

# **THE STARKE COUNTY EMPLOYEE HANDBOOK**

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**STARKE COUNTY INDIANA – 2021 EDITION**

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## **Welcome !**

### **Congratulations on your employment, and welcome to Starke County Government.**

It is a pleasure to have you join our team. Please take pride in your personal contributions as we strive to provide an outstanding quality of service to the citizens of Starke County.

As a civil servant your new position will have unique duties and responsibilities. *The Starke County Employee Handbook* is designed to serve as an introduction to our personnel rules and to help you understand important rights, responsibilities, benefits, and services you have as a county employee.

Please use this handbook as a reference, and if you have any questions, your supervisor will be happy to discuss them with you.

The policies contained in this handbook are subject to change by the Commissioners at any time. As an employee, it is your responsibility to keep current with all revisions.

Thank you for joining the people’s workforce. We look forward to working with you and wish you success in your career with Starke County Government.

Sincerely,

**Board of Commissioners  
Starke County, Indiana**

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## 1.0 Purpose of Handbook – At Will Employment

**1.1 Purpose.** The purpose of *The Starke County Employee Handbook* is to promote the achievement of higher levels of understanding, cooperation, efficiency, service and unity that come through the application of consistent guidelines, and to support sound human resource management and practices. This Handbook describes many of your responsibilities as an employee and outlines the programs developed by Starke County to benefit our employees.

**1.2 Employee Responsibilities** It is your responsibility to read, understand and comply with all provisions of this Handbook. It is also your responsibility to stay current regarding revisions and interpretations regarding this Handbook.

**1.3a At-Will Employment.** Starke County is an *At-Will* employer. That means that **the employee may resign at any time, and the employer may discharge an employee at any time with or without cause, and that neither the employee nor the employer is under any obligation to explain or justify their decision to terminate the employment relationship.** The personnel policies set forth in this Handbook do not create a contract of employment, nor do they vest any property rights whatsoever in the employee. Nothing herein creates any entitlement or expectation of continued employment.

**1.3b  Exception – Merit Track Police Officers.** Merit Track Police Officers who have successfully attained tenure are not purely *At-Will* employees, but instead are subject to the jurisdiction of the Sheriff’s Merit Board. See IC 36-8-10.

**1.4 Application, Revisions, and Interpretation.** This Handbook and the related policies are the subject of constant revision. Starke County reserves the right to revise, supplement, or rescind any policies or portions of this Handbook. Every effort has been made to ensure that this Handbook is accurate, but it is only a summary and all provisions hereof are subject to interpretation considering accepted practices, and state and federal law.

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## 2.0 Applicability of Personnel Policy

The personnel policies in this handbook apply to all Starke County Employees, unless one of the specific exceptions listed below applies.

Exceptions to the applicability to these policies are:

- (1) When contrary to legal requirements under applicable state or federal law, the policies in this handbook do not apply to Elected Officials, Judicial branch personnel or Sheriff’s Department personnel.<sup>1</sup>

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<sup>1</sup> Notwithstanding any term herein, the Commissioners lack authority to over-rule the decision of an Elected Official in charge of a state constitutional office with respect to employment in that office. However, the Commissioners may elect to hear a grievance related thereto, and to take action within their range of authority.

(2) When approved by the Commissioners, provisions in individual employment contracts may vary from the general policies set forth in this handbook.

(3) Though this handbook is generally applicable to all county employees, numerous exceptions and department specific rules exist. To the extent feasible, these exceptions are specifically set forth in this handbook. Use the icons, described below, to help identify whether an exception or department specific rule is applicable in your situation.

**Icons for Exceptions and Department Specific Rules**

-  EMTs and Paramedics
-  Merit Track Police Officers
-  Uniformed Officers
-  Judicial Staff
-  Highway Dept. Staff

## 3.0 Definitions

3.01 **Anniversary Date:** The date one year from the employee’s most recent date of hire as a Regular Full-time Employee and each annual succeeding date thereafter.

3.2 **Business Day:** A “business day” is defined from time to time by order of the commissioners; the current business day is posted on the Starke County Government web site. All employees are responsible for keeping abreast of the current business day hours as defined by the commissioners. A business day may be different than work hours or a workday.

3.3 **Calendar Quarter:** There are four calendar quarters: January through March; April through June; July through September; and October through December.

3.4 **Calendar Year:** The period beginning January 1 and ending December 31<sup>st</sup>.

3.5. **Confidential information:** All information that is designated as confidential by law and in addition, all employee personnel records unless otherwise required by law.

3.6 **Commissioners:** The Board of Commissioners of Starke County, the county’s chief executive body.

**3.7 Council:** Starke County Council, generally the county’s fiscal body, but where applicable by statute, sometimes a legislative body.

**3.8 County:** Starke County Government, including all its elected officials, boards, agencies, and department head acting individually or in conjunction with one another during their responsibilities or pursuant to local, state, or federal laws, ordinances, or resolutions

**3.9 Cumulative Service:** An employee’s total period of active service with the County, beginning with the employee’s most recent date of hire as a Regular Full-time Employee, but subject to deductions for any period of inactive service (pursuant to the FMLA or a leave of absence only) as set forth in this handbook.

**3.10 Department Head:** An employee who is responsible for the activities of a specified department. This person has the responsibility of managing his or her staff and allocating department resources as needed to accomplish department projects.

**3.11 Discharged Employee:** An employee who is discharged from the county payroll involuntarily.

 **3.12 EMT:** Means an “Emergency Medical Technician”, an individual who is certified under IC 16-31 to provide basic life support at the of an accident, illness, or during transport.

**3.13 Exempt Employee:** An employee who is exempt from the overtime provisions of the Federal Fair Labor Standards Act as amended and defined therein.

**3.14 FLSA:** The Fair Labor Standards Act, a federal law which establishes minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

**3.15 FMLA:** The Family and Medical Leave Act, a federal law entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

 **3.16 Highway Dept. Staff:** An employee of the Starke County Highway Department.

**3.17 Introductory Period Employee:** An employee who is fulfilling an introductory period.

 **3.18 Judicial Staff:** An employee who works in the judicial branch of government and is therefore under the direction and control of the Starke Circuit Court.

 **3.19 Merit Track Police Officers:** A Sheriff’s Department uniformed police officer who is subject to IC 36-8-10.

3.20 **Non-exempt Employee:** An employee who is not exempt from the overtime provisions of the Federal Fair Labor Standards Act as amended and defined therein.

 3.21 **Paramedic:** An individual who has completed a prescribed course in advanced life support and has been licensed by the Indiana emergency medical services commission. See IC 16-18-2-266.

3.22 **Paycheck:** All County employees are issued a paycheck based on a two-week work period. The term paycheck includes an electronic transfer of funds.

3.23 **Pay Period:** The two-week period for which a County employee is issued a paycheck.

3.24 **Regular Full-time Employee:** An employee other than a temporary employee, who is scheduled to work equal to or more than one hundred and thirty (130) more hours per month on a continuing basis.

3.25 **Regular Part-time Employee:** An employee other than a temporary employee who is scheduled to work less than one hundred and thirty (13) hours per month on a continuing basis.

3.26 **Responsible Elected Official:** The elected official that is responsible for the operation of a particular office or department, for example the Treasurer is responsible for the operation of the Treasurer's Office. The Responsible Elected Official is responsible for the management of his or her staff and the allocation of department resources as needed to accomplish department projects.

3.27 **Start Date.** An employee's first day at work of that employee's current hire.

 3.28 **Uniformed Officer.** Means an individual engaged in law enforcement activities who qualifies for treatment under section 7(k) and 13(b)(20) of the Federal Labor Standards Act ("FLSA") as further defined in CFR § 533.211. Generally, for the purposes of Starke County Government, Uniformed Officers means a Sheriff's Department staff member who is (a) FLSA non-exempt and (b) either a Merit Track Police Officer or a Jailer. Overtime for Uniformed Officers is calculated pursuant to FLSA section 7(k).

3.29 **Temporary Employee:** A person employed for a period not to exceed seven (7) months, unless the person works for no more than twenty-nine (29) hours in a work week and is employed for a period not to exceed one year.

3.30 **Time Record:** The official record of an employee's time worked; each employee must complete and keep current his or her time records in compliance with the form and content approved by the Indiana State Board of Accounts.

3.31 **Work Hours:** The hours established in each department as that department's workday. Work hours may or may not be the same as a business day.

3.32 **Workday:** One-fifth of an employee's regularly scheduled workweek.

3.33 **Personnel record:** The official record of an employee’s employment. Official personnel records are maintained by the Auditor’s office.

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## **4.0 Management Rights**

As a public employer Starke County possesses the exclusive responsibility and authority to manage all operations and activities of the County to the full extent authorized by law. The management authority of the County includes, but is not limited to:

1. The right to direct the work of its employees.
2. The right to establish policy
3. The right to take actions to maintain and improve the efficiency of public operations.
4. The right to design and implement safety programs for employees.
5. The right to design and implement job training for employees.
6. The right to determine what services will be rendered to the public.
7. The right to determine job content and job descriptions.
8. The right to determine, effectuate and implement the objective and goals of the County.
9. The right to establish, allocate, schedule, assign, modify, change, and discontinue County operations, work shifts and working hours.
10. The right to establish, modify, change, and discontinue work standards.
11. The right to hire, examine, classify, train, transfer, assign and retain employees; suspend, discharge or take other disciplinary action against employees in accordance with applicable law and to relieve employees from duties due to disciplinary reason or other legitimate reason, and make promotions and demotions.
12. The right to alter the composition of the work force.
13. The right to establish and implement policies for the selection, training, and promotion of employees in accordance with applicable law.
14. The right to establish, implement and modify procedures and policies for the safety, health and protection of County property and personnel.
15. The right to select, install, modify, or discontinue equipment, materials and the layout and arrangement of equipment.
16. The right to control the use of property, machinery inventories, and equipment and vehicles owned, leased, or otherwise possessed by the County.
17. The right to determine the location, establishment and organization of new departments or facilities, and the relocation or discontinuation of existing departments or facilities.
18. The above enumeration of management rights is not inclusive of all such rights and all rights granted to the County by constitution, statute, charter ordinance or in any manner retained by the County.

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## **5.0 Legal Compliance and Ethics**

### **5.1 Equal Employment**

It is the policy of the County to provide equal employment opportunity to all applicants and employees regardless of race, color, sex, age, national origin, gender, sexual orientation, gender identity, veteran status, or disability, or genetics. In addition to federal requirements, Starke County complies with all state and local laws concerning non-discrimination in all departments and at all locations throughout Starke County. This policy applies to all terms and conditions of employment including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. Responsible Elected Officials and Department Heads must conduct activities in a manner that will comply with relevant Civil Rights and Equal Employment regulations. In furtherance of this policy, all position notices, posting, advertisements, and recruiting literature shall contain the phrase “An Equal Opportunity Employer”.

## **5.2 Reasonable Accommodation**

It is the policy of the County to provide reasonable accommodation to disabled employees to assist them in the performance of the functions required by their positions.

## **5.3 County Records**

As a public agency, the County maintains records that are subject to the Indiana Access to Public Records Act (“ARPA”). Pursuant to ARPA, providing information to the public is deemed an “essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information”, and therefore county employees must promptly comply with reasonable requests for access to public documents and information.

However, under ARPA, some records are available to the public while other records are exempt from disclosure and must be maintained with strict confidentiality. ARPA exempt records may not be disclosed unless access is specifically required by state or federal statute or ordered by a court of competent jurisdiction. No employee shall, without proper legal authorization, disclose ARPA exempt information.

If an employee is uncertain as to whether a record is public, before allowing an individual to inspect or copy the record, the employee must consult with the Responsible Elected Official or appropriate Department Head.

*Authority for ARPA is at Ind. Code 5-14-3.*

As a public employee you may have access to public records, including data, documents, information, maps and compilations and indexes of records, data, and information. Public records exist in many forms, including paper files, electronic data, audio and video recordings, film, photographs, microfilm or any other medium capable of maintaining words, figures, or images. Regardless of the form of the public records, as a public employee you have a duty to protect, care for, and maintain all public records, for the benefit of the public now and in the future. Strict legal requirements govern the disposal of public records; destruction, defacement, theft, or unauthorized disposal of public records is cause for immediate termination and may result in criminal prosecutions.

For more information see the *Guide to Preservation and Destruction of Government Documents*

### 5.4 Conflict of Interest

No employee and no individual under a service contract shall represent private interests in any action or proceedings against the interest of the County in any matter in which the County is a part, except as provided by law.

County employees will not accept gifts, gratuities, or other favors from individuals, companies or corporations who might benefit or expect to benefit from the employee's indebtedness. Certain *de minimis* exceptions may apply where the value of the gift, gratuity or other favorable treatment is of a very low monetary value. When in doubt please request an opinion from the county attorney prior to accepting anything of value.

County employees are prohibited from receiving financial benefit through investment in, interest in, or dealings with individuals or organizations that conduct business or have contracts with public agencies. Any individual who has concerns regarding this area should consult the Responsible Elected Official or, where appropriate, Department Head.

Employees shall file a written conflict of interest form to avoid violations of state statutes regarding conflicts of interest when required by state law. Disclosure forms are available in the Clerk's Office, and questions should be referred to the Responsible Elected Official or, where appropriate, Department Head.

See *Ind. Code 35-44-1-3.*

### 5.5 Adoption of Indiana Code of Ethics

As a public employee you are a servant of the public and must conduct yourself accordingly. Starke County has adopted the Indiana Code of Ethics as set forth in Title 42 of the Indiana Administrative Code as the official code for ethical practices, activities and behavior by all Starke County officers, employees and contract personnel, and the entire Indiana Ethics Code, as amended, is incorporated by reference into this handbook. The Indiana Code of Ethics shall serve as the Starke County Code of Ethics regardless of whether the language of the Indiana Code of Ethics would otherwise have been applicable to a specific county official, employee, or contract service provider. However, note that when Starke County ordinances, rules or policies are more strict than minimal standards required by state statutes rules or policies, Starke County's ordinances, rules or policies shall govern.

As a guide, and not by way of limitation, some of the matters covered by the Indiana Code of Ethics include:

- 42 IAC 1-5-1 Gifts; travel expenses; waivers
- 42 IAC 1-5-2 Donor restrictions
- 42 IAC 1-5-3 Honoraria
- 42 IAC 1-5-4 Political activity
- 42 IAC 1-5-5 Moonlighting
- 42 IAC 1-5-6 Conflicts of interest; decisions and voting
- 42 IAC 1-5-7 Conflicts of interest; contracts
- 42 IAC 1-5-8 Additional compensation
- 42 IAC 1-5-9 Bribery
- 42 IAC 1-5-10 Benefiting from confidential information
- 42 IAC 1-5-11 Divulging confidential information
- 42 IAC 1-5-12 Use of state property
- 42 IAC 1-5-13 Ghost employment
- 42 IAC 1-5-14 Post-employment restrictions
- 42 IAC 1-5-15 Nepotism
- 42 IAC 1-4-1 Ethics training

## **5.6 Employer’s Right of Inspection and Inquiry**

When it is deemed necessary for the health, safety, or welfare of employees and/or the public, the Commissioners reserve the right to require the appropriate County personnel to:

- (1) Inspect and examine any parcel and/or handbag, desk, or vehicle on the premises. “Premises” is deemed to include the buildings and the parking areas owned or controlled by the County.
- (2) Discuss any matter regarding security with an employee.

## **5.7 Employee Political Activities**

In addition to federal and state law and the rules and guidelines of the Indiana Ethics Code, Starke County employees shall not use their official position for coercion of other employees for political purposes.

No employee subject to the provisions of the Federal Hatch Act may run for partisan political office. Questions concerning political activity or whether one is subject to the Hatch Act should be directed to the Responsible Elected Official or, where appropriate, Department Head. Employees are prohibited from using their official position and/or work time to assist in political activities.

Employees are prohibited from the posting of signs, including political signs, in or on buildings, parking garages, and other real property owned by the County without the authorization of the Commissioners.

## **5.8 Harassment**

The County is committed to providing a work environment free from any and all forms of discrimination, including sexual harassment. This commitment is based on a respect for the dignity and self-worth of each employee. The County expressly prohibits any form of workplace harassment based on race, color, religion, gender, sexual orientation, gender

identity or expression, national origin, genetic information, disability, or veteran status. No employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either physical or verbal and such conduct is strictly prohibited. See also, Appendix B and C at the end of this Handbook.

## **5.9 Nepotism**

The practice of nepotism is contrary to the conduct of government with the highest ethical standards, and contrary to the public interest. Generally the term *nepotism* means favoritism granted to relatives without regard to merit, including for example in employment and contractual relations. However, in Starke County government, nepotism is subject its “Ethics: Anti-Nepotism Ordinance”, as amended, and under the ordinance certain practices are prohibited as nepotism without regard to the merit of the person involved. Employees should be aware that the Starke County anti-nepotism ordinance predated the Indiana statutory law on the same subject, and in some instances the Starke County ordinance may be more strict than the state law. While Indiana state law on the subject sets forth the minimal standards applicable on this subject, where the Starke County Ordinance is more strict, the Starke County ordinance controls. The Starke County anti-nepotism is available at the Starke County Auditor’s office. Questions about applicability of the ordinance in particular situations may be addressed to the county attorney.

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## **6.0 Employment**

The Responsible Elected Official or where appropriate, Department Head, is responsible for developing the job descriptions and qualifications for his or her department, subject to the approval of the Commissioners.

### **6.1 Filling Vacancies**

At least three (3) days prior to any hiring to fill a vacant employee position, the Auditor shall post a notice of the vacant position in all customary locations in County buildings. The notice posted shall include the position title, department, salary range, qualifications, and employment status.

The County encourages promotion from within. Internal applicants must submit a letter of application to the Auditor.

The applicant pool will not be limited to county employees or county residents; however, applicants that are residents of Starke County will receive initial consideration. All applications shall be in compliance with state requirements and copies of the applications shall be delivered to the Commissioners. The Responsible Elected Official or, where appropriate, Department Head will make the final selection of applicants for employment and will notify the Commissioners and the Auditor of the selection decision.

### **6.2 Recruitment and Position Advertisements**

If the posting period for a vacant employee position has expired and no internal applicant has been hired, the position will be advertised in one or more newspaper of general circulation, and additional publicity may be undertaken as the Commissioners shall deem

necessary to attract a satisfactory pool of qualified applicants. The Responsible Elected Official or, where appropriate, Department Head shall provide the necessary information to the Commissioners' Office to advertise the position and the Commissioners will advertise the position.

### **6.3 Conditional Offer of Employment**

Applicants may receive a Conditional Offer of Employment, contingent upon the successful completion of all established prerequisite requirements of the position. These requirements may include passing medical, physical and mental examinations or requirements and reference, criminal and background checks. Applicants who receive a Conditional Offer of Employment are not employees of the County unless and until they are issued and receive an Offer of Employment. The County may withdraw the Conditional Offer of Employment at any time with or without cause, except as otherwise prohibited by law.

### **6.4 Offer of Employment**

Upon successful vetting of the applicant as described in the section above, prospective employees may be tendered an Offer of Employment. The Offer of Employment will outline:

- Position and Department
- Employment Status
- Initial work schedule
- Initial pay rate
- Probationary period
- FLSA status (e.g. exempt or nonexempt)
- Benefits eligibility
- Required Position Certifications, if any.

The Offer of Employment is contingent on satisfactory proof of permission to work in the USA, and the receipt of satisfactory references.

The Offer of Employment must be signed by both the applicant and the authorized hiring official and submitted to the Auditor before the applicant becomes a County employee. The executed Offer of Employment will be maintained in the Auditor's Office.

### **6.5 New Employee's Introductory Period**

New employees and employees in new positions serve an introductory period of ninety (90) days. Introductory period employees start out at one hundred percent (100%) of their position's pay scale. This is a time of orientation and mutual evaluation of skills and job match. Before the end of the introductory period, a determination will be made as to whether or not the employee will be offered regular employment. Generally, employment with the County is at will, and therefore employees may be terminated at any time with or without cause during or after the introductory period in accordance with the laws of the State of Indiana.

If the Responsible Elected Official or, where appropriate, Department Head determines that extending the introductory period will increase the employee's chances of improving performance, the period may be extended for no longer than an additional (ninety) 90 days.

Before the end of the introductory period, the Responsible Elected Official or Department Head will conduct a performance evaluation with the employee, and decide whether to retain or discharge the employee.

The Responsible Elected Official or Department Head will notify the Commissioners, Council, and Auditor when an employee is discharged before completing his or her introductory period. The same procedure applies when an employee's introductory period is extended, or when a determination is made as to whether an employee will be given regular status at the end of the introductory period.

## **6.6 Compensation**

Compensation shall comply with all applicable State and Federal laws and pay regulations. The Responsible Elected Official or Department Head of each department shall be responsible for submitting time sheets for each employee in his/her department to the Auditor on a two-week basis. Accurate records of actual hours worked each day shall be recorded by each employee as required by the FLSA and Indiana Code §5-11-9-4. These records shall be maintained by the Responsible Elected Official or Department Head of each department. The time sheet shall also reflect any overtime, compensatory leave and absences due to vacation, holidays, personal time, sick time, FMLA, or bereavement leave.

## **6.7 Timekeeping, Time Restrictions, Multiple Positions**

### **(A) FLSA Timekeeping.**

The FLSA and the FMLA require employers to maintain the following records:

1. Employee's full name, as used for social security purposes, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work or payroll records;
2. Address, including zip code;
3. Birth date, if younger than 19;
4. Sex and occupation;
5. Time, and day of the week when employee's workweek begins, hours worked each day, and total hours worked each workweek;
6. Basis on which the employee's wages are paid;
7. Regular hourly rate of pay;
8. Total daily or weekly straight-time earnings;
9. Total overtime earnings for the workweek;
10. All additions to or deductions from the employee's wages;
11. Total wages paid each pay period;
12. Date of payment and the pay period covered by the payment.

### **(B) Indiana Timekeeping.**

IC § 5-11-9-4 requires that public sector employees maintain records showing which hours were worked each day by officers and employees (excluding Elected Officials). These

records are subject to audit by the State Board of Accounts. Time worked is all the time actually spent on the job performing assigned duties.

Every employee is responsible for accurately recording their time worked on County forms, including the time they begin and end work and the time they begin and end each meal period.

Employees should also record the beginning and ending time of any split shift or departure from work for personal reasons.

Tampering, altering, or falsifying time records or recording time on another employee's time record shall result in disciplinary action, up to and including termination of employment.

#### (C) Time Restrictions

Overtime work must be approved by the Responsible Elected Official or Department Head before it is performed. Non-exempt employees shall not commence any work for the County more than seven (7) minutes prior to the scheduled start of their work shift, nor shall they continue work more than seven (7) minutes after the end of the scheduled work shift without specific authorization of the Responsible Elected Official or Department Head.

#### (D) Employees with Multiple Positions

Non-exempt employees in multiple positions must count all hours combined in determining FLSA overtime, even if the positions are in different departments.

### **6.8 Pay Deductions and Corrections**

Starke County is committed to accurate and timely payment of wages earned, and improper paycheck deductions are prohibited. Any employee who believes their wages have been improperly calculated or paid, or that any improper deduction has been applied to their compensation must give prompt notice in writing to his/her Responsible Elected Official or Department Head, and provide a copy of the notice to the Auditor. A concise explanation of the error or impropriety claimed is critical to the quick resolution of these matters.

### **6.9 Job Descriptions**

All full-time County employment positions (other than Elected Officials) are specified in job descriptions maintained at the Auditors Office. Certain part time positions also are subject of job descriptions. Amendments to existing job descriptions or creations of new job descriptions requires prior approval of the County Council and the Board of Commissioners.

### **6.10 Annual Review**

All employees will be subject to annual review of their progress and performance. The specifics of annual review are currently under development and review, and will transfer of all disciplinary notices.

## **6.11 Disciplinary Procedures**

Maintaining orderly and efficient operations is primarily the responsibility of Dept. Heads and Elected Officials. Appropriate types of disciplinary actions include the following:

- (1) Oral warning by the Responsible Elected Official or, where appropriate, Department Head.
- (2) Written warning by the Responsible Elected Official or, where appropriate, Department Head.
- (3) Suspension without pay of employee by the Responsible Elected Official or, where appropriate, Department Head.
- (4) Termination of employee. (See Section 11.0)

All disciplinary actions other than oral warning will be recorded in written form and placed in the employee's personnel file. Termination will be handled in accordance with Section 11.0.

## **6.12 Grievance Resolution Procedures**

The grievance resolution procedure commences when an employee files a written grievance with their Responsible Elected Official or Department Head. **The written grievance must allege**, in a concise manner, that:

- (1) The employee filing the grievance was aggrieved or harmed by,
- (2) A violation of this personnel policy; and,
- (3) State a request for relief or describe how the employee wishes to resolve the matter.

In addition, the written grievance must state the date or dates that the grievance is alleged to have occurred and, to the extent possible, refer to the specific provision or section of this policy the employee believes to have been violated.

All grievances are to be heard and resolved at the lowest possible levels.

The written grievance shall be presented within five (5) working days of the alleged cause for the grievance. The parties then have five (5) working days to resolve the grievance. If after that time, the grievance is not resolved, the grievance shall be forwarded to the Commissioners by the Responsible Elected Official or, where appropriate, Department Head along with his or her written report. In the event that the Responsible Elected Official or Department Head fails or refuses to forward the unresolved employee's written grievance to the Commissioners within ten (10) days, the employee may forward the written grievance to the Commissioners. The Commissioners will hear and render a decision upon the grievance at their next regularly scheduled meeting, or at a special meeting within thirty (30) days, including at an executive session where appropriate. In

compliance with due process requirements (a) written notice of the issues to be addressed, and (b) an opportunity to be heard, will be provided to all concerned parties.

### **6.13 Theft or Misuse of County Property, Destruction or Falsification of Records, Misuse of County Account and Intellectual Property**

(a) The knowing falsification, destruction, defacement or misplacement with intention to mislead of any public reports, records, files or documents, programs, systems, templates or databases, is strictly prohibited by law and is among the most serious violations of County employee policy and may result in immediate termination and criminal and civil liability.

See Ind. Code 35-43-4-2.

(b) This policy applies to all government documents and records, regardless of their form, including (for example) written documents, microfilm, computer readable files, maps and diagrams. As public employees, all writings, documents, maps, diagrams, photographs, data, computers programs, systems, or any other intellectual property whatsoever produced by a county employee during the course of their employment or using county assets is solely the property of the county and must be fully delivered to the county in undamaged condition and free of any claim of ownership, copyright, trade secret or other intellectual property claim by the employee whatsoever. Failure of an employee to fully comply with this provision on discharge may result in criminal and civil liability.

*Reckless or Intentional destruction of public records without proper approval may constitute a criminal act:  
See Ind. Code 5-15-6-8.*

(c) Employees are prohibited from using the county's name, county accounts, credit cards, or using their position as county employees in any similar manner for the purpose of purchasing, charging, or acquiring anything for their personal use, or for any purpose other than county use. Such actions are serious violations of County employee policy and may result in immediate termination and criminal and civil liability. The employee's intention to promptly repay the purchase or otherwise hold the county harmless from liability from any debt is irrelevant and will not be considered in any disciplinary action for violation of this policy.

(d) Employees charged with a misdemeanor, felony or found to be engaged in felonious activity, while on or off duty, are subject to suspension without pay until a court of law determines innocence or guilt.

(e) Generally, County employees may be terminated at will without cause in accordance with the laws of the State of Indiana. Any at will employee found to have violated any of the policies set forth in subsections 5.06(a), (b) or (c), above, may be summarily terminated and shall be considered terminated for cause. A finding by a court of competent jurisdiction that probable cause exists supporting the inference that a county employee committed any such offense against the interests of the county is sufficient basis for termination for cause.

**Comment:** The statutes discussed above are only a few of the many that may apply to wrongful acts by public employees. Remember -- you are entrusted with public property and funds. You must always act with the interest of the public in mind. When in doubt, ask your supervisor.

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## 7.0 Benefits

 Benefits to Merit Officers are under the jurisdiction of the Merit Board, and therefore are not subject to the terms of this Section 7. Merit Officer must refer benefits matter to the Sheriff and the Merit Board.

### 7.1 Vacations

(a) A Regular Full-time Employee is entitled to a vacation after one (1) year of uninterrupted full-time service. The vacation may be taken any time after it has been earned and approved by the Responsible Elected Official or, where appropriate, Department Head. Vacation time cannot be accumulated. All vacation time must be used before your next anniversary date, unless specifically authorized herein (partial days are held over until the next year).

(b) The Indiana Attorney General has determined that no employee of a governmental unit can be paid twice for the same time period; therefore, pay in lieu of vacation is illegal and will not be allowed.

(c) Vacation is earned according to hours worked. The purpose of the hourly vacation accrual system is to ensure that employees with a longer workday accrue vacation time at a correspondingly faster rate. General county employees are assumed to work seven hours per day, five days per week for a total of 35 hours per week. By contrast, highway department employees are assumed to work eight hours per day, five days per week, for a total of forty hours per week (2080 hours per year). While taking paid vacation, an employee continues to earn future vacation, as part of their pay. **However, no vacation time is earned during hours for which the employee receives overtime pay.**

(d) The rate of accrual of vacation time is as follows:

- (1) After one year, employees earn 0.01925 hours of vacation per hour worked.
- (2) During their second, third and fourth years of employment, employees earn 0.0385 hours of vacation per hour worked.
- (3) In their fifth, sixth, seventh, eighth and ninth year of employment, employees earn 0.0577 hours of vacation per hour worked.
- (4) In their tenth, and in all subsequent years of employment, employees earn 0.0769 hours of vacation per hour worked.

(e) Vacation time must be taken in the year after it is earned. During their first year of employment, employees earn vacation days on a provisional basis, meaning the vacation days do not become vested until they have been employed on full year.

(f) Seven hours of accrued vacation time equals one day of vacation. Employees will often accrue a partial day of vacation time. These partial remainder days are vested in the employee, but may not be taken until a full day has been earned. Partial days are carried over to the next year.

**Examples:**

(1) Anne Employee's anniversary date is 2/1/21. She works a 35 hour work week. During the year prior to her anniversary date she worked a total of 1820 hours (35 hours times 52 weeks). She qualifies for the .0385 multiplier rate. Therefore, the calculation is  $1820\text{hrs} \times .0385$  for a total of 70.07 hours. One day of vacation is equal to 7 hours; so divide 70.07 hours by 7.; Anne has 10.01 days of vacation credit. Anne may take 10 days' vacation following her anniversary date; and the .01-day credit is carried forward to the next year.

(2) Abe Workman is working a 40-hour work week and is in year 6 of his employment, so he qualifies for the .0577 multiplier rate. Calculate Abe's vacation for one year as follows:  $40 \times 52 = 2080$  hours  $\times .0577 = 120.02\text{hrs}$  divided by 7 would entitle the employee to 17.15 days of vacation. This employee may take 17 days of vacation; the .15 would be carried forward to the next year.

(3) Alice Jones is working a 48-hour shift (12 hours x 4 days and 4 days off) and is in her 4th year of employment. That's  $48\text{hrs} \div 8 \text{ days} =$  an average of 6 hours per day  $\times 365 \text{ days} = 2190$  hours of employment per year.  $2190\text{hrs} \times .0385$  multiplier rate = 84.32 hours divided by 7 hours = 12.05 vacation days. Alice may take 12 days of vacation and the .05 carries forward to the next year.

## 7.2 Sick Leave

Regular Full-time employees qualify for sick leave, with pay, after six (6) months continuous employment. After that time, each Regular Full-time employee qualifies for six (6) sick days per year. Only regular full-time employees qualify for sick leave with pay.

Paid sick leave is intended for use during bona fide illness, injury, medical appointments, or to avoid jeopardizing the health of fellow employees. To qualify, the employee must notify his/her supervisor of the need to be absent prior to the beginning of the workday. This notification must include the nature of the illness and the expected date of return to work. A physician's certification of illness may be required for illnesses extending beyond three (3) consecutive days.

The Commissioners must approve any exception to this policy. In considering a request for an exception to this policy, the Commissioners will consider the nature of the illness, physician's statement, length of employment, and work history in making the determination for any exception and any other relevant evidence.

Employees can accumulate up to thirty (30) days sick leave. Accumulated sick pay may be used only for verifiable illnesses and will not be paid out to the employee upon termination.

### **7.3 Holidays**

Generally, Regular Full-time Employees on the active payroll are eligible for time off with pay on the legal Holidays observed by the County.

 However, public safety employees and other employees who are required to work on a Holiday will be paid at the rate of one and one-half hours pay for each hour worked, and otherwise receive no additional compensation or time off.

Regular Part-time and Temporary Employees and individuals under service contracts are not eligible for holiday pay.

The Starke County Board of Commissioners sets the Holidays observed by the county by ordinance annually. When a traditional holiday occurs on a date other than that designated by the commissioners, pay for the traditional holiday is the same as an ordinary day.

To earn holiday pay an employee must work the day before and after the Holiday unless they are scheduled off prior to the holiday week.

An employee who is on leave of absence or medical absence, or who is scheduled to work on a holiday and reports off for any reason, is not entitled to holiday pay.

### **7.4 Group Insurance Benefits**

The following employees are generally eligible for group term life and health insurance:

- (1) Regular Full-time Employees; and,
- (2) Elected Officials.

The date upon which insurance coverage commences is subject to the terms and conditions of the county group health plan. To determine your coverage commencement date or any other matter regarding eligibility and scope of benefits, and the County's

participation in funding, contact the human resources deputy in the Starke County Auditor’s Office. The Auditor’s Office can provide you with brochures that give details on the coverage and procedure for signing up for each of the available programs.

## **7.5 COBRA**

Group health insurance in which an employee is enrolled at the time of termination or change to ineligible status can be continued as provided by law.

Information regarding continuation of coverage can be obtained from the Auditor’s office.

## **7.6 Pension**

All employees in PERF (Public Employees’ Retirement Fund) covered positions are required to contribute to PERF as a condition of employment. Complete information regarding PERF can be found in the PERF handbook or obtained in the Auditor’s Office.

 Pensions for merit track police officers are governed by the Sheriff’s Merit Board and the Sheriff as provided by law.

## **7.7 Payroll Deductions**

The Auditor’s Office can provide you with the details for signing up for payroll deductions. A schedule of the available payroll deductions can be obtained from the Auditor’s Office.

## **7.8 Unemployment Compensation**

Starke County Government provides unemployment compensation coverage for all qualified employees. Benefits are administered according to the laws of the State of Indiana.

## **7.9 Direct Deposit of Employee Compensation**

In general, the County requires all employees to accept compensation by direct deposit (electronic funds transfer). However, any employee for good cause shown, may request payment by physical check.

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# **8.0 Wage and Salary Administration**

## **8.1 Work Hours**

Starke County Government offices are open to the public from 8:00 a.m. to 4:00 p.m. Monday through Friday.

 Exception: Judicial Offices are closed from 12:00 noon to 1:00 pm.

 Exception: Highway Department hours are set by the Superintendent and may vary by the season, in response to weather conditions, and construction activity. Typical Highway Dept. hours are: 6:00 am to 2:30 pm Central, subject to modification by the superintendent.

 Public safety operations generally operate 24/7. For the details of scheduling in these departments, consult the responsible elected official or department head. Certain uniformed officers are subject to 207(k) FSLA overtime calculations which differ significantly from those applicable to most County employees, for details ask the Sheriff or the Auditor.

The Commissioners reserve the right to change work hours for non-judicial employees as may be required to meet service or workload demands.

## 8.2 Attendance and Punctuality

Each employee is responsible for completing his or her own time record, and submitting it to the Responsible Elected Official or, where appropriate, to his or her Department Head for review and approval. The Responsible Elected Official or Department Head is responsible for monitoring the attendance of all employees in their department and maintaining the official leave balance of each employee. Time records shall be submitted to the Auditor's Office every two (2) weeks, and shall be in uniform format subject to the approval of the Auditor and in compliance with the form and content required by the Indiana State Board of Accounts.

Employees are expected to be at their work station at start time. Absenteeism and tardiness is expensive and disruptive, and places an unfair burden on other employees. Unsatisfactory attendance will may adversely affect an employee's promotional opportunities and may result in disciplinary action, including discharge.

If an employee is going to be late or absent for any reason, he or she must notify the Responsible Elected Official or, where appropriate, Department Head as far in advance of the starting time as possible, but in any event no later than the beginning of the work shift. Asking another employee, friend or relative to give this notification is not considered acceptable, except under emergency conditions, or if not medically possible. If an employee needs to leave early or be away for some portion of a day, Responsible Elected Official or, where appropriate, Department Head's approval is required.

A physician's statement and release to return to work will be required if an employee's absence is a medical absence, an absence due to a work related injury or illness, a worker's compensation disability, or a family/medical leave taken for personal illness or injury. An independent medical opinion may be required by the County at the County's expense to confirm an illness or injury.

The following terms are defined for purposes of this section:

**Scheduled Time Off:** Time off, paid or unpaid, which is requested at least one full work day in advance and is approved by the Responsible Elected Official or, where appropriate, Department Head.

**Unscheduled Time Off:** Time off, paid or unpaid, which is requested less than one full workday in advance.

**Tardy:** If an employee is not at his or her workstation at the start of the shift, he or she is considered tardy.

If tardiness exceeds two hours, it will be considered unscheduled time off if the employee notifies the Responsible Elected Official or, where appropriate, Department Head. If the employee does not notify the Responsible Elected Official or, where appropriate, Department Head, the employee may be discharged for absence without notification.

Due to the nature of the work and the responsibility to the citizens of Starke County, employees must be reasonably available to promptly accept emergency calls to duty from their Responsible Elected Official, Department Head, or the Commissioners. Employees who are consistently unavailable for emergency duty or refuse to report promptly when emergency calls are issued are subject to disciplinary action and/or discharge.

 Punctuality is important for all County employees, but public safety employees in the Sheriff's Department, as well as EMTs, Paramedics and Highway Department must make a special commitment to the public. Absenteeism or tardiness by employees in these mission critical positions unfairly burdens co-workers and may endanger public safety. Therefore, absenteeism or tardiness by employees in these positions may be subject to more severe or rapid discipline than might occur in another department.

Generally, paid time off from work given to an employee in lieu of overtime pay (generally known as 'comp time') is prohibited.

 However, an exception applies to uniformed officers governed by the 207(k) rules of the FLSA. These uniformed officers *only* may be granted compensation time subject to the policies and discretion of the Sheriff.

A Department Head or Responsible Elected Official may allow an employee under their supervision to use "Flexible Scheduling" meaning an exchange to equal work time between days, but such exchange must occur within the same (single) pay period.

### **8.3 Lunch Periods**

Generally, county employees who work a normal workday are entitled to an unpaid one-hour lunch period, subject to the following exceptions.

 Highway Department employees are entitled to a thirty-minute lunch break.

 Sheriff's Dept. employees are not entitled to a lunch break and should comply with Sheriff's Dept. SOPs regarding meal breaks.

It is understood that employees will not be paid for working through their lunch periods unless approved by their Responsible Elected Official or, where appropriate, Department Head. Lunch periods may be rescheduled by the employee's supervisor depending upon the urgency or critical nature of the task being performed at the time.

## 8.4 Rest Periods

All employees who work a normal workday are entitled to two (2) separate ten (10) minute rest periods, as scheduled by the Responsible Elected Official or, where appropriate, Department Head.

 This section does not apply to Uniformed Officers, who must comply with the department's SOPs and directions of the Sheriff.

## 8.5 Overtime

 Starke County government has elected to apply 29 USC § 207(k) provisions of the FLSA to uniformed officers (generally, Merit Officers and Jailers) in the county, and therefore this section of the handbook does not apply to them. The details of the FLSA wage and hour rules under § 207(k) are beyond the scope of this handbook. Uniformed officers should consult the Sheriff or the Auditor's Office for details about the FLSA § 207 rules.

Non-exempt employees who work more than forty (40) hours in a workweek, will receive payment for such hours at the rate of one and one-half (1-½) hours pay for each hour worked. Overtime will not be paid until the hours worked exceed forty (40) hours per week. Base pay and longevity will be included in overtime pay calculations.

A non-exempt employee may not work in excess of their regularly scheduled hours unless the Responsible Elected Official or Department Head authorizes those excess hours. Failure to receive prior approval for any overtime may result in disciplinary action.

Employees will not be required to take time off to offset overtime hours worked. Paid non-worked time such as paid vacation time and holidays will be counted in computing eligibility for holiday payment.

## **8.6 Paydays**

Paydays are alternating Fridays. When a holiday falls on a payday, employees will be paid on the preceding Thursday. A schedule of pay dates can be obtained from the Auditor's Office.

## **8.7 Salary Changes; Incentives, Longevity**

The Council must approve all salary or wage changes. Each Responsible Elected Official or, where appropriate, Department Head will submit a recommendation to the Commissioners, who will in turn review the recommendation and submit their own recommendation to the Council.

Annual salary or wage increases are not guaranteed, and like all aspects of County government, salaries and wages are subject to budgetary constraints. Starke County salaries and wages for individual employees are also subject to county policies and may include incentives for certain educational attainments or other certified skills, and are generally subject to the county's longevity policy, which is intended to encourage employee retention and to recognize the knowledge and experience acquired by loyal employees. Details of the longevity wage and salary policy are available from the human resources deputy at the Auditor's office. General policies for educational and skill-based wage and salary incentives are available from the human resources deputy at the Auditor's office, and may also be the subject of case-by-case decisions of the Board of Commissioners.

## **8.8 Promotions**

It is County policy to promote from within whenever possible, but subject to the overarching goal of providing the best possible service to the public. Some of the key factors used in considering qualified internal applicants include past job performance, capability for growth, ability to assume additional responsibilities, and most importantly, the ability to perform the duties of the new position.

## **8.9 Actions Affecting Payroll or Benefits**

All actions affecting payroll or benefit eligibility will be documented on designated forms, signed by the Responsible Elected Official or, where appropriate, Department Head and submitted promptly to the Auditor's Office.

## **8.10 Changes in Employee Status Affecting Benefits or Withholding**

Employees whose change in status (e.g. marital status, dependents, home address or contact information) results in a change in benefit eligibility must contact the Auditor's Office promptly to make the appropriate adjustments.

## **8.11 Working Remotely**

Though generally county employees are expected to work from their county assigned workstations, employees may work from a remote location (typically, the employee's home) with prior approval of their Department Head or Responsible Elected Official. Remote work is subject to the continuing supervision and approval of the employee's Department Head or Responsible Elected Official who may require the employee to be present at their county assigned workstation in their sole discretion.

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## 9.0 Permanent Staff Reductions

When a position is permanently eliminated, the employee whose position is being eliminated may be placed into a vacant position, provided he or she is qualified for that position. If possible, employees will be notified by their Responsible Elected Official or Department Head at least fourteen (14) calendar days prior to the effective date of a permanent reduction in staff.

If there are no positions for which the employee is qualified, or if the employee chooses to resign rather than accept a position where there is a salary reduction, his or her employment will terminate. Employees whose positions are permanently eliminated will receive pay for all accrued vacation time on the next regular paycheck. Claims for expense reimbursement will be paid on the next scheduled date. Such employees will be offered the opportunity to continue group health insurance as provided by law.

For information about COBRA, see Section 6.05 above.

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## 10.0 Occupational Injuries and Illnesses

The workers compensation laws of the State of Indiana govern issues involving compensation for work-related injuries and illnesses.

Any work-related illness or injury must be reported to both (1) the Responsible Elected Official or Department Head, and (2) the Auditor's Office so that an accident report can be prepared for the workers compensation carrier. Any work-related illness or injury shall be reported as soon as possible and in no case more than seventy-two (72) hours after the incident or onset of symptoms.

If emergency treatment or hospitalization is required, an employee should inform the hospital and/or physician that the illness or injury is work-related. Work-related illnesses or injuries should never be submitted under the County group health insurance. Failure to promptly report a work-related injury or illness may result in ineligibility for benefits.

If a work-related illness or injury does not result in a worker's compensation disability, but does require periodic medical treatment, appointments for such treatment should be made outside of the employee's regularly scheduled work time whenever possible. When it is not possible, the employee must use available accrued sick-leave and vacation time, preferably scheduled in advance.

For more information about workers compensation benefits see Section 10.0, Leaves of Absence.

*For more information see the  
[Worker's Compensation Board of Indiana.](#)*

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## 11.0 Leaves of Absence

Leaves of absence must be requested in writing at least ten (10) days prior to the intended starting date of the leave. The request must specify the starting and ending dates of the leave, if known and the nature of the request. All leaves must be approved by the Responsible Elected Official or, where appropriate, Department Head and the Commissioners.

Employees who accept other employment during their leave of absence shall be considered to have terminated their employment with the County as of the date their leave became effective. Please refer to Section 11.02 Voluntary Termination.

Leaves are limited to a term of twelve (12) months, a period less than the employee's length of continuous service, or the period of incapacitation due to sickness or injury whichever is shorter unless otherwise stated below.

Leaves of absence are classified as follows, and are available to any Regular Full-time Employee who has successfully completed six (6) months service, unless otherwise stated below, in their department and meets any other requirements for the specific leave requested.

### 11.1 Family and Medical Leave

It is County policy to comply with the Family and Medical Leave Act of 1993 ("FMLA"). To that end, the County has adopted the following policy regarding Family/Medical Leave:

Employees who have been employed for at least 12 months who have worked at least 1,250 hours in the immediately preceding 12 months are eligible to take an unpaid leave of up to 12 weeks in any calendar year for the following reasons:

- (1) Birth of child/care for newborn child.
- (2) Placement of child for adoption or foster care.
- (3) Care for spouse, child or parent who has a serious health condition.
- (4) A *serious health condition* of employee that makes employee unable to perform the functions of the job.

Under the FMLA a *serious health condition* is an illness, injury, impairment, or physical or mental condition that involves inpatient care (an overnight stay in a hospital, hospice, or residential medical facility), including any period of incapacity or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing care by a licensed health care provider. It is an illness of a serious and long-term nature resulting in recurring or lengthy absences.

Under the FMLA a *chronic or long-term health condition* generally results in a period of three (3) consecutive days of incapacity, with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within thirty (30) days of the incapacity. Chronic conditions requiring periodic health care visits for treatment must take place at least twice a year.

If the cause for the family/medical leave is reasonably foreseeable, employees are required to give thirty days' notice of a Family/Medical Leave. When the cause of the family/medical leave is not reasonable foreseeable so that thirty day advance notice is not possible, the employee shall give notice at the earliest time possible.

The Family/Medical Leave is an unpaid leave, but an employee on Family/Medical Leave must take all their accrued sick-leave and vacation time before beginning the unpaid portion of the leave. Any paid time taken will be considered a part of the leave.

Physician's initial and ongoing documentation is required for reasons 3 and 4 above. In addition, for reason 3, the physician's documentation must indicate that the employee is needed for the care of a family member, estimate the amount of time the employee is needed to provide the care, and indicate that such a schedule is necessary for the care of the family member or will assist in recovery, and the expected duration of such a schedule.

Leave for reasons 1 and 2 cannot be taken on an intermittent or reduced work schedule, but leave for reasons 3 and 4 may be taken on this basis, provided sufficient physician's documentation is provided. This will include, as a minimum, a schedule of treatment, indicating expected length, and frequency of treatment. Re-certification of an employee's status may be required.

Employees who are taking Family/Medical Leave on an intermittent basis are expected to make reasonable efforts to schedule medical treatment so as not to disrupt business operations.

In the case of a serious health condition of an employee, a second or in some cases, a third opinion may be required by the County. The County will pay for the cost of these evaluations, but the employee's cooperation is required.

Employees must keep their Responsible Elected Official or, where appropriate, Department Head informed of their status on a regular basis, and no less than every 2 weeks in any case. Contact may need to be more frequent, depending on the circumstances.

Employees enrolled in group health coverage who take family/medical leave may continue their coverage for the period of the leave, with the employee paying his or her portion of the premiums for such coverage.

The employee shall promptly notify the Responsible Elected Official or, where appropriate, Department Head, when he or she is released by a physician to return to work. There will be no interruption in cumulative service, but vacation time and sick-leave time will not accrue during the leave.

Prior to returning to work from a Family/Medical Leave for personal illness, an employee must submit a written doctor's release to his or her Responsible Elected Official or, where appropriate, Department Head. The doctor's release must indicate that an employee is able to resume normal work operations. When possible and appropriate, the County will cooperate with a doctor's written orders for restrictions placed on an employee in order to return to "light work", until the employee is released in writing by the doctor to resume normal work obligations. Arrangements for "light work" must be made in writing and approved in advance of an employee's return by his or her Responsible Elected Official or, where appropriate, Department Head.

If an employee returns to work within 12 weeks of the start of the Family/Medical Leave, the county will place that employee into the same or substantially equivalent position. If an employee does not return to work within 12 weeks, or after exhausting all of his or her accrued vacation time and sick-leave time, whichever comes later, the employee's employment will be terminated. A terminated employee may elect to continue his or her group health coverage, if any, through COBRA. Refer to Section 6.05 COBRA.

If an employee is able to return to work within 12 weeks of the start of the Family/Medical Leave but chooses not to, he or she will be required to reimburse the County for its portion of all premiums paid on his or her behalf.

An employee who is not eligible for Family/Medical Leave must use his or her accrued vacation and sick-leave time in order to be paid for the absence. If such an ineligible employee is absent longer than their total vacation and sick-leave time, he or she may be terminated.

For further information regarding Family/Medical Leave, an employee should contact his or her Responsible Elected Official, or where appropriate, Department Head.

*Application of the FMLA depends on numerous specific facts and circumstances beyond the scope of this Handbook. For more information ask the Auditor about the FMLA, see also see the US Dept. of Labor: [Family and Medical Leave Act](#)*

**Comment:** While on medical leave, your sick time and vacation time do not accrue. Although your Anniversary Date does not move, the date when you become eligible for vacation dates is offset by the number of days you were on leave. For example, if your start date is January 1, 2017, and in year 2018 you took 12 weeks of FMLA, then your new date for accrual of vacation time would be March 26, 2018. Start dates would be moved forward for the length of your FMLA as described above.

## **11.2 Worker’s Compensation Disability Leave**

Lost time benefits due to a work-related injury or illness will begin on the eighth calendar day of disability. If an employee wishes to be paid for work missed during the first seven days, he or she must take vacation time or sick-leave time.

If a disability extends longer than 21 calendar days, the initial 7-day waiting period will be retroactively paid. The amount of the benefit is fixed by state law and will be determined by an employee’s average wages over the past 52 weeks of employment.

The County will not issue pay to an employee on a workers compensation disability in exchange for an employee’s workers compensation disability benefit checks.

While an employee is receiving workers compensation benefits, vacation time or sick-leave time will not continue to accrue to the employee, but there will be no interruption in cumulative service.

An employee’s participation in the group health insurance program remains unchanged during a workers compensation disability leave for a period of 6 months from the date of injury or illness.

Prior to returning to work from a work-related illness or injury an employee must submit a written doctor’s release to his or her Responsible Elected Official or, where appropriate, Department Head. The doctor’s release must indicate that an employee is able to resume normal work operations. When possible and appropriate, the County will cooperate with the doctor’s written orders for restrictions placed on an employee in order to return to “light work”, until the employee is released in writing by the doctor to resume normal work obligations. Arrangements for “light work” must be made in writing and approved in advance of an employee’s return by his or her Responsible Elected Official or, where appropriate, Department Head. The County does not guarantee the availability of light work assignment.

If an employee is able to return to work within 6 months of the onset of the disability, the County will place that employee into the same or a substantially equivalent position. If an employee remains unable to be released to return to work after 6 months, the employee’s employment may be terminated. A terminated employee will be paid for accrued vacation time. At that time, a terminated employee may elect to continue his or her group health coverage, if any, through COBRA. Refer to Section 6.05, COBRA.

## **11.3 Military Leave, Reserve Training**

Reserve training leave of absence will be granted annually to all employees who are members of the National Guard, the Coast Guard, or any reserve component of the National Guard, the Coast Guard or any reserve component of the Armed Forces of the United States. Leave up to fifteen calendar days to permit attendance at annual training will be granted without pay. Employees must submit documentation to their Responsible Elected Official or, where appropriate, Department Head sufficient to verify the training.

Employees enrolled in group insurance may continue their coverage for the period of the leave, with the employee paying his or her portion of the premiums for such coverage.

Upon return from reserve training leave that is in accordance with policy, an employee will be placed into the same position he or she left.

There will be no interruption in cumulative service, and vacation time and sick-leave time will continue to accrue during the leave.

#### **11.4 Military Leave, Tour of Military Duty**

Military leave of absence will be granted to regular employees who are inducted through Selective Service, who voluntarily enlist or who are called to active duty through membership in the National Guard, the Coast Guard or a reserve component of the Armed Forces of the United States.

The duration of the leave for training and service may extend for a period of 4 years after date of induction, enlistment, call to active duty or such later date as the individual is able to obtain release from active duty.

Consistent with the Universal Military Training and Service Act, employees who leave their regular employment for the Armed Forces are entitled to reinstatement, if:

- (1) They have a certificate showing satisfactory completion of their military service,
- (2) They apply for re-employment within 90 days of discharge; and,
- (3) They are still qualified to perform the functions of their prior position.

Veterans hospitalized for a year or less after discharge will be reinstated if requested with 90 days of release from the hospital.

All group insurance benefits and PERF will cease during a tour of military duty.

Upon return from a tour of military duty, an employee will be placed into the same or a substantially equivalent position. There will be no interruption in cumulative service, but vacation time and sick-leave time do not accrue during a tour of military duty.

#### **11.5 Jury and Court Duty**

A regular Full-time employee who is subpoenaed for jury duty will receive the difference between his or her regular wages for time missed from the normal workday and the amount paid him or her by the court. The same arrangement applies if an employee is subpoenaed to serve as a witness in a court proceeding related to his or her employment. An employee who is a plaintiff, defendant, or party in a court proceeding not related to his or her employment is not eligible for coverage under this policy.

If an employee is on call as a juror, and not required in court for the day, the employee is expected to come to work. If services as a juror are not required for the entire day, the employee is expected to return to work after release from jury duty.

The obligation of the County is limited to providing jury duty pay for no more than an employee's regularly schedule work hours.

### **11.6 Bereavement Leave**

The County allows three (3) workdays off, with pay, when a death occurs in the immediate family of a Full-time Regular Employee. Immediate family is defined as spouse, parents, step-parents, brothers, sisters, children, grandparents, and grandchildren. An additional day of unpaid leave will be allowed when attendance to the funeral requires more than 450 miles of travel (one way).

One (1) day off with pay will be allowed to attend the funeral of in-laws, aunts, uncles, nephews, nieces, or cousins.

Every effort will be made to allow an employee time off to attend the funeral of anyone other than immediate family but pay is granted only when death is in the immediate family as defined above.

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## **12.0 Termination of Employment**



The employment and discipline of tenured police officers is subject to the jurisdiction of the Sheriff's Merit Board and therefore this Section 12 does not apply to tenured police officers.

County employees may be terminated at will without cause in accordance with the laws of the State of Indiana. This Handbook is *not a contract*. Starke County reserves the right to dismiss any employee at any time. Other examples of termination include the employee's retirement, resignation, reduction in staff, involuntary termination, or death.

### **12.1 Retirement**

All qualified County employees are eligible to participate in the Public Employee's Retirement Fund of Indiana (PERF). Subject to law, all County employees are eligible for normal retirement on the first day of the month following the month he or she reaches the age of sixty-five (65). With certain exceptions, employees wishing to work past their normal retirement age may do so providing their job performance is satisfactory.

An employee who has decided to retire should notify his or her Responsible Elected Official or where appropriate, Department Head at least 30 days prior to his or her retirement date. The Auditor's Office should also be notified so that information can be obtained concerning benefits upon retirement.

### **12.2 Voluntary Termination**

In case of resignation, exempt employees are required to give no less than twenty (20) working days written notice and non-exempt employees no less than ten (10) working

days written notice of termination. Working days indicate the days the employee is on the job and does not include vacation and sick-leave time. Failure to give proper notice of resignation and/or failure to work the remaining period once the notice has been given may render the employee ineligible for future employment.

The Responsible Elected Official or Department Head retains the right to determine whether an employee will be required to fulfill the entire termination notice period. If an employee is not required to do so, he or she will be paid for the minimum required notice period as though he or she had worked the entire period.

Insufficient or no notice may cause a delay in processing an employee's final paycheck. If eligibility requirements are met, pay for accrued vacation time up to established maximums will be included in the final paycheck. Claims for expense reimbursement will be paid on the next scheduled claims payment date.

### **12.3 Involuntary Termination**

Discharge is involuntary termination, which the Responsible Elected Official or Department Head concludes is justified. Employees may be terminated at will without cause in accordance with the laws of the State of Indiana as long as it is not unlawfully motivated by a discriminatory motive prohibited by law or section 4.01 above, political affiliation or by protected speech not unreasonably contrary to the interests of the employer.

When it is apparent that an employee is facing involuntary termination, the Responsible Elected Official or Department Head, should make every effort to conduct the termination in an orderly and businesslike manner in a private setting. It is important to respect the individual, and to conduct the separation with as little disruption as possible for the employee and the organization. The Responsible Elected Official or Department Head may, at their discretion, secure the employees work station and all documents, computer access, and the like prior to notifying the employee of termination, and may implement reasonable security measures.

Any employee who is about to be terminated because of failure to pass a drug test will be the subject of a report by the Responsible Elected Official or, where appropriate, the Department Head. This allows time to review in advance any legal issues pertaining to the procedures or proposed action.

The Responsible Elected Official or, where appropriate, the Department Head will notify the Commissioners and the Auditor of involuntary termination. Where appropriate, termination of an employee will be in accordance with Sections 5.0 and 12.0 which deal with Introductory Period and Discipline.

If eligibility requirements are met, pay for accrued vacation time up to established maximums will be included in the final paycheck. Claims for expense reimbursements, as defined in section 13.12 of this handbook, will be paid on the next scheduled date.

## **12.4 Death of Employee**

The Responsible Elected Official or Department Head of a deceased employee should contact the Auditor in order to be instructed in the various legal and contractual requirements that must be met in order to secure the final wages and payment for accrued vacation, if any, due to the deceased employee.

Claims of a surviving beneficiary for any death benefits provided under any insurance contracts in force on the life of the employee must be accompanied by a death certificate.

## **12.5 Exit Checklist**

An employee who retires, resigns, is discharged, is temporarily laid off or whose position is permanently eliminated must complete an exit checklist and return all County property, documents, records and other county assets to the county prior to receiving his or her final paycheck. Employees are responsible for reimbursing the County for any property not returned. Exit checklists may be obtained from the Responsible Elected Official or, where appropriate, the Department Head.

## **12.6 Exit Interview**

The County Board of Commissioners or their designee may conduct an exit interview with an employee who retires, resigns, is discharged, or whose position is permanently eliminated. However, an exit interview is not required except at the direction of the department head or responsible elected official or by decision of the Board of Commissioners.

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# **13.0 Employee Health, Safety and Security**

## **13.1 Firearms**

Except for authorized judicial officers, law enforcement personnel, and firearms qualified community corrections officers, County employees are prohibited from possessing firearms in any County facility. County employees shall comply with all state and federal firearms statutes and regulations.

## **13.2 Safety**

Starke County Government's objective is to develop, implement, maintain, and monitor a comprehensive safety program for each facility to promote a safe and comfortable environment for employees and visitors.

Drills for fire, severe weather, bomb threats, and other disasters will be conducted on a regular basis.

## **13.3 Security**

All employees are responsible for due diligence in the protection of County premises, equipment, files and supplies.

An employee who has reason to believe that security or safety of premises, personnel, equipment, or files is in question is expected to take reasonable action to maintain

security. The employee will then report the incident to his or her Responsible Elected Official or, where appropriate, the Department Head, who will in turn inform the Commissioners.

If an employee damages or loses County property, he or she must report such damage or loss to his or her Responsible Elected Official or, where appropriate, the Department Head.

### **13.4 Health Testing**

Employees in certain departments may be required to undergo periodic health testing. The County will pay the costs of any required tests.

### **13.5 Drug Free Workplace and Drug Testing**

Employee substance abuse costs employers billions of dollars each year in reduced productivity, turnover, and absenteeism. In order for the County minimize the losses caused by substance abuse problems in the workplace and enhance the County's ability to employ and adequately compensate productive employees, the following policies have been established.

Starke County Government is committed to providing a drug-free workplace that protects employees and visitors, and it is expected that all employees will share this commitment. Following the Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace is prohibited. As a condition of employment, all employees must abide by this drug free policy. Any employee who is convicted of violating a drug statute must notify the Commissioners of such conviction no later than 5 calendar days after the conviction.

Any employee who violates this policy may be subject to disciplinary action, including any combination of the following:

- (1) Referral and satisfactory participation in an approved drug assistance or rehabilitation program.
- (2) Suspension with pay.
- (3) Suspension without pay.
- (4) Termination from employment.

Following the notice of any drug violation conviction, the Commissioners will take appropriate action within thirty (30) days. This action may include any combination of the following:

- (1) Referral and satisfactory participation in an approved drug assistance or rehabilitation program.
- (2) Suspension with pay.

- (3) Suspension without pay.
- (4) Termination from employment.

As required by law, Starke County employs a random drug testing program. In addition, all employees will be required to take a drug test when there is reasonable cause to believe that an employee's performance is impacted by the use of drugs. Any employee who does not pass or who refuses to take a drug test will be immediately relieved of duties and may not return to his or her duties until he or she has passed a return-to-duty drug test.

Employees may be subject to termination under the following conditions:

- (1) Refusal or failure to submit to a drug test.
- (2) Refusal or failure to cooperate with the collection process.
- (3) Providing false information and/or attempting to contaminate a urine specimen.
- (4) Refusal or failure to comply with rehabilitation treatment recommendations.
- (5) Testing positive for prohibited drugs on a 2<sup>nd</sup> or subsequent occasion.

An employee who tests positive may request a confirmation test using a different method and chemical principle from that of the initial test. The cost of this test will be the sole responsibility of the employee.

The legitimate use of controlled substances prescribed by a licensed physician is not prohibited, but employees should inquire of their physician and notify their Responsible Elected Official or, where appropriate, the Department Head of the use of prescription drugs being taken which might adversely affect job performance. A reputable laboratory will perform drug testing with accuracy and reliability. Employee's privacy and dignity will be of utmost concern in the sample collection, testing, and notification process.

An employee may refer himself or herself for drug testing or treatment. Although treatment will be encouraged, the employee is not relieved from the responsibility for adequate job performance. Self-referral after notification of a required drug test will not eliminate the requirements to take the test nor will it preclude the taking of disciplinary action against an individual who fails a required drug test.



The employment and discipline of tenured police officers is subject to the jurisdiction of the Sheriff's Merit Board.

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## **14.0 General Employment Policies**

The primary function of all County employees is to serve the public, and therefore it is imperative that each employee interact with our citizens in a responsive, courteous and professional manner.

### **14.1 Personal Use of Supplies and Facilities**

The loaning of Starke County Government assets to employees for their personal use, either on or off the premises, is not in the best interest of the County. For purposes of this policy, assets include but are not limited to vehicles, mailing privileges, office supplies, tools, machinery, equipment or any other property purchased or leased by Starke County Government for use in its operations.

Any articles being used by employees for personal reasons are subject to approval by the Commissioners. Failure to comply with this policy may result in strict disciplinary action.

Keys to County property are only to be distributed to Responsible Elected Officials, Department Heads, full time deputies and clerks. Improper distribution or use of these keys may result in disciplinary action.

### **14.2 Personal Use of Telephone and Computers**

Employees are expected to keep personal telephone calls and to a minimum, and shall refrain from using County computers and network resources for purposes unrelated to county business. Employees are prohibited from placing long distance calls on County telephones.

### **14.3 Personal Visitors and Job Shadowing**

Given the nature of the services provided by Starke County Government employees will frequently encounter friends or family members who are conducting business with the County. Employees are expected to balance the need to provide good public relations with the need to perform their job responsibilities. Employees shall refrain from lengthy visits or telephone conversations with friends or family, and shall generally refrain from visits with family or friends during employment hours. When work demands allow, and with approval of the department head or responsible elected official, an employee may accompany a friend or family member on a brief tour of the employee's workplace. Longer periods for mentoring activities such as job shadowing may be allowed for up to a full day, but subject to written approval of the employee's department head or elected official and with due recognition of the needs to maintain productivity, security and confidentiality.

### **14.4 Solicitation and Distribution**

For purposes of this section, solicitation is defined as an individual approaching another with a request to purchase an item or service that is not directly related to the needs or operations of the County.

Distribution is defined as one individual giving another literature or other items that are designed to advocate or advertise a particular item or service that is not directly related to the needs or operations of the County.

No solicitation by employees or distribution is allowed during paid working hours.

#### **14.5 Smoking by Employees Prohibited**

Smoking by employees is not allowed in any Starke County Government building, property, facility or grounds.

#### **14.6 Bulletin Boards**

Bulletin boards are mounted in various locations in County facilities for information purposes. Any information to be posted or removed, with the exception of required labor law posting, must be approved by the Commissioners for the following reasons:

- (1) To keep bulletin boards up-to-date and avoid overcrowding of information;
- (2) To ensure that related information is posted in the same general area; and
- (3) To ensure the good taste and legality of information posted.

#### **14.7 Dress Code**

All employees are expected to dress appropriately for their position and be neat and clean in appearance.

#### **14.8 Office Decor**

Because Starke County Government serves the public, it is important for employees to exercise good judgment in the selection of items that will be seen by visitors.

Office and work spaces will be kept in a neat and orderly condition. Items or symbols of a controversial nature or widely perceived as communicating a controversial message are inappropriate.

The installation of any item which requires brackets, braces or holes in walls, floors or furniture must be approved by the office of the Commissioners and performed by the maintenance department to ensure that county property is not damaged.

#### **14.9 Personnel Records**

All employees' personnel records are confidential to the extent provided for by law.

The record of an employee's personnel records will include but not necessarily be limited to: name, current address, emergency contact, pertinent medical data, training and experience, salary, and any changes in these items.

An employee's personnel record will be available to the employee during the County's normal business hours, upon written request to the Responsible Elected Official or, where appropriate, the Department Head. The employee may have access and review all his or

her records in the presence of the Responsible Elected Official or designee. The employee may reproduce copies of any of the contents of his or her file, and may submit for inclusion in the file a written response to any material contained in the file. Any correspondence related to such inspections will be made a part of the file.

Employee personnel records are maintained by the Auditor and will be kept for five (5) years, or the minimum time required under Indiana laws and regulations for the retention and archival of governmental documents.

#### **14.10 Information Releases**

All requests for information regarding past or present employees will be referred to the Responsible Elected Official or, where appropriate, the Department Head. Personnel information will be released to outside sources only with written consent of the employee.

Information provided for employment reference purposes will be limited to position title and dates of employment. Information related to credit approvals, mortgage applications, educational loans, or grants, etc. will be given with the employee's authorization.

The only exception to this policy is when a subpoena or summons for personnel information is served on the County. Only the Commissioners or Responsible Elected Official can accept a subpoena or summons. Where a subpoena is properly served, the employee whose records are subpoenaed will be notified.

#### **14.11 Staff Development and Training**

Each employee will receive the necessary training to maintain adequate job performance. Any training must be beneficial to the department and the County.

If an employee is required to attend a workshop, seminar, conference or other training sessions, all necessary expenses associated with such training including pay, will be reimbursed by the County to the extent that the Council approved the appropriation.

If an employee's required attendance at a multi-day conference or session is less than the full duration of the conference or session, then the employee is approved only for the minimum number of days.

Staff development/training expenses for those individuals who have service contracts will be solely their responsibility, and will not be reimbursed by the County, unless authorized by the Commissioners.

#### **14.12 Expense Reports and Reimbursements**

Legitimate expenses incurred by individuals that are required to conduct County business will be reimbursed subject to approval and appropriate documentation being submitted to the Auditor's office, and subject to appropriation by the Council. The "Starke County Travel Expense Policy" is set by the Board of Commissioners and is subject to amendment from time-to-time, the full current policy, including reimbursement rates, deadlines for claims submissions and pre-approval procedures is available in the Auditor's Office.

Mileage is paid at a rate equivalent to the current State reimbursement for mileage. A mileage claim form must be completed for all reimbursable miles. Other travel allowances shall be as provided by Indiana state guidelines as summarized in Appendix D below, subject to the review and approval by the Commissioners.

Reimbursement for other expenses, including meals, lodging, public transportation, tolls and parking fees, business related telephone calls and registration fees, requires prior approval from the Commissioners or designee. No reimbursement for overnight stays will be approved for a destination that is within fifty (50) miles of the county seat. A letter documenting the nature of the expense and receipts must accompany all reimbursement claims. In all cases, the Commissioners have final authority for establishing per diems and approving expenses.

Expenses for those individuals who have service contracts will be solely their responsibility, and will not be reimbursed by the County, unless authorized by the Commissioners.

### **14.13 Garnishments of Employee Earnings**

Employees are encouraged to take care of their financial obligations directly. Starke County Government must honor garnishments and other legal assignments upon employee wages, as they represent a court order to withhold and pay to the court a specified amount of an employee's earnings. If an employee's wages are assigned or garnished, payroll deductions will be made unless the employee obtains a written release from the court.

### **14.14 Loss of Licensure/Certification**

An employee who is unable to adequately perform the duties and responsibilities of his or her position because of loss of a necessary license or other requirement shall be immediately suspended without pay for a maximum of thirty days. If, at the end of the thirty day period, the employee does not obtain such license or satisfactorily demonstrate that he or she has completed all requirements for licensure or certification, the employee will be discharged.

### **14.15 Change in Policies or Procedures; Notice**

Handbook revisions will become effective upon formal approval by the Commissioners.

Employees will be notified of changes in personnel policies and procedures as they occur by their Responsible Elected Official or Department Head. The current version of *The Starke County Employee Handbook* is available on the official county web site. All employees are responsible for keeping abreast of the current content of the Handbook.

**Comment:** Rules are always changing! Don't take a chance with an obsolete copy of the handbook. Consult the online version on the official Starke County Government web site and be confident you are up-to-date.

## **Starke County Employee Statement of Ethics**

And Acknowledgement of Receipt of the Starke County Employee's Handbook  
(Appendix A)

**I, an employee of Starke County,**  
as a provider of public service;  
in order to inspire confidence and trust,  
am committed to the highest standards  
of personal integrity, honesty, and competence.

To this end I will:

Provide open and accessible government, giving courteous, responsive service to all citizens equally.

Accept only authorized compensation for the performance of my duties and respectfully decline any offers of gifts or gratuities from those with whom I conduct business.

Disclose or report any actual or perceived conflicts of interest.

Comply with all laws and regulations applicable to the County and impartially apply them to everyone.

Neither apply nor accept improper influences, favoritism or personal bias.

Use County funds and resources efficiently, including materials, equipment, and my time.

Respect and protect the privileged information to which I may have access in the course of my duties, never using it to stir controversy, nor to harm others or for private gain.

Recognizing that government must serve the best interests of all citizens, I stand as a representative of responsible government, acting at all times to merit public confidence in Starke County and myself.

### **Acknowledgement**

I have read the Starke County Statement of Ethics and the Starke County Government employee personnel policy manual. I understand that I am responsible for complying with their contents. I understand my supervisor has a copy of the manual and the statement that is available to me and that my supervisor will explain any information or answer any questions I might have. I understand that the County retains the right to change policies, benefits, and conditions of employment.

I also understand that when I leave employment or my service contract is terminated, I must return all items belonging to Starke County Government, including but not limited

to keys, pagers, telephones, equipment and any documents or public records I possess, whether printed, electronic or any other format.

I understand I am responsible for the replacement cost of items I do not return.

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Employee Signature

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Date

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Supervisor

## **Starke County Harassment Prohibited Policy**

Adopted by the Board of Commissioners October 21, 2002

Amended effective January 15, 2018

### **Appendix B**

I. It is the policy of Starke County Indiana that harassment based upon race, color, sex, age, national origin, gender, sexual orientation, gender identity, veteran status, disability, or genetics will not be tolerated.

A. Harassment defined: the term “harassment” involves conduct that unreasonably interferes with a person’s work performance or creates an intimidating, hostile or offensive work environment.

B. “Harassment based on sex” includes, but is not limited to:

- 1) Unsolicited and unwelcome verbal or written comment, jokes physical gestures or acts of a sexual nature directed to or concerning another employee. This would include the display of sexually oriented photographs, drawings and/or cartoons, the use of sexually degrading or suggestive words or insults and the graphic commentary about another individual’s body.
- 2) Unsolicited and unwelcome advances, propositions, requests or demands, whether implicit or explicit, for sexual favors or sexual encounters.
- 3) The promise of preferential treatment in respect to any term of employment in exchange for sexual favors or activity.
- 4) Basing, in whole or in part, and employment decision on an individual’s submission to or rejection of conduct, which constitutes sexual harassment as set-forth above.

II. Any employee who believes that he or she has been subjected to harassment based on race, color, sex, age, national origin, gender, sexual orientation, gender identity, veteran status, or disability, or genetics may file a complaint with the employee’s department head. If the complaint involves conduct of the department head, the complaint may be filed with the Starke County governing body.

A. The complaint must be in writing and should contain as much detail as possible, including the name of the alleged harasser, the nature of the harassing conduct, the date, time and location of the harassing conduct and the identity of any potential witnesses to the conduct.

B. Upon receipt of a complaint of harassment, the department head or member of the governing body shall either personally conduct an investigation into the complaint or designate an appropriate person to do so. The investigation, at a minimum, shall include an interview with the complaining party, the witnesses identified in the complaint and the alleged harasser. Following an investigation, a written report shall be prepared summarizing the interviews conducted and any other evidence collected during the course of the investigation.

III. Any employee found to have violated the Starke County policy concerning harassment based on race, color, sex, age, national origin, gender, sexual orientation, gender identity, veteran status, or disability, or genetics is subject to discipline including termination.

IV. The County may provide to all department heads and elected officials training in recognizing harassment and in investigating and processing harassment complaints. Continued training or refresher courses may be provided each year.

V. All employees shall receive a copy of this policy either in the form of a handbook or otherwise. Each employee shall sign an acknowledgement of receipt of this policy. The acknowledgement will be maintained in the employee’s personnel file.

VI. Employees who believe they have witnessed improper harassment occurring between other County employees as described herein are encouraged to intercede by discussing their with the persons involved if appropriate, or by reporting their observations to a supervisor, department head or responsible elected official, or alternately by a report of the human resources deputy at the Auditor’s Office.

### **Acknowledgement**

I have received and read the Starke County Harassment Prohibited Policy. I understand that I am responsible for complying with its contents. I understand my supervisor has a copy of the policy and Report of Sexual Harassment form and that it is available to me and that my supervisor will explain any information or answer any questions I might have. I understand that the County retains the right to change policies.

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Employee Signature

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Date

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Supervisor

## Starke County Employee Harassment Report

### Appendix C

Please fill out all blanks. Type or print neatly. Describe specific incidents, and where possible provide specific dates and witnesses.

Date: \_\_\_\_\_

Name of complainant making the charge of harassment:

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Department and Position:

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Address of complainant:

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Telephone number:

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Name of individuals involved in the harassment and indicate whether they are employees or volunteers:

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Please describe the harassment in your own words:

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(\*attach additional page if necessary)

Names of any witnesses, indicating whether they are employees or volunteers:

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Complainant's signature:

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For more detailed information, please see the county policy on harassment. Present this report to your most immediate supervisor not involved in the harassment or whoever is in charge according to your employee handbook.

**Summary of Travel Allowances  
Appendix D**

1. **Overnight Travel:** The subsistence allowance for in-state travel is \$26.00 per day.

Example:	<b>Subsistence In-State</b>	<b>Subsistence Out-of-State</b>
Before 12:00 p.m. Departure	\$26.00	\$32.00
Between 12:00 p.m. and 4:30 pm Departure	\$13.00	\$16.00
After 4:30 p.m. Departure	\$ 0.00	\$ 0.00
Before 12:00 p.m. Return	\$13.00	\$16.00
After 12:00 p.m. Return	\$26.00	\$32.00

2. **Meals provided are to be listed and deducted as follows:**

	<b>In-State</b>	<b>Out-of-State</b>
Breakfast	\$8.50	\$8.50
Lunch	\$8.50	\$8.50
Dinner	\$13.00	\$16.00

3. **One Day Trips:**

	<b>In-State</b>	<b>Out-of-State</b>
Gone less than 12 hours	\$ 0.00	\$ 0.00
Gone more than 12 hours and leave Before 6:00 a.m.	\$ 8.50	\$ 8.50
Gone more than 12 hours and return after 6:00 p.m.	\$13.00	\$16.00
Gone more than 12 hours and leave Before 6:00 a.m. and return after 6:00 p.m.	\$19.50	\$24.00

When a meal is provided, no subsistence will be reimbursed for that meal.

4. <b>Mileage</b>	<b>In-State</b>	<b>Out-of-State</b>
First 500 miles	\$ 0.00	\$ 0.38
501 – 2500 miles	\$ 0.17	\$ 0.17
5. <b>Lodging</b>	\$89.00	\$97.00