

THE BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION 06 - 060

A RESOLUTION AMENDING THE *MANUAL OF PERSONNEL RULES AND REGULATIONS OF FRANKLIN COUNTY, KANSAS*

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 power, 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 Personnel Rules and Pay Plan is in the best interests of County Employees and the County itself;

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

That the Franklin County Rules and Pay Plan adopted by Resolution 06-32 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 be effective immediately.

Passed and adopted in regular session this 20th day of September 2006.

/s/ John E. Taylor
Ed Taylor
Chairman

Roy C. Dunn
Roy Dunn
Vice-chairman

Don Hay
Stottlemire
Commissioner

/s/ Donald E. Waymire
Donald Waymire
Commissioner

/s/ Donald R. Stottlemire
Donald
Commissioner

Attested and Recorded, this 20th day of September 2006.

/s/ Shari Perry
Shari Perry

County Clerk

2.2 Types of Employment

d. Temporary and Seasonal: An employee is designated as a Temporary or Seasonal employee if appointed for a pre-designated period of time which is less than 1040 hours. Temporary or Seasonal employees are not eligible to receive any benefits or accrue service time. Salaries for Temporary and Seasonal employees shall be set by the Department Head following consultation with the County Administrator but must be consistent with the Grade and Step requirements and Position Description as described in the Position Classification Pay Plan. Time spent as a Temporary or Seasonal employee will not be credited to service and accrual of benefits will not be retroactive to include time in a Temporary or Seasonal status.

2.9 Application and Recruitment

2. The Human Resources Division shall post the position internally for a minimum of five (5) days before advertising the position externally, unless the Department Head would desire to post both internally and externally concurrently. Advertising will be done in all appropriate sources. Positions need not be advertised if pre-qualified applicants from a previous 6 month applicant pool possess the necessary qualifications and experience for the position and are available for employment.

3.5 Holiday Pay

c. Only Ambulance Department employees who work twenty-four hour shifts will receive twelve (12) hours pay for established holidays as designated in these Franklin County Personnel Rules and Regulations.

7. 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. Under no circumstance will the employee be paid both holiday pay and leave pay.

4.4 Failure to Report

Any county employee who fails to report to work may be deemed to have vacated their position of employment and thus may be terminated. Extenuating circumstances will be taken into consideration by the Department Head prior to determining to terminate an employee.

5.3 Vacation Leave

Vacation leave is earned by the pay period and may be used after the first six (6) months of employment when authorized by the Department Head. Following the first six months of employment, employees will continue to earn 8 hours of vacation each month (with exception of Ambulance and Sheriff Road Patrol 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 any employee who is on unpaid leave of absence.

1. 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

2. Ambulance Personnel: Working twenty-four (24) 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

• Sheriff's Road Patrol: Employees working ten (10) hour shifts will deduct ten (10) hours of vacation time for each vacation day used.

• Regular Part Time: Employees will accrue vacation at the rate of one-half (1/2) the accrual rate of Regular Full Time employees.

• 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.

• 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.

5.3g--Deleted

5.4 Sick Leave

b. Accrual: An employee begins earning sick leave from the first full month of employment. The maximum accrual of sick leave shall be 720 hours. Sick leave shall be accrued but not used during the first six (6) months of employment. Approved time off during the first six months will be leave without pay. Upon completion of the six month period, the employee shall be credited with sick leave which would have otherwise accumulated during the six month period.

hours per month.

per month.

(10) hours per month.

at the rate of twelve (12) hours per month.

4. Use of Sick Leave:

period of six (6) months.

Head.

5.8 Civil Leave

A Regular Full Time and Regular Part-time employees shall be granted civil leave with pay when required to do any of the following:

- Perform jury duty;
- Appear in court as a witness by subpoena;
- Appear in court as a party in a civil law suit related to the performance of the employee's official duties with the County;

- d. Serve as an expert witness because of professional knowledge related to the employee's County position;
- e. Serve as a witness before equal opportunity or civil rights commission or bodies;
- f. Performing emergency civilian duty in connection with national defense, emergency preparedness operations or Franklin County rural volunteer fire fighting duty.

An employee granted civil leave for the purposes shown above shall receive full pay and benefits for the time absent from work provided the employee had been scheduled to work during the time missed. If the employee receives pay or fees for the jury duty or required appearances, that pay or fee shall be returned to the County. The employee may retain any amount paid for mileage expenses in traveling to and from the place of the jury duty or required appearance.

If an employee is involved in a court case as either the plaintiff or defendant, and their involvement is not resulting from their duties with the county, the employee will not be granted civil leave with pay. Any absence from work in these cases shall be charged to the employee's accrued vacation leave or to leave of absence without pay.

In the case of rural volunteer fire fighting duty, the employee must be a trained volunteer firefighter. In each instance, granting of civil leave will be at the discretion of the Supervisor or Department Head with consideration being given to departmental workload and schedules.

5.12 Family Medical Leave Act

1. Eligibility: Employees who have been employed by the County for one year and have provided 1250 hours of service in the twelve months prior to taking leave are eligible for leave under this policy.

5. Paid Leave Substitution: Leave under this policy is generally unpaid. However, employees who have accrued paid vacation will be required to first use that when the employee takes any type of FMLA leave. In addition, employees who have accrued paid sick leave are required to use all accrued paid sick leave when taking FMLA leave due to the employee's own serious health condition or a family members' serious health condition. In such a situation, the employee may choose the order in which he/she wishes to take sick and vacation leave. In the event the employee uses paid sick and/or vacation leave, the employee should follow the notification procedure set forth in the applicable policy. Paid sick or vacation leave does not run concurrent with FMLA

5.13 Injury Leave

An employee injured on the job is eligible for up to forty hours, per injury, of paid injury leave, commencing the day following the injury. Injury leave compensation will only be paid upon receipt of supporting documentation from the attending physician. The county reserves the right to select the treating physician and will assume responsibility for all medical bills verified to be relative to the job-related injury. If the employee discovers a job-related injury following normal work hours, the employee will notify their Dept. Head, supervisor, and the Human Resources Director not later than the beginning of the following work day. Injury leave may not be used for non job-related injuries or injuries caused by employee negligence.

6.8 Workers' Compensation

The County provides Workers' Compensation coverage for all County employees, as required by Kansas Law. There is no cost to the employee. Workers' Compensation provides for payment of medical bills, physical and vocational rehabilitation, and financial compensation while the employee is disabled, either temporarily or permanently, and is

unable to work due to injuries sustained in the course of employment. When an employee is absent from work due to a job-related injury for seven consecutive calendar days, the employee becomes eligible for workers compensation salary benefits at the rate of 66 2/3% of base salary or the maximum allowable under state law.

When injury leave has been taken and the employee remains off work due to that injury, the employee can use accumulated sick and vacation leave to a point where the combined salary paid by the County and the compensation paid for wages under worker's compensation is equal to the employees regular base salary. A worker injured on the job has a right to file a claim with the County and all claims will be settled in accordance with state law. State law and County policies for management of workers' compensation issues are retained in the Human Resources Office and disseminated to each County department.

9.1 Purpose

The County has established this grievance procedure in an effort to afford all employees a means of obtaining further consideration of problems when they remain unsolved at the supervisory level and to establish policies and procedures that provide for timely resolution of grievances. Pay and leave are not subject to grievance, as they are adopted policies by the Commission.

16.4HIPPA Privacy Policy--Resolution #05-107

Appendix D: The Pay Plan--Structure of the Salary Schedule (pg. 87)

The salary schedule identifies pay grades and ranges. The pay grades begin with grade G-1 and proceed through G-9 with various job classifications being assigned to each grade. Each pay grade is assigned a minimum and maximum salary--a range.

Persons employed by Franklin County shall be paid at the minimum or entry pay rate of the pay range to which the position is assigned by classification unless the Department Head of the employing department determines that a rate of pay above the minimum is necessary in order to recruit qualified or experienced personnel, or that a candidate for the position holds qualifications such as skill and experience which justify a pay rate above the entry rate. In such cases the entry pay rate may be increased by the Department Head not to exceed ten percent (10%) beyond the minimum entry rate for the position. Entry pay rates exceeding ten percent (10%) beyond the minimum entry pay rate for the position must be approved by the County Administrator.

Appendix B: Franklin County Drug and Alcohol Policy for Safety-Sensitive Positions and/or Positions Requiring a Commercial Driver's License

Delete all references to "Exhibit B, C, D, E, and F"--on pages 73, 74, and 78