

THE BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS



RESOLUTION 18 - 09

A RESOLUTION AMENDING THE MANUAL OF PERSONNEL RULES AND REGULATIONS OF FRANKLIN COUNTY, KANSAS AND REPLACING RESOLUTION 17-21

WHEREAS, K.S.A. 19-101, provides that a County may exercise the powers of Home Rule to determine its local affairs and government authorization under the provisions of K.S.A. 19-101a; and

WHEREAS, the supervision of county employees with regards to personnel rules, regulations, and related administrative procedures and policies is a permissible exercise of Home Rule powers, pursuant to K.S.A. 19-101a; and,

WHEREAS, the Board of County Commissioners desires to amend the Personnel Rules and Pay Plan; and

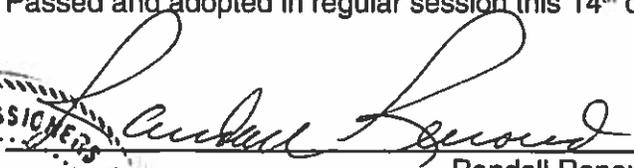
WHEREAS, the Board of County Commissioners believes that amending the Franklin County Personnel Rules and Pay Plan is in the best interests of County Employees, and allows for better personnel management on the part of Franklin County as an employer;

**THEREFORE, BE IT RESOLVED BY
THE BOARD OF FRANKLIN COUNTY COMMISSIONERS,**

That the Franklin County Rules and Pay Plan adopted by Resolution 17-21 are hereby amended to reflect modifications as contained in the attachments to this resolution.

The amendments to the Franklin County Personnel Rules and Pay Plan shall become effective February 21, 2018.

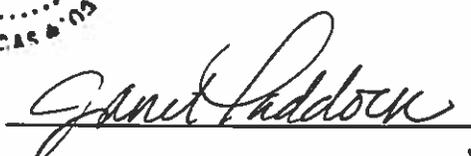
Passed and adopted in regular session this 14th day of February, 2018.



Randall Renoud
Chairman



Attested and Recorded this 14th day of February, 2018.



Janet Paddock
County Clerk

- 16.5 Personnel Records and Privacy Policy
 - a. Policy
 - b. Written Requirements
 - c. References with Written Approval
 - d. Examination of a Personnel File
 - e. HIPPA Privacy Policy—Resolution #05-107 (see Appendix J)
- 16.6 Worksite Lactation Policy
- 16.7 Outside Employment
- 16.8 Right to Search
- 16.9 Amendments of Personnel Rules & Regulations

positions meeting the FLSA definition of exempt are designated exempt employees.

2.5 Workweek

The workweek begins and ends at midnight Sunday night of each week for all employees except Sheriff's Deputies who work 1- hour shifts and Emergency Communications Dispatchers who work 12 hour shifts. The work period for Sheriff's Deputies who work 12-hour shifts is defined as beginning and ending at midnight Sunday night every two weeks. The work period for Emergency Communications Dispatchers who work 12-hour shifts is defined as beginning and ending at 6 a.m. every Sunday.

2.6 Initial Employment Period

Every Regular Full Time and every Regular Part Time employee initially employed by Franklin County, and every employee transferred or promoted to a different position shall be in an evaluation period for six (6) months. The evaluation period allows Department Heads and Supervisors to observe and determine the ability and willingness of the employee to carry out the duties of the position as described in the Position Descriptions and provides the employee the opportunity to determine that the position meets their skills and goals.

If an employee who has been transferred or promoted to a new position does not perform acceptably during the evaluation period, the employee may be returned to the former position or a similar position at the previous salary range if an appropriate vacancy exists (see Appendix D, "Reclassification" of the Franklin County Position Classification Pay Plan Policies).

A new employee will accumulate vacation and sick leave during the Initial Employment Period of six (6) months. A Department Head may extend the Initial Employment Period for a period of up to six (6) additional months with approval of the Administrator. Any employee that has his or her Initial Employment Period extended will be notified in writing and given an explanation for the extension.

During the Initial Employment Period the employee will not be entitled to use accumulated vacation. Sick leave may be used as it is accrued. At the conclusion of the Initial Employment Period the new employee's performance will be evaluated using the employee evaluation form. No employee will be eligible to use accumulated vacation until an employee evaluation form is completed by the Department head or his/her designee on the probationary employee, and a copy of the completed evaluation form is submitted to Human Resources for review and filing. Employees who do not satisfactorily complete the initial employment period shall not receive compensation for accumulated vacation or sick leave.

A new employee may be terminated without recourse to the grievance procedure at any time during the initial period of employment.

2.7 Disability Accommodation

- c. All Regular Part Time employees will receive four (4) hours pay for established holidays as designated in these Franklin County Personnel Rules and Regulations.
- d. A Regular Full-time or Regular Part-time employee who is required to work on a county designated holiday shall receive time and one-half (1 ½) overtime pay, plus the rate of hourly pay for established holidays as designated in these Franklin County Personnel Rules and Regulations.
- e. County employees on unpaid leave of absence will not receive holiday pay.
- f. County employees regularly scheduled to work a holiday who, instead use other leave (i.e. sick, vacation, etc.) on the holiday, will not receive holiday pay except in unexpected circumstances which are approved by the County Administrator. In these circumstances the number of hours the employee actually works on the holiday must equal more than the leave used. Under no circumstance will the employee be paid both holiday pay and leave pay without approval of the County Administrator.

3.8 Shift Differential

Shift differential is applicable when a non-exempt employee is assigned to work on a “regularly” scheduled shift that falls outside the conventional workday hours. Departments requiring 24 hour per day or extended hourly coverage that designate three (3) eight hour (8) shift schedules shall have the following compensation applied to their shift schedules:

- a. A .25 cent differential will be paid to a non-exempt employee assigned to an established departmental evening shift (A typical shift beginning after 2:00 pm)
- b. A .50 cent differential will be paid to a non-exempt employee assigned to an established departmental night shift (A typical shift beginning after 10:00 pm)

3.9 Longevity Pay

Beginning November 1, 2015 Longevity pay for Franklin County employees is being phased out.

Any employee whose date of hire was on or after November 24, 2010 is not eligible for Longevity Pay.

Franklin County Employees who receive Longevity Pay on November 25, 2015 will continue to receive Longevity Pay in the amount they received on November 25, 2015 for as long as the employee is continuously employed by Franklin County. Employees receiving Longevity Pay will not receive future increases to Longevity Pay based on years of service.

3.10 Travel Pay for Non-Exempt Employees

Non-exempt employees will be paid at the normal pay rate equal to the normal work day for that employee for the time spent traveling overnight on out of county trips for County designated purposes if the employee is the driver of the vehicle. The county will not consider as work time that time spent by a non-exempt employee, outside of regular working hours, in out of the county overnight travel as a passenger on an airplane, train, boat, bus or automobile. Regular meal time is not counted as time worked regardless of whether the employee is the driver or passenger.

Section 5: Leave

5.1 Absenteeism

Employees will report to their workstations sufficiently early to enable them to prepare to conduct their duties by the beginning of normal work hours, or as defined by departmental regulations. Any absence which does not conform to the County's leave policy will be considered unauthorized and may be grounds for corrective action. If an employee has a history of unauthorized absences, such absences may constitute the basis for discipline up to and including dismissal.

5.2 Holidays

The Franklin County Commission will pass a resolution annually designating the holidays to be observed.

- a. If a legal holiday occurs during an employee's vacation that day will not be charged to the employee's accrued vacation time. If a declared holiday falls on the regular day off of an employee, that employee will receive a day of holiday pay for that day. County employees regularly scheduled to work a holiday who, instead use other leave on the holiday, will not receive holiday pay. Under no circumstances will the employee be paid both holiday pay and leave pay. (Refer to 3.7)
- b. A legal holiday falling on Saturday will be observed on Friday while a legal holiday falling on Sunday will be observed on Monday
- c. An employee who is on leave without pay for any portion of the last working day before, or the first working day following a legal holiday shall not receive pay for the holiday.

5.3 Vacation Leave

Vacation Leave is earned by the pay period and may be used after successful completion of the Initial Employment Period when authorized by the Department Head. Following successful completion of the Initial Employment Period, and per the County Administrator or Board of Commissioners approved shift schedules for each department, employees will continue to earn 8 hours of vacation each month, (with the exception of 24-hour or 12-hour shift personnel), which will be added to their total remaining balance until the maximum of 240 hours has been reached. Vacation leave may be taken in no less than one hour increments. Vacation hours will not accrue for an employee who is on unpaid leave of absence.

In special circumstances such as high departmental vacancies, insufficient staffing to ensure normal work/shift coverage, or emergency situations, the County Administrator may approve an employee to accrue more vacation hours than the maximum 240 hours at the request of the employees Department Head. This approval will not exceed an additional accrual of 30 hours of vacation time beyond the 240-hour maximum. The approval will only allow the employee to exceed 240 vacation hours accrued for a maximum of 60 days from the time of accrual. Failure of the employee to use Vacation Leave in a timely manner throughout the year is not an acceptable justification for this approval.

- a. Regular Full Time Employees: Shall earn and receive vacation leave with pay as follows:
- End of First full Month through completion of five (5) years 8 hours per month
 - Sixth (6th) year through the completion of ten (10) years 10 hours per month
 - Eleventh (11th) year onward 14 hours per month
- b. Employees working approved twenty-four (24) hour or twelve (12) hour shifts: will accrue vacation leave with pay as follows:
- End of First full Month through completion of five (5) years... 12 hours per month
 - Sixth (6th) year through the completion of ten (10) years 14 hours per month
 - Eleventh (11th) year onward 18 hours per month
- c. Regular Part Time: Employees will accrue vacation at the rate of one-half (1/2) the accrual rate of Regular Full Time employees.
- d. Termination Pay: Upon termination of employment an employee is entitled to receive pay for unused accrued vacation leave not to exceed the maximum accrual for the years of service as listed above.
- e. Scheduling: Vacation will be scheduled so as to meet the operating requirement of the County, departmental seniority rights, and insofar as possible, the preference of the employees. The minimum period that a non-exempt employee can take as vacation time is one hour. The maximum vacation leave that can be used is the balance of the employee's earned but unused leave. Unearned leave time of any sort shall not be given.

An Employee's use of vacation leave is subject to the approval of the Department Head. Employees should make every effort to schedule vacation leave in advance. Department Heads will make every effort to accommodate the employee's requests for leave, however, the approval will depend upon several factors including but not limited to current scheduling, pending projects, workload, availability of other staff and general staffing levels.

An employee's attempted use of vacation leave without first receiving approval may be deemed an unexcused absence thus subjecting the employee to disciplinary action up to and including termination.

- g. Required Leave Use: After the first year of employment, employees who process or who account for cash receipts, fund transfers, or other fiscal transactions are required to take forty (40) consecutive hours of vacation leave annually. At the discretion of the Department Head, Elected Official, or County Administrator any combination of approved leave, to include leave without pay, may be utilized and combined for the purpose of reaching the 40 hours of required leave.

5.4 Sick Leave

Franklin County provides sick leave in the form of paid time off for personal illness, medical appointments, or injury. Sick leave is not an entitlement but rather a benefit to be used only in time of actual need. All eligible Regular Full Time and Regular Part Time employees shall be eligible for paid sick leave.

- a. Notice of Illness: When an employee finds it necessary to be absent, due to his/her own illness, the employee's Supervisor or Department Head shall be notified within one hour of the regular starting time for reporting to work or in accordance with specific departmental procedure.

An employee must keep his/her Supervisor informed of their condition if the absence is longer than three (3) days. In such instances the Supervisor may require documentation of such condition from a medical professional and a medical notification of fitness to return to work may be required from a medical professional at any time.

An employee who is absent from work for five (5) consecutive working day due to a job related injury or any other incapacity must have a medical release from a physician and an interview with the Department Head to determine fitness to return to work. This procedure is required to protect the employee's second injury rights under the Kansas Workers' Compensation Act. The County reserves the right to request, at the expense of the County, a special physical examination by a physician selected by the County. In the event an employee is unable to fulfill employment duties for medical reasons, the County may reassign or terminate the employee.

- b. Accrual: An employee begins earning sick leave from the first full month of employment. The maximum accrual of sick leave shall be 480 hours. Sick leave shall be accrued but not used during the Initial Employment Period. Approved time off during the Initial Employment Period will be leave without pay. Upon successful completion of the Initial Employment Period, the employee shall be credited with sick leave which would have otherwise accumulated during the Initial Employment Period. Employees will not accrue sick leave during the period of time the employee is in unpaid status.

- Regular Full Time employees will earn sick leave at the rate of eight (8) hours per month.
- Regular Part Time employees will earn sick leave at the rate of four (4) hours per month.
- Employees working approved twenty-four (24) hour or twelve (12) hour shifts will accrue sick leave at the rate of twelve (12) hours per month.

- c. When Credited: Accrued sick leave will be credited to the employee at the beginning of the pay period in which the Initial Employment Period is successfully completed, as calculated from the employee's anniversary date.

- d. Use of Sick Leave:

- Sick leave must be earned before it can be used.
- Sick leave may be taken after an employee has completed their first 30 days of employment and sick leave has been accrued.
- A minimum of one hour of sick leave must be taken
- Only for personal illness or injury.

16.6 Worksite Lactation Policy

Franklin County acknowledges the worksite accommodation law in the U.S. Patient Protection and Affordable Care Act enacted in March 2010, which amends the Fair Labor Standards Act (FLSA) and therefore provides breastfeeding employees the following lactation accommodations:

a. Reasonable Time to Express Milk at Work

Employees shall be provided reasonable time to express milk while at work for up to one year following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use vacation leave, if available, request leave without pay or may make up the time as negotiated with their supervisors. FLSA-exempt employees may express milk whenever necessary during the workday.

b. A Private Area for Milk Expression

Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk. The room will:

- Be in close proximity to the employee's workstation, when possible
- Have a door equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public
- Be well lit
- Ensure privacy by covering any windows with a curtain, blind, or other covering
- Contain at a minimum a chair and a small table, counter, or other flat surface
- Ideally include an electrical outlet and nearby access to clean water

No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work.

This policy shall be communicated to all current employees and included in new employee orientation training.

Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the appropriate manager.

c. Employer Responsibilities

Franklin County will:

- Maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.
- Notify employees returning to work following the birth of a child of their rights under the national worksite lactation accommodation law in the U.S. Patient Affordable Care Act. This notice may be provided either individually to affected employees or to all employees generally through posting in a central location.
- The employer assumes no responsibility for the safekeeping of the expressed milk.

d. Employee Responsibilities

Breastfeeding employees utilizing lactation support services will:

- Give supervisors advance notice of the need for lactation accommodations, preferably prior to their return to work following the birth of the child. This will allow supervisors the opportunity to establish a location and work out scheduling issues.
- Maintain the designated area by wiping the pump (if used) and surfaces with microbial wipes so the area is clean for the next user.
- Insure the safekeeping of expressed breast milk stored in any refrigerator on the premises. Breast milk can be stored in a general company refrigerator, in a refrigerator provided in the lactation room, or in the employee's personal cooler. All milk expressed must be labeled with the employee's name and date collected when storing in a shared refrigeration unit. All stored milk should be removed from the refrigerator by close of business every day.

Reference the county intranet for a listing of lactation rooms for each county building.

Franklin County Pay Ranges for Classified Employees

Grade	Job Title	Hourly Minimum	Hourly Maximum	Salary Minimum	Salary Maximum
EMS Grade 10:		\$11.05	\$15.74	\$22,984.00	\$32,739.20
	EMT				
EMS Grade 12:		\$12.94	\$18.43	\$26,915.20	\$38,334.40
	AEMT				
EMS Grade 14:		\$13.62	\$19.41	\$28,329.60	\$40,372.80
	Paramedic				
EMS Grade 15:		\$15.02	\$21.40	\$31,241.60	\$44,512.00
	EMS Captain				
EMS Grade 16:		\$16.43	\$23.41	\$34,174.40	\$48,692.80
Dispatch Grade 13:		\$14.20	\$19.82	\$29,536.00	\$41,225.60
	Dispatcher I				
Dispatch Grade 14:		\$14.68	\$20.50	\$30,534.40	\$42,640.00
	Dispatcher II				
Grade 0:		\$7.25	\$10.33	\$15,080.00	\$21,486.40
	Part-Time Seasonal Temporary Unskilled				
Grade 10:		\$9.86	\$14.06	\$20,508.80	\$29,244.80
	Chemical Applicator I Clerk I Custodian Detention Center Cook Receptionist				
Grade 11:		\$12.38	\$17.65	\$25,750.40	\$36,712.00
	Administrative Assistant Chemical Applicator II Clerk II Correctional Officer Court Security Officer Juvenile Detention Officer				

Franklin County Pay Ranges for Classified Employees

Grade	Job Title	Hourly Minimum	Hourly Maximum	Salary Minimum	Salary Maximum
	Juvenile Intake Officer				
	Light Equipment Operator				
	Maintenance Technician				
	Recycling Technician				
	Service Mechanic				
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Grade 13:		\$13.20	\$18.82	\$27,456.00	\$39,145.60
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Grade 14:		\$13.68	\$19.50	\$28,454.40	\$40,560.00
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	Bookkeeper				
	Clerk III				
	Heavy Equipment Operator I				
	Lead Chemical Applicator				
	Legal Assistant I				
	Mechanic I				
	Review Appraiser				
	Sign Technician				
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Grade 15:		\$14.55	\$20.74	\$30,264.00	\$43,139.20
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	Heavy Equipment Operator II				
	WIC Coordinator				
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Grade 17:		\$16.51	\$23.52	\$34,340.80	\$48,921.60
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	Bond Supervision Officer				
	Case Manager				
	Community Education Coordinator				
	Dispatch Shift Supervisor				
	Emergency Management Coordinator				
	Executive Administrative Assistant				
	HR Technician				
	Legal Assistant II				
	Mechanic II				
	Medical Accounts Manager				
	Sanitarian				
	Sheriff's Deputy				
	Technology Specialist I				
	Tourism Coordinator				

Franklin County Pay Ranges for Classified Employees

Grade	Job Title	Hourly Minimum	Hourly Maximum	Salary Minimum	Salary Maximum
Grade 20:		\$17.62	\$25.12	\$36,649.60	\$52,249.60
	Corrections Corporal				
	Deputy County Appraiser				
	Deputy County Clerk				
	Deputy County Treasurer				
	Deputy Register of Deeds				
	Detention Center Shift Supervisor				
	GIS Coordinator				
	Office Manager				
	Road & Bridge Foreman				
	Sheriff's Corporal				
	Shop Foreman				
Grade 21:		\$17.96	\$25.60	\$37,356.80	\$53,248.00
	Technology Specialist II				
Grade 22:		\$18.97	\$27.04	\$39,457.60	\$56,243.20
	Sheriff's Sergeant				
	Emergency Communications Manager				
Grade 23:		\$21.69	\$30.91	\$45,115.20	\$64,292.80
	Assistant Director of Juvenile Services				
	Building Official				
	Health Educator				
	Jail Administrator				
	Registered Nurse				
Grade 24:		\$22.84	\$32.55	\$47,507.20	\$67,704.00
Grade 25:		\$23.30	\$33.17	\$48,464.00	\$68,993.60
	Assistant County Attorney I				
	Assistant Director of Community Corrections				
	Director of Emergency Management				
	Director of Human Resources				
	Solid Waste Superintendent				
	EMS Division Chief				
	Facility Operations Manager				
	Finance Officer				
	Road & Bridge Superintendent				
	Sheriff's Lieutenant				

Franklin County Pay Ranges for Classified Employees

Grade	Job Title	Hourly Minimum	Hourly Maximum	Salary Minimum	Salary Maximum
Grade 26:		\$24.78	\$35.31	\$51,542.40	\$73,444.80
	Assistant County Attorney II				
	Assistant EMS Chief				
	Assistant Health Director				
Grade 30:		\$28.52	\$40.64	\$59,321.60	\$84,531.20
	Deputy County Attorney				
	Director of Community Corrections				
	Director of Information Technology				
	Director of Juvenile Services				
	Director of Planning & Building				
	Director of Public Works/County Engineer				
	EMS Chief				
	Health Director				
	Lieutenant Colonel				
	Undersheriff				
Grade 36:		\$34.75	\$49.53	\$72,280.00	\$103,022.40
	Advanced Practice Registered Nurse				
	Dietician				
Grade 38:		\$41.66	\$58.11	\$86,652.80	\$120,868.80