of Absence policy.

Other Employment While on FMLA Leave

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

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

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

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

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

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

It is impossible to cover all aspects of family and medical leave in this policy. Therefore, when you determine that you will need to take leave under this policy, please contact the Human Resource Department for additional details.

5.2 Personal Leave of Absence

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

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

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

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

Personal leaves of absence are unpaid. Employees who request and are granted three (3) or more days of unpaid leave in any continuous 12 month period that receive healthcare and workman's compensation coverage benefits may be docked pay to reimburse the County for those benefits paid by the County.

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

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

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

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

Requests for leave and requests for extensions of leave will be considered on a case-by-case basis. All questions concerning leave should be directed to your Department Heads, Elected Officials and Supervisors or the Human Resource Department.

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

5.3 Military Leave

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

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

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

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

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

6.0 MISCELLANEOUS

6.1 Break Time for Nursing Mothers

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

6.2 Burning of Open Flame Products

Candles, incense, or any other product which produces an open flame is prohibited in any facility owned or operated by Custer County. Candles and open flames not only create a serious fire hazard, but also create a serious personal injury hazard. This does not apply to the Maintenance Department and Highway Department Maintenance facility using torches, cutting equipment and welding equipment.

6.3 Animals in the Workplace Policy

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

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

- Service animals as defined by the Americans with Disabilities Act of 1990, for use by customers, employees, vendors and visitors. Custer County recognizes the ability of persons with documented disabilities to utilize service animals as defined by the Americans with Disabilities Act 1990 (ADA). Customers, employees, vendors and visitors who require a service animal should consult with the Custer County Commission Office or the Human Resources Departments.
- Emotional support animals where the owner has medical certification from a qualified medical or psychiatric practitioner, and that have been approved by the Human Resources Department(s) as a reasonable accommodation.
- Animals professionally trained for search and rescue activities or law enforcement or a certified therapeutic dog as defined by SDCL 23A24-10-(1).
- Livestock, rodeo animals, and other animals for showing will be allowed as required for the fair and other approved events at the County Fairgrounds and in associated buildings. Animals professionally trained for theatrical purposes and directly supervised by show personnel within a controlled environment for training purposes.
- Aquariums, containing aquatic fish only, may be permitted in County buildings with approval of the Commission Office and the Department Head or Administrative Supervisor of the County employee requesting approval. Any damage caused by having aquariums will be repaired at the expense of the aquarium owner.

Animals on County grounds (not buildings) must be in the control of their owners. Under no circumstances should animals be allowed to run loose. Animals may not be tethered to buildings,

handrails, trees, bicycle racks or other objects. Any animal found tethered to County property or wandering loose on campus may be impounded at the owner's expense. Animals left in an unattended motor vehicle are subject to the same rules and regulations if they become a nuisance, or if the welfare of the animal is threatened. Any infractions or complaints should be directed to the Custer County Sheriff or the City Animal Control Office.

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

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

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

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

This policy will be enforced by the Department Head or Administrative Supervisor to ensure a safe and healthy work environment is maintained. Abuse of this policy will be reviewed for disciplinary action. This policy is effective 24 hours per day including holidays and weekends.

Additional exception Requests: The Custer County Commission Office, or Human Resources Office must approve any additional exceptions to this policy.

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

7.0 FORMS, ENCLOSURES and EXAMPLES

7.1 EMPLOYEE ACKNOWLEDGEMENT FORM

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

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

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

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

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

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

7.3 EMPLOYEE RESIGNATION LETTER FORMAT

(Name)
(Personal Address)
Custer, SD 57730

(Date)

Custer County (Office)
420 Mount Rushmore Road
Custer, SD 57730

To Whom It May Concern,

I am writing today to officially resign my position as (Position), effective (Date).

(Reason for Leaving If Inclined)

Thank you for the opportunity to serve our wonderful community and for your support.

Sincerely,

(Signature)

(Name Printed)

7.4 EMPLOYMENT TERMINATION LETTER FORMAT



CUSTER COUNTY

420 Mt. Rushmore Road
Custer, South Dakota 57730

Date:

Dear *[employee_name]*,

This letter is to inform you that as of *[date]*, we will no longer require your services as a Custer County Employee. The Commission has determined this is the best decision as the Commissioners, County and your goals and objectives are no longer aligned with the best interest of the County Residents.

As of *[termination date]*, you will not be eligible for any compensation or benefits associated with your position. Please out-process with the Auditors Office and Human Resources Office prior to departing on your last day of employment.

The Commissioners and County are entitling you to your salary up until *[termination date]* and you will be compensated for your remaining vacation days. The County will also provide severance pay that will amount to *[amount]* and health care coverage until (Date).

By *[termination date]*, you must return all Custer County property, including identification cards or badges, access codes or devices, keys, laptops, computers, telephones, mobile phones, hand-held electronic devices, credit cards, electronically stored documents or files, physical files, and any other Custer County property and information in your possession. Please return this property and information to the Director of Human Resources by *[termination date]*.

If you have any information about our Custer County Residents, Employees, County Policies or Operating Procedures stored on paper or on your personal devices, you must return this information to the Director of Human Resources or delete it immediately.

If you have questions or clarifications, The Director of Human Resources is at your disposal for up to *[five]* working days after your last day of employment.

The Commissioners and Employees of the County wish you all the best!

Signed,

_____ Chairman

_____ Vice Chairman

_____ Commissioner

_____ Commissioner

_____ Commissioner

7.5 Annual, Performance and Disciplinary Counseling Format Examples

Custer County Performance Evaluation 1

ANNUAL EVALUATION

Name: _____ Position: _____

Department: _____

Supervisor: _____

Three positive contributions to the workplace:

1.

2.

3.

Three Performance Shortfalls (If Applicable)

1.

2.

3.

Corrective Performance Plan for Shortfalls or Lessons Learned (If Applicable)

Three goals for the coming year:

- 1.
- 2.
- 3.

Other comments:

As a County employee are there any suggestions you have to benefit the services to the public, employees or our entire customer base you could recommend:

Employee Signature: _____ Date: _____

CUSTER COUNTY
Employee Performance Evaluation

Employee Name: _____ Review Period: _____

Department: _____ Position: _____

1) Evaluate performance by circling the appropriate response:

- 1 = substandard, needs constant supervision
- 2 = below average, needs improvement
- 3 = average, satisfactorily meets criteria
- 4 = above average, exceeds criteria
- 5 = exemplary, deserving of unusual recognition

- 2) Enter comments as necessary.
- 3) Set goals for next review period.
- 4) Meet with employee to discuss evaluation.
- 5) Supervisor and employee sign and date form.
- 6) Return original form to Auditor's Office.

1. Quality of work

- | | |
|--|-----------|
| a. Accuracy, thoroughness, effectiveness. | 1 2 3 4 5 |
| b. Use of time and volume of work accomplished. | 1 2 3 4 5 |
| c. Work output matches the expectations established. | 1 2 3 4 5 |
| Total | _____ |

Comments: _____

2. Quantity of work

- | | |
|---|-----------|
| a. Competence, thoroughness, and efficiency of work regardless of volume. | 1 2 3 4 5 |
| b. Neatness and accuracy. | 1 2 3 4 5 |
| Total | _____ |

Comments: _____

3. Teamwork:

- | | |
|--|-----------|
| a. Establish and maintain effective working relationship with others. | 1 2 3 4 5 |
| b. Shares information and resources with others | 1 2 3 4 5 |
| c. Follows instructions of supervisor and respond to requests from others. | 1 2 3 4 5 |
| Total | _____ |

Comments: _____

4. Job knowledge

- | | |
|--|-----------|
| a. Degree of technical competence. | 1 2 3 4 5 |
| b. Understanding of job procedures, methods, and information related to assignments. | 1 2 3 4 5 |
| c. Use of reference materials and information sources. | 1 2 3 4 5 |
| Total | _____ |

Comments: _____

5. Initiative

- a. Displays initiative, assumes responsibility, problem solving. 1 2 3 4 5
 - b. Accepts additional challenges and responsibilities and willingly assists others. 1 2 3 4 5
 - c. Completes assignment on time. 1 2 3 4 5
- Total _____

Comments: _____

6. Interpersonal relations

- a. Is cooperative, considerate, and tactful in dealing with supervisors and other employees. 1 2 3 4 5
 - b. Relates to public's needs, both spoken and unspoken. 1 2 3 4 5
 - c. Displays a positive, enthusiastic attitude with public. 1 2 3 4 5
- Total _____

Comments: _____

7. Safety and equipment

- a. Complies with safety rules. 1 2 3 4 5
 - b. Care and maintenance of County equipment, tools & supplies. 1 2 3 4 5
 - c. Reports deficiencies and/or unsafe practices to supervisor in timely manner. 1 2 3 4 5
- Total _____

Comments: _____

8. Communications abilities

- a. Ability to listen and understand information. 1 2 3 4 5
 - b. Presents information in a clear and concise manner. 1 2 3 4 5
 - c. Appropriate communication with employees and public. 1 2 3 4 5
 - d. Demonstrates respect for all individuals in all forms of communication. 1 2 3 4 5
- Total _____

Comments: _____

9. Planning and organizing:

- a. Adapts to changes and uses resources effectively. 1 2 3 4 5
 - b. Maintains confidentiality as appropriate. 1 2 3 4 5
 - c. Setting objectives, establishing priorities, developing plans. 1 2 3 4 5
 - d. Arranging work schedules and prioritizing work to meet deadlines. 1 2 3 4 5
 - e. Knows when to ask for clarification before proceeding on a work project. 1 2 3 4 5
- Total _____

Comments: _____

10. Problem analysis and decision making

- a. Anticipating problems and facilitate problem resolution. 1 2 3 4 5
- b. Willingness to make necessary and immediate decisions given incomplete information. 1 2 3 4 5

- c. Understanding practical and workable solutions. 1 2 3 4 5
 - d. Providing information and feedback in a timely manner. 1 2 3 4 5
- Total _____

Comments: _____

11. Dependability

- a. Completes assignments on time and carries out instructions. 1 2 3 4 5
 - b. Starts work at appropriate time. 1 2 3 4 5
 - c. Respects time allowed for breaks and lunch. 1 2 3 4 5
 - d. Follows policies for requesting and reporting time off. 1 2 3 4 5
 - e. Helps ensure work duties are covered when absent. 1 2 3 4 5
 - f. Employee's presence can be relied upon for planning purposes. 1 2 3 4 5
 - g. Attendance and punctuality. 1 2 3 4 5
- Total _____

Comments: _____

12. OVERALL RATING:

- a. Total from all categories divided by 40. _____

GOALS FOR NEXT EVALUATION PERIOD: _____

Supervisor Signature: _____
 Date: _____

Acknowledgement by Employee:

The contents of this assessment have been discussed with me and I have received a copy thereof. My signature does not imply agreement or disagreement with this review. My comments are as follows:

Employee Signature: _____
 Date: _____

CUSTER COUNTY
Employee Performance Evaluation

Employee Name: _____ Review Period: _____

Department: _____ Position: _____

1. JOB KNOWLEDGE -- the information concerning work duties which an individual should know for a satisfactory job performance.

	Poorly informed about work duties.	Lacks knowledge of some phases of work.	Moderately informed; can answer most common questions.	Understands all phases of work.	Has complete master of all phases of work.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

2. QUALITY OF WORK -- the correctness of work duties performed.

	Makes frequent errors.	Careless; makes recurrent errors.	Usually accurate; makes only average number of errors.	Requires little supervision; is exact and precise most of the time.	Requires absolute minimum of supervision is almost always accurate.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

3. QUANTITY OF WORK -- the amount of work an individual does in a work day.

	Does not meet minimum requirements.	Does just enough to get by.	Volume of work is satisfactory.	Very industrious; does more than is required.	Superior work production record.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

Employee's initial _____ Supervisor's initial _____

4. CREATIVITY --the talent for having new ideas, for finding new and better ways of doing things and for being imaginative.

Rarely has a new idea; is unimaginative.	Occasionally comes up with a new idea.	Has average imagination; has reasonable number of new ideas.	Frequently suggest new ways of doing things; is very imaginative.	Continually seeks new and better way of doing things; is extremely imaginative.
--	--	--	---	---

Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

5. ORGANIZING TIME -- properly prioritizing time; completing assigned tasks.

Works very un-systematically.	Needs help to keep work moving.	Work moves along well.	Tops in organizing whole flow of work.
-------------------------------	---------------------------------	------------------------	--

Self-Evaluation	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____

Comments: _____

6. ALERTNESS -- the ability to grasp instructions, to meet changing conditions and to solve novel or problem situations.

Slow to "catch on".	Requires more than average instructions and explanations.	Grasps instructions with average ability.	Usually quick to understand and learn.	Exceptionally keen and alert.
---------------------	---	---	--	-------------------------------

Self-Evaluation	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____

Comments: _____

7. SUPERVISION REQUIRED -- the ability to do required jobs well with a minimum of supervision.

Requires close supervision.	Sometimes requires prompting.	Usually takes care of necessary tasks and completes with reasonable promptness.	Requires little supervision; is reliable.	Requires absolute minimum of supervision.
-----------------------------	-------------------------------	---	---	---

Self-Evaluation	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____

Comments: _____

Employee's initial _____ Supervisor's initial _____

8. RESPONSE TO SUGGESTIONS -- the attitude towards suggestions or changes made by supervisors and other policy makers.

	Seems to dislike change.	Usually resists change.	Usually accepts change.	Excellent attitude.
Self-Evaluation	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____
Comments:	_____			

9. ADAPTABILITY -- the ability to withstand pressure and remain calm in crisis situations.

	Goes "to pieces" under pressure; is "jumpy" and nervous.	Occasionally "blows up" under pressure; is easily irritated.	Has average tolerance for crisis; usually remains calm.	Tolerates most pressure; likes crisis more than the average person.	Thrives under pressure really enjoys solving crisis.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____
Comments:	_____				

10. WORKING WITH OTHERS -- the working relationship with fellow employees and with the system as a whole.

	Teamwork questionable.	Helps, but without enthusiasm.	Helps, with some enthusiasm.	Enthusiastically helps, A-1 teamwork.
Self-Evaluation	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____
Comments:	_____			

11. PERSONAL APPEARANCE -- the personal impression an individual makes on others.
(Consider cleanliness, grooming, neatness and appropriateness of dress on the job.)

	Very untidy.	Sometimes untidy and careless about personal appearance.	Generally neat and clean; satisfactory personal appearance.	Careful about personal appearance.	Unusually well groomed: very neat.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____
Comments:	_____				

Employee's initial _____ Supervisor's initial _____

12. COURTESY -- the polite attention an individual gives other people.

Blunt, discourteous, antagonistic.	Sometimes tactless.	Agreeable and pleasant.	Always very polite and willing to help.	Inspiring to others in being courteous and very pleasant.
--	------------------------	-------------------------------	--	---

Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

13. ATTENDANCE -- faithfulness in coming to work daily and conforming to work hours.

Often absent without good excuse and/or frequently reports for work late.	Lax in attendance and/or re- porting for work on time.	Usually present and on time.	Very prompt, regular in attendance.	Always re- gular and prompt, volun- teers for over- time when needed.
--	--	---------------------------------	---	--

Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

#14 and #15 relate to an employee's supervisory qualities and should only be completed if they do, in fact, supervise others.

14. SUPERVISORY SKILLS --the ability to appreciate, understand, delegate responsibility and direct individual differences in people.

Hinders the natural de- velopment of others/or antagonizes his subordinates.	Allows subor- dinates to shift for themselves; fails to inspire confidence.	Fails to de- velop and obtain maxi- mum results from others.	Very capable in recogni- zing and training subordinates.	Extremely successful in helping others attain the organiza- tion's goals.
---	--	--	--	--

Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

Employee's initial _____ Supervisor's initial _____

15. PLANNING AND ORGANIZING -- the success in organizing, by delegating authority and planning, to complete tasks on schedule.

	Fails to see work to be done.	Lacks planning ability.	Effective under normal circumstances.	Effective under difficult situations.	Highest possible effectiveness.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

16. ATTENTION TO SAFETY

	Unobservant and careless, takes a chance. Can be dangerous to others.	Indifferent and inattentive. Knows better and needs frequent reminding.	Average attitude towards safety practices. Requires normal supervision.	Avoids taking risks. Keeps mind on things at hand. Knows importance of safety.	Extremely careful and doesn't take risks. Fully cognizant of hazards.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

17. TIME CARDS

	Careless, many errors.	Careless, some errors.	Average, occasional error.	Neat, accurate-few errors.	Exceptionally neat and accurate.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

18. EQUIPMENT CARE AND OPERATION

	Abusive, doesn't care attitude.	Some abuse, negligent on service.	Average care of equipment meets minimum department standards.	Good job of servicing equipment. Keeps units clean.	High level of concern for proper maintenance of equipment.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

Employee's initial _____ Supervisor's initial _____

#19 is an overall evaluation and is to be completed for all employees.

19. OVERALL EVALUATION -- in comparison with other employees with the same length of service on the job.

	Definitely unsatisfactory.	Substandard but making progress.	Doing an average job.	Definitely above average.	Outstanding.
Self-Evaluation	_____	_____	_____	_____	_____
Supervisor	_____	_____	_____	_____	_____

Comments: _____

EMPLOYEE COMMENTS OR SUGGESTIONS: (This space is provided to afford employees an opportunity to make comments or suggestions regarding their employment or the system as a whole.)

A copy of this report has been given to me and has been discussed with me.

Employee's Signature

Date

Supervisor's Signature

Date

Appointing Authority

Date

CUSTER COUNTY
Disciplinary Performance Counseling

Date:

From:

Re: Performance warning [incident and date of incident]

On [Date] an initial memo regarding [Performance Issue] was given to you. [Outline all previous incidents 'What, when, and where.']. Since these performance issues continue to have negative effects on this company, I am reminding you of our employment policy regarding [Performance Issue].

This issue must be taken seriously. We have attempted over the past [Time Frame] to obtain your assistance with [Identify Problems]. If there are issues outside of work that are causing these performance problems that you wish to discuss, I again offer my assistance.

I will continue to monitor your performance over the next [Time Frame]. Should no improvement be shown, additional measures will be taken.

If you wish to discuss this memo and the incident please contact me.
Sign on the line below to acknowledge that you have received and read this memo.

Supervisor Signature: _____

Date: _____

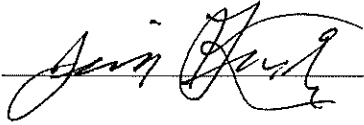
I, [Employee's Name], hereby acknowledge that I have read and understand the contents of this memo with regards to my job performance,

Employee's signature: _____

Date: _____

The 2024 Custer County Employee Handbook is approved and adopted by the Custer County Commission on May 8, 2024.

Signed,



Jim Lintz, Chairman



Attest: 

Barbara Cox, Deputy Auditor Custer County

