

# **THE STARKE COUNTY EMPLOYEE HANDBOOK**

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**STARKE COUNTY INDIANA – 2010  
HIGHWAY DEPARTMENT EDITION**

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FOR USE BY STARKE COUNTY HIGHWAY DEPARTMENT EMPLOYEES ONLY

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## Welcome!

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

It is a pleasure to have you working with us. We hope that you will 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, you have unique duties and responsibilities related to your new position. *The Starke County Employee Handbook, Highway Department Edition* is designed to serve as an introduction to our personnel rules to help you understand important rights, responsibilities, benefits, and services you have as a county highway department 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

## 1.0 Purpose

The purpose of *The Starke County Employee Handbook, Highway Department Edition* 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.

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## 2.0 Applicability of Personnel Policy

The personnel policies in this handbook apply to all Starke County Highway Department 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.
- (2) When approved by the Commissioners, provisions in individual employment contracts may vary from the general policies set forth in this handbook.

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## 3.0 Definitions

1. **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.
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. **Calendar Quarter:** There are four calendar quarters: January through March; April through June; July through September; and October through December.
4. **Calendar Year:** The period beginning January 1 and ending December 31<sup>st</sup>.
5. **Commissioners:** Starke County Board of Commissioners.
6. **Council:** Starke County Council.
7. **County:** Starke County Government.

**8. 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.

**9. 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.

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

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

**12. 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.

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

**14. Pay Check:** All County employees are issued a paycheck based on a two-week work period.

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

**16. Regular Full-time Employee:** An employee who is scheduled to work thirty-five (35) or more hours per week on a continuing basis, but not a temporary employee.

**17. Regular Part-time Employee:** An employee who is scheduled to work less than thirty-five (35) hours per week on a continuing basis, but not a temporary employee.

**18. Responsible Elected Official:** The elected official that is responsible for the operation of a particular office or department, e.g. the Treasurer is responsible for the operation of the Treasurer's Office. This person has the responsibility of managing his or her staff and allocating department resources as needed to accomplish department projects.

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

**20. 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.

**21. 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.

**22. 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.

**23. Work day:** One-fifth of an employee's regularly scheduled workweek.

**24. Confidential information:** All information that is designated as confidential by law. In addition all employee personnel records are deemed confidential by the County unless otherwise required by law.

**25. Personnel record:** The official record of an employee's employment. The official personnel record is maintained by the Auditor's office.

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## **4.0 Legal Compliance and Ethical Issues**

### **4.01 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, veteran status, or disability, as provided by law. Responsible Elected Officials and Department Heads must conduct activities in a manner that will comply with relevant Civil Rights and Equal Employment regulations.

### **4.02 Reasonable Accommodation**

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

### **4.03 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 exempt information.

If an employee is uncertain as to whether or not 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*

#### **4.04 Conflict of Interest**

No employee, nor any 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.

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.*

#### **4.05 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.

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

#### **4.06 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.

#### **4.07 Employee Political Activities**

In addition federal and state law and the rules and guidelines of the Indiana Ethics Code, StarkeCounty 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.

#### **4.08 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. 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.

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## **5.0 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.

### **5.01 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 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.

### **5.02 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.

### **5.03 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, where appropriate, Department Head, will conduct a performance evaluation with the employee, and decide whether to retain or discharge the employee.

The Responsible Elected Official or, where appropriate, 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.

#### **5.04 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.

#### **5.05 Disciplinary Procedures**

Disciplinary action will be applied in a progressive manner except in those instances where a violation is determined to be of a serious enough nature to require accelerated action. The steps involved in the progressive discipline are:

- (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 will be recorded in written form and placed in the employee's personnel file. Termination will be handled in accordance with Section 11.0.

#### **5.06 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 must 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 will 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. 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.

## **5.07 Theft or Misuse of County Property**

### **Destruction or Falsification of Records**

### **Misuse of County Account**

### **Intellectual Property**

(a) The misuse, theft, conversion or misappropriation of County owned property, equipment, materials, supplies, assets, or any other thing of value by a County employee 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) 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. 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 that you are entrusted with public property and funds and always act with the interest of the public in mind. When in doubt, ask your supervisor.

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## 6.0 Benefits

### 6.01 Vacations

A Regular Full-time Employee is entitled to take a paid 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. Generally, vacation time cannot be accumulated and must be used before your next anniversary date, unless specifically authorized herein (e.g. partial days are held over until the next year).

The Indiana Attorney General has determined that no employee in 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.

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.*

The rate of accrual of vacation time is as follows:

- (1) After one year, employees earn 0.0192 hrs of vacation per hour worked – (40 hours vacation per year).
- (2) During their second, third, and fourth years of employment, employees earn 0.0385 hours of vacation per hour worked. (80 hours vacation per year)
- (3) In their fifth, sixth, seventh, eighth and ninth year of employment, employees earn 0.0577 hours of vacation per hour worked. (120 hours vacation per year)
- (4) In their tenth, and in all subsequent years of employment employees earn 0.0769 hours of vacation per hour worked. (160 hours vacation per year)

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 one full year.

Seven hours of accrued vacation time equals one day of vacation. Under this system, 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. Said another way, partial days must be carried over to the next year.

## **6.02 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. They will consider the nature of the illness, physician's statement, length of employment, and work history in making the determination for any exception.

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.

## **6.03 Holidays**

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

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.

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

The Starke County Board of Commissioners sets, by ordinance, the Holidays observed by the county. 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.

## **6.04 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.

Eligible employees that submit timely applications are normally covered beginning the first day of the month following hire. Information regarding eligibility and scope of benefits, and the County's participation in funding, can be obtained at the 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.

## **6.05 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.

## **6.06 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.

## **6.07 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.

## **6.08 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.

## **6.09 Direct Deposit of Employee Compensation**

The County encourages all employee to accept compensation by direct deposit (electronic funds transfer); however any employee may request payment by check.

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## **7.0 Wage and Salary Administration**

### **7.01 Work Hours**

The Starke County Highway Department has normal workdays of eight (8) hours and a normal workweek of forty (40) hours, Monday through Friday from 6:00 am to 2:30 pm, with a thirty minute unpaid lunch break. The County Highway Supervisor may change these hours, at his or her discretion, due to emergencies that may arise.

The Commissioners reserve the right to change work hours as may be required to meet service or workload demands.

### **7.02 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, where appropriate, 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 result in disciplinary action, up to and including discharge. Promotional opportunities may also be adversely impacted.

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. This must be done 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.

Paid time off from work given to an employee in lieu of overtime pay (generally known as ‘comp time’) is prohibited.

A Department Head or where applicable an 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.

### **7.03 Lunch Periods**

All employees who work a normal workday are entitled to an unpaid, thirty minute lunch period.

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.

### **7.04 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.

### **7.05 Overtime**

All employees that 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.

An employee may not work in excess of their regularly scheduled hours unless the Responsible Elected Official or, where appropriate, Department Head authorizes those 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, holidays will not be counted in computing eligibility for overtime payment.

Employee time spent on-call, or “waiting to be engaged” is not compensable. However, if the employee is on-site or “engaged to be waiting”, such time is compensable.

### **7.06 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.

### **7.07 Salary Changes**

The Council must approve all salary 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 increases are not guaranteed.

### **7.08 Promotions**

It is the policy of the County to promote from within whenever possible, but subject to the 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.

### **7.09 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.

### **7.10 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.

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## **8.0 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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## 9.0 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(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.

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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## 10.0 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.

### **10.01 Family and Medical Leave**

Based upon the Family and Medical Leave Act of 1993, 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.
- (3) Placement of child for adoption or foster care.
- (4) Care for spouse, child or parent who has a serious health condition.
- (5) A serious health condition of employee that makes employee unable to perform the functions of the job.

If the cause for the family/medical leave is reasonably foreseeable, employees are required to give 30 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.

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 must 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 6.05COBRA.

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.

*For more, 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, 2005, and in year 2006 you took 12 weeks of FMLA, then your new date for accrual of vacation time would be March 26, 2006. Start dates would be moved forward for the length of your FMLA as described above.

## **10.02 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 paychecks 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.

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.

### **10.03 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 15 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.

### **10.04 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.

### **10.05 Jury and Court Duty**

A regular Full-time salaried 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 otherwise a party in a court proceeding, or is subpoenaed to testify 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.

### **10.06 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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## **11.0 Termination of Employment**

Employees may be terminated at will without cause in accordance with the laws of the State of Indiana. Other examples of termination include the employee's retirement, resignation, a staff reduction, involuntary termination, or death.

### **11.01 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.

### **11.02 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 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.

### **11.03 Involuntary Termination**

Discharge is involuntary termination, which the Responsible Elected Official 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 an employee's race, religion, sex, age, disability, political affiliation or protected speech.

When it is apparent that an employee is facing involuntary termination, the Responsible Elected Official or, where appropriate, the 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.

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.

#### **11.04 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.

#### **11.05 Exit Checklist**

An employee who retires, resigns, is discharged, 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.

#### **11.06 Exit Interview**

The County Board of Commissioners or designee may conduct an exit interview with an employee who retires, resigns, is discharged, or whose position is permanently eliminated.

Exit interviews can provide valuable information regarding positive and negative aspects of employment with Starke County Government. This information can be used to improve County services.

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

### **12.01 Firearms**

With the exception of authorized law enforcement personnel, County employees are prohibited from bringing firearms into any County facility. County employees shall comply with all state and federal firearms statutes and regulations.

### **12.02 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.

### **12.03 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.

### **12.04 Health Testing**

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

### **12.05 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, StarkeCounty 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.

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## **13.0 General Employment Policies**

Due to the nature of our employment, it is imperative that County employees deal with our citizens in a courteous and professional manner.

### **13.01 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.

### **13.02 Personal Use of Telephone**

Employees are expected to keep personal telephone calls to a minimum.

Personal long distance calls are prohibited, except in an emergency. Employees should call collect or utilize a calling card.

### **13.03 Personal Visitors**

Given the nature of the services provided by Starke County Government, it is reasonable that 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 are encouraged to keep visits with friends and family members brief.

### **13.04 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.

### **13.05 Smoking by Employees Prohibited**

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

### **13.06 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.

### **13.07 Dress Code**

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

### **13.08 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 space will be kept in a neat and orderly fashion.

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.

### **13.09 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.

### **13.10 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.

### **13.11 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.

### **13.12 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. A schedule indicating deadlines for submission 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.

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.

### **13.13 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.

### **13.14 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.

### **13.15 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, Highway Department Edition* is available on the official county web site. All employees are responsible for keeping abreast of the current content of the Handbook.

### **13.16 Volunteer Firefighters**

We are proud that Starke County Government Employees often choose to support and protect their community in other roles as well, including the important work done by volunteer firefighters throughout the county. To help ensure an appropriate balance in between employment duties and the demands of volunteer firefighting, all county highway staff who also serve as volunteer firefighters shall comply with the following conditions:

- (1) Volunteer firefighters shall seek and secure approval from their supervisor before leaving their work station to go to the scene of a fire or other emergency call.
- (2) Volunteer firefighters shall not take a county vehicle to the scene of a fire or other emergency call. Generally, the employee should use their private vehicle, but if necessary and with their supervisor's approval they may drive a county vehicle to a fire station or similar facility.

**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.

## **StarkeCounty 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 and 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, 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 StarkeCounty 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 key, pager 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  
(Appendix B)

I. It is the policy of Starke County Indiana that harassment based upon sex, race, color, national origin, religion or disability 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 sex, race, color, national origin, religion or disability 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 StarkeCounty 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 StarkeCounty policy concerning harassment based on sex, race, color, national origin, religion or disability is subject to discipline up to and 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.

### 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

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# 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 & 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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Please see the policy on harassment for more information on the topic. Present this report to your most immediate supervisor not involved in the harassment or who ever is in charge according to your employee handbook.