

STATE OF SOUTH CAROLINA)
)
COUNTY OF BARNWELL)

RESOLUTION # 2011-11-370

**A RESOLUTION TO AMEND THE BARNWELL COUNTY PERSONNEL MANUAL
ADOPTED BY ORDINANCE 1997-106.**

The Barnwell County Personnel Manual is hereby amended by implementing highlighted changes shown in a Personnel Policy Manual Notebook dated February 2011 and by the attached list of changes.

Adopted at the regular meeting of Barnwell County Council on November 8, 2011.

SIGNED:



Travis Black, Chairman
Barnwell County Council

ATTEST:



Kim A. Futrell, Clerk



COUNCIL VOTE:

Favor: 7
Against: 0
Absent: 0

**CHANGES TO THE
BARNWELL COUNTY DRAFT PERSONNEL POLICY MANUAL
Recommendations by the Personnel Committee
October 2011**

1. All highlighting will be removed from the handbook, and all lined-through wording will be deleted.
2. On the "Important Notice" page – the statements in all caps will be underlined.
3. A date will be placed on the bottom of each page.
4. Change "Reissued" dates on all policies.
5. On the "Table of Contents" page – page numbers will be assigned
6. Page 2, "Acknowledgement" – will be placed at the front of the handbook in duplicate (a signed copy will be placed in the employee's personnel file).
7. Page 5 – delete entire page.
8. Page 6 – delete top portion of page down to "Clean Air Policy".
9. Page 8 – change dates.
10. Page 18 – Delete the bottom portion of the page beginning with "Failure to submit to drug testing..." through the top portion of page 24 until "Personnel Files and Records".
11. On Page 25 – under "Reference Requests", this will be changed to "Neutral Reference Policy" as follows:

Neutral Reference Policy

No one other than the County Administrator of Barnwell County or his designee is authorized to provide job references or employment-related information regarding current or former employees. Such inquiries must immediately be directed to one of these individuals. Violation of this policy will result in disciplinary action up to and including termination.

The County's general policy is to provide only neutral references in response to inquiries by prospective employers seeking information about current or former employees. This means that the County normally will provide to prospective employers only the following information: the beginning and ending dates of employment, position(s) held, and confirmation of a former employee's compensation rate or range at termination.

Special Note: This policy is not intended to prohibit County employees who are listed as personal references on an application form from responding to inquiries from prospective employers, provided the County employee who is asked to provide the reference did not/does not supervise, directly or indirectly, the current or former County employee who is the subject of the reference.

11.A Replace “his designee” in the first sentence of the first paragraph above with “the Business Manager and/or Payroll Clerk”.

12. Page 27 – insert “Immigration” policy as follows:

Immigration

Barnwell County is committed to employing individuals who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person’s citizenship or national origin.

Barnwell County complies with the South Carolina Illegal Immigration and Reform Act of 2008 and will verify the legal status of all new employees through the E-Verify federal work authorization program administered by the U.S. Department of Homeland Security as outlined in the statute. Further, the County will require its contractors and sub-contractors to comply with the Act.

The County complies with the federal immigration laws, namely the Immigration Reform and Control Act of 1986, and as a result, every new employee of the County is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

If you leave the County and are rehired, you must complete another Form I-9 if the previous I-9 with the County is more than three years old, or if the original I-9 is no longer accurate or if we no longer have the original I-9.

If you have questions or want information on the immigration laws, contact the Business Manager. If you ask questions or want to complain about the immigration law, the County will prohibit any form of retaliation against you for this protected activity.

12.A Remove the word “illegally” in the first paragraph above.

13. Page 29 – item “E”, change the word “approval” to consideration”.

14. Page 30 – the word temporary will be changed to introductory.

15. Page 31 – the word temporary will be changed to introductory. At the bottom of the page, the paragraph that begins “Advance authorization must be obtained ... through the next paragraph ending ... secondary employer that they plan to terminate their employment” will be removed. The last sentence will read,

“Employees are prohibited from working secondary employment while on medical leave from Barnwell County.”

16. Page 32 – under “Recruitment”, “... position vacancies will be posted internally, for ten (10) working days...”

17. Page 33, before “Selection”, add the following:

Genetics Information Non-Discrimination Act (GINA)

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA from requesting or requiring genetic information of employees or their family members. In order to comply with this law, Barnwell County will not provide any genetic information when responding to a request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

18. Page 33 under “Preliminary Screening”, the last sentence will read “... should be forwarded to the appropriate department.”

19. Page 34, under Reference Checks, after the second paragraph, add the following: “Certain positions may require a credit check or SLED check. As a condition of employment, the employee must be bondable under the conditions of the “blanket bond” if required.”

20. Page 34, under Work Schedules, remove ?????.

21. Page 35, add “Breaks For Lactating Mothers” as follows:

Breaks For Lactating Mothers

In accordance with 29 U.S.C. §207(r)(1), employees who are nursing are provided with reasonable unpaid break time to express breast milk up to one year following the birth of a child provided that such break time does not unduly disrupt operations. Barnwell County will make reasonable efforts to provide a private location other than the restroom facilities. Employees will not be retaliated against for exercising their rights under this policy.

22. Page 36, under “Lateral Transfers”, change the word probationary to introductory.

23. Page 37, under “Promotions”, remove (3) length of continuous service from the last date of hire. Under “Reduction in Force”, remove sexual orientation, and change creed to genetic information.

24. Page 40, under 5, remove the last sentence (Priority will be given in the order specified above).
25. On page 41, under "Retirement", add the following after the first paragraph:
"Employees hired after January 1, 2012 will not be eligible for retiree insurance premiums paid by the County when provided for in the annual budget. Employees who return to work after retiring, and have met the requirements of age and years of service to Barnwell County as set forth at the September 19, 1999 Council meeting, will be grandfathered, but will continue to pay his health insurance premiums as long as he is employed by the County. The Retiree must also remain a member of the State Retirement System and must be receiving a monthly retirement check. This benefit is provided at Barnwell County Council's discretion and is not a vested right accruing to the beneficiary."
26. On page 42, last paragraph, remove the sentence: "Extensions may be granted by the County Administrator in thirty-day (30) increments not to exceed twelve (12) months. After this time, the position will be declared vacant, and steps will be taken to fill it."
27. Page 43, after "THIS IS NOT A CONTRACT", add the following:

Notice of Right to Health Care Continuation Coverage

Federal law provides that most employers sponsoring a group health plan offer covered employees and their covered dependents the opportunity for a temporary continuation of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

A notice is provided to all new employees at orientation to inform them, in a summary fashion, of their rights and obligations under the continuation coverage provisions of the federal law. Both the employee and his covered spouse should take the time to read this summary notice carefully. A more detailed notice will be provided separately.

Continuation coverage under the group health plan at the employee's expense is available if you become ineligible for coverage under the plan due to the occurrence of one of the following events:

1. The covered employee's voluntary or involuntary termination (other than by reason of gross misconduct) of employment or loss of eligibility to participate in the plan due to reduced hours;
2. The covered employee's death;
3. The covered employee's divorce or legal separation;
4. The covered employee's dependent child ceases to be a dependent (as that term is defined by the plan);
5. The covered employee becomes eligible to receive Medicare benefits;
6. Bankruptcy proceedings of the employee under Title 11.
7. As provided for under USERRA.

If you elect continuation coverage, the employer is required to offer group health insurance, which as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or dependents. The full cost of the insurance is passed on to the employee plus an administrative fee as determined by the insurance carrier.

28. Page 44, under “Employee Classification & Overtime Pay” add the following: “All employees will be required to participate in direct deposit of wages beginning January 1, 2012”.

29. Page 45, under “Classification Plan” B, change the word will to should.

30. Page 46, the paragraph after “D”, change the word approval to consideration.

31. Page 48, add the following:

Payment of Wages

Employees are paid semi-monthly, on the 15th and the last day of the month, or the last business day prior to these dates. Each Elected Official or Department Head (or his designee) will have the responsibility of distributing payroll checks for his department.

Barnwell County may deduct authorized benefit payments such as insurance or retirement, as well as any unearned leave time.

32. Page 50, under Annual Leave, change the accrual rate as follows:

	<u>1 - 5 Years</u>	<u>6 - 9 years</u>	<u>10+ years</u>
35-hr employee (1,820 annually)	70 hrs	84 hrs	105 hrs
40-hr employee (2,080 annually)	80 hrs	96 hrs	120 hrs
12-hr shift employee (2,184 annually)	84 hrs	101 hrs	126 hrs

33. Page 50, Annual Leave – remove the last sentence on the page.

34. Page 57, under “Holidays”, the holidays will be listed in order by calendar date.

35. Page 58, under “Jury Duty & Court Appearance”, change the last sentence of the first paragraph to read:

“ ... and paid at full salary up to twelve (12) days, provided that proof of duty is verified by the employee’s supervisor. If the employee is released prior to Noon, the employee is expected to return to work.”

36. Page 60, under “Accrual Rate”, change the accrual rate as follows:

<u>Sick Leave</u>	<u>Monthly Accrual Rate</u>	<u>Maximum Hours</u>
35-hr employee	3.5 hrs	630 hrs
40-hr employee	4.0 hrs	720 hrs
12-hr shift employee	4.2 hrs	756 hrs

37. Page 60, remove "Sick Leave Pool".
38. Page 64, "Acceptable Computer Use Policy" – move to page 73 before "Employee Grievance Procedure".
39. Page 66, item 20, delete "Informational Technology," and replace with "Department Head."
40. Page 68, "Acceptable Computer Use Policy" – a signed copy of this page will be placed in each employee's personnel file.
- ~~41. Page 73, "Employee Grievance Procedure", remove and insert County Attorney J.D. Mosteller's recommended version.~~
42. Page 79, "Operation of County Vehicle" – insert the following as the opening sentence:
"Employees will be required to possess appropriate license for the operation of the vehicle required by the duties of the job. The Business Office shall be notified of any health changes in the event of any restriction or revocation of ability to operate the required vehicle."