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# RAVALLI COUNTY MONTANA PERSONNEL POLICIES & EMPLOYEE HANDBOOK

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ADOPTED JUNE 29, 2023  
EFFECTIVE JULY 1, 2023  
RAVALLI COUNTY  
STATE OF MONTANA

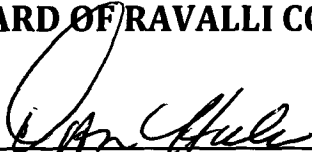
**RESOLUTION NO. 4532**

**A RESOLUTION TO ADOPT THIS HANDBOOK OF PERSONNEL POLICIES AND PROCEDURES, SUPERCEDING ALL OTHER PERSONNEL POLICIES AND PROCEDURES (approved by BCC May 20, 2016, which was never recorded)**

WHEREAS, the Ravalli County Board of Commissioners desires to establish uniform policies and procedures for personnel administration.

NOW, THEREFORE BE IT HERBY RESOLVED, that this Ravalli County Handbook of Personnel Policies and Procedures be approved and adopted and become effective on July 01, 2023.

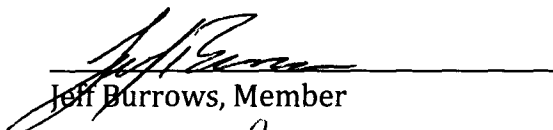
**PASSED AND APPROVED THIS 29th DAY OF JUNE, 2023  
BOARD OF RAVALLI COUNTY COMMISSIONERS**



Dan Huls, Chairman

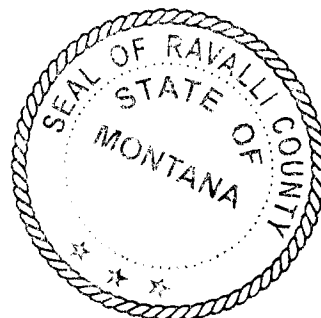
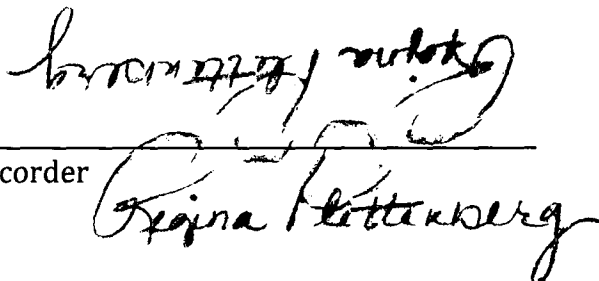


Greg Chilcott, Member



Jeff Burrows, Member

ATTEST:  
Clerk & Recorder



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<b>SUBJECT:</b>	Introduction	<b>POLICY NUMBER:</b>	RC-1.001
<b>REFERENCE:</b>	MCA 7-4-2110, MCA 39-31-303	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Handbook Acknowledgment</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## INTRODUCTION

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### Welcome Statement

Welcome to employment with Ravalli County and your important role in efficiently conducting the business of local government. You will be joining a dedicated group of individuals who have also chosen to serve Ravalli County with a career in public service. This Handbook is a general reference, which will assist you in becoming familiar, as quickly as possible, with benefits and services available to you as a County employee and the policies and standards covering your employment.

Nothing in this Handbook should be construed as an expressed or implied employment agreement. We cannot anticipate every situation or answer every question about employment, and this Handbook is designed to provide guidance only.

In some places you will note citations to applicable state and federal laws, such as Montana Code Annotated (MCA) and the Code of Federal Regulations (CFR), which will lead you to further relevant information if you so desire it. If you need more information on any policy, you can contact Human Resources personnel or the Ravalli County Commissioners.

We are happy to have you with us in providing essential civic services, and we look forward to a productive and successful working relationship.

### Statement of Management Rights

In order to achieve its mission, goals and objectives, the County retains the exclusive right to exercise the customary functions of management. These include, but are not limited to, the rights to manage and control County buildings, property, grounds, and equipment; to contract out work; to select, hire, promote, assign, layoff, and discipline employees; to determine and change starting times and quitting times; to transfer employees within programs/services to other departments and other classifications; to train employees; to determine and change the size, composition, and qualifications of the workforce; to establish and adopt new policies, rules and regulations; to determine and modify job descriptions and classifications; to establish or change criteria for performance appraisals according to the performance appraisal policy; and to carry out all other ordinary functions of management.

<b>SUBJECT:</b>	Introduction	<b>POLICY NUMBER:</b>	RC-1.001
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<b>FORMS:</b>	<a href="#">Handbook Acknowledgment</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Severability Statement

If any part of this Handbook is found to be unenforceable, invalid, or in conflict with the law, the other provisions of this Handbook are still applicable and valid.

## Changes to Personnel Policies and Procedures

The County provides all employees with general information regarding employee benefits and established personnel policies and procedures through the issuance of this Handbook. However, it is not a contract and is subject to change at any time. Policies and procedures shall be added to, updated, or deleted as determined appropriate by the County. The County specifically reserves the right to repeal, modify or amend these policies at any time, with or without notice. These policies are not to be interpreted as promises of specific treatment.

## Collective Bargaining Agreements

If you are a member of a collective bargaining unit subject to a Collective Bargaining Agreement (CBA), the CBA primarily governs your employment with the County. If the CBA does not address an issue, the personnel policies and procedures in this Handbook shall apply. In the event of conflict between provisions in this Handbook and any CBA, state or federal law, or resolution or rule of the County, the terms and conditions of such CBA, law, or County resolution, or rule shall prevail.

<b>SUBJECT:</b>	Definitions	<b>POLICY NUMBER:</b>	RC-2.001
<b>REFERENCE:</b>	MCA 2-18-101	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## EMPLOYMENT POLICIES

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### Definitions

The following employment definitions apply to this Handbook.

**Exempt employees** are employees not subject to the overtime pay provisions of the federal Fair Labor Standards Act of 1938 (FLSA) as amended, and its regulations; i.e. employees exempt from the overtime pay provisions of the FLSA and in a position designated as executive, administrative, professional, or other exemption as these terms are defined in law. The employee must meet the definition of *exempt* as defined by the FLSA and the Montana Minimum Wage and Overtime Compensation Act. (See FLSA website <http://www.dol.gov/compliance/laws/comp-flsa.htm>)

**Nonexempt employees** are employees who are subject to the overtime provisions of the Fair Labor Standards Act of 1938 (FLSA), as amended, and its regulations.

**Full-Time Employee:** Employees who are not employed under a probationary status, or classified as temporary or short term employee and who are regularly scheduled to work the County’s full-time schedule of 40 hours per week on a continuous basis and do not have a specified termination date at the time of hire. These employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program.

**Part- Time:** Employees who are not employed under a probationary status or classified as temporary or short-term employees and who are regularly scheduled to work less than forty hours per week on a continuous basis, and do not have a specified termination date at the time of hire. Permanent Part-time employees scheduled to work at least twenty or more hours per week are eligible for all employee benefits on a pro-rated basis. Those scheduled for less than twenty hours per week shall not be entitled to employee benefits other than those required by State law, but are eligible for holiday pay, sick leave, and annual leave on a pro-rated basis.

**Permanent Employee:** An employee who is not employed under a probationary status or those hired as Temporary or Short-Term employees and is not a contractual agreement regarding an employee’s length of service.

**Seasonal Employees:** A permanent employee assigned to perform duties of a seasonal nature. Seasonal employees may be either assigned as full-time (normally working forty hours per week) or part-time (normally working less than forty hours per week). Seasonal employees may, at the discretion of the County, be recalled without the loss of benefits accrued during the preceding season. In order to qualify, they must be recalled and immediately report back for work when operations resume to avoid a break



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in service. Seasonal employees scheduled to work at least twenty or more hours per week are eligible for all employee benefits on a pro-rated basis. Those scheduled for less than twenty hours per week shall not be entitled to employee benefits other than those required by State law, but are eligible for holiday pay, sick leave, and annual leave as permanent employees.

**Short-term Employee:** An employee assigned as a short-term worker, who works at an hourly rate of pay established by the County. Short-term workers may not work for a County department for more than ninety days in a continuous twelve-month period, who is not eligible for permanent status, who the County cannot hire into another position without a competitive selection process. Short-term employees scheduled to work at least twenty or more hours per week are eligible for all employee benefits on a pro-rated basis. Those scheduled for less than twenty hours per week shall not be entitled to employee benefits other than those required by State law, and are not eligible to earn leave and holiday benefits.

**Temporary employees:** Designated by the County as temporary for a definite period of time not to exceed twelve months, who performs temporary duties or permanent duties on a temporary basis, whose employment terminates at the end of the employment period, and are not eligible to become permanent employees without a competitive selection process. A temporary employee may be terminated at any time at the discretion of the Department Head/Elected Official. Temporary employees scheduled to work at least twenty or more hours per week are eligible for all employee benefits on a pro-rated basis. Those scheduled for less than twenty hours per week shall not be entitled to employee benefits other than those required by State law, but are eligible for holiday pay, sick leave, and annual leave.

**Fixed-Length Contract:** “Fixed-length contract” means an employee who is employed under a written contract subject to a specified term. The employment of an employee employed under a fixed-length contract terminates at the end of the term of the contract unless the term of employment is terminated earlier. Fixed-length contract employees are entitled to those benefits specified in the contract and those required by law.

<b>SUBJECT:</b>	Equal Employment Opportunity Compliance with GINA	<b>POLICY NUMBER:</b>	RC-2.002
<b>REFERENCE:</b>	Title VII of the Civil Rights Act of 1964, Montana Human Rights Act, Title 49, MCA The Genetic Information Nondiscrimination Act of 2008	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Equal Employment Opportunity

Ravalli County is an equal employment opportunity employer (EEO). Ravalli County does not refuse employment or discriminate in compensation or the other terms, conditions, and privileges of employment based upon race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, or veteran’s status. Ravalli County does not tolerate discrimination or harassment because a person is married to or associates with any of these protected categories.

Ravalli County shall follow all federal and state laws and regulations prohibiting discrimination.

## Compliance with the Federal Genetic Information Nondiscrimination Act of 2008 (GINA)

GINA prohibits discrimination based on genetic information with respect to employment or group health plans. County supervisors may not request, require, or purchase genetic information about employees or their family members, or use genetic information to:

- discriminate against an individual in hiring, discharge, compensation, terms, conditions, or privileges of employment;
- make decisions about admission to apprenticeship and training programs, including on-the-job training;
- limit, segregate, or classify an individual;
- fail or refuse to refer an individual for employment;
- deprive an individual of employment opportunities; or
- acquire health insurance or set premiums under the group health plan.

<b>SUBJECT:</b>	Compliance with the Americans with Disabilities Act (ADA)	<b>POLICY NUMBER:</b>	RC-2.003
<b>REFERENCE:</b>	Americans with Disabilities Act of 1990 Montana Human Rights Act Pregnant Workers Fairness Act (PWFA)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Compliance with the Americans with Disabilities Act (ADA)

Ravalli County is committed to complying fully with the Americans with Disabilities Act (ADA) and Montana Human Rights Act (MHRA). The County will ensure equal opportunity in employment for qualified persons with physical or mental disabilities. Reasonable accommodation is available to employees with disabilities to the extent required by law. An accommodation which creates an undue hardship on the County or which endangers health or safety is not a reasonable accommodation.

Any employee or job applicant may request an accommodation by contacting Human Resources personnel, and/or the commissioners verbally or in writing. A request for accommodation is the first step in an interactive process between the individual and the County, to clarify the individual's request and to identify any appropriate reasonable accommodation. The County has the right to request reasonable documentation to support any accommodation request.

<b>SUBJECT:</b>	Preventing Harassment and Discrimination	<b>POLICY NUMBER:</b>	RC-2.004
<b>REFERENCE:</b>	Montana Human Rights Act, Title 49, MCA	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Discrimination Policy Acknowledgement Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Preventing Harassment and Discrimination

Ravalli County is committed to a work environment free of discrimination and harassment. Harassment of employees and any persons doing business with County government because of a person’s race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, or veteran’s status is illegal and prohibited. Discrimination is a violation of civil rights law and is a prohibited practice subject to disciplinary and civil action.

### **Employee’s Responsibilities**

The County will not tolerate sexual harassment or discrimination of any kind. All employees are encouraged to immediately report any such misconduct or violation to their supervisors or the first level of management not involved in the harassment or discrimination, County Human Resources or a member of the Ravalli County Commission. Employees who are responsible for harassment or discrimination may be subject to disciplinary action, up to and including termination. Sexual harassment or other illegal discrimination can result in immediate termination if an investigation substantiates it. The severity and extent of the harassment will ultimately guide the decision on how discipline will be determined.

### **Management’s Responsibilities**

All supervisors and managers are responsible for following this policy. Members of management who witness discrimination shall immediately take steps to stop the behavior, document the actions, and report the behavior to County Human Resources, or a member of the Ravalli County Commission. Management shall review any report or complaint of harassment or discrimination and take appropriate action.

### **What Constitutes Harassment**

**Sexual harassment** may include a range of subtle or not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwelcome sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature when, for example:

- a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

<b>SUBJECT:</b>	Preventing Harassment and Discrimination	<b>POLICY NUMBER:</b>	RC-2.004
<b>REFERENCE:</b>	Montana Human Rights Act, Title 49, MCA	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Discrimination Policy Acknowledgement Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

- b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws.

**The other protected categories listed above** (see [EEO policy](#)) can also be harassed. The County strictly prohibits harassment on the basis of any protected characteristic. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of a protected characteristic and which:

- a) has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b) has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and which is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

**Reporting Procedure**

1. Employee Responsibility

An employee who believes he/she has been the victim of harassment or discrimination should report the incident or action as soon as possible after the alleged incident occurs. Early reporting is important, because management's ability to investigate and act on reports diminishes with time.

Employees may bring reports to the attention of any of the following:

- The harasser, and the employee can request that the action stop immediately; and/or
- The immediate supervisor or the first level of management not involved, County Human Resources or the County Commission.

The employee shall cooperate with the supervisor, manager, or other designated management representative in investigating and verifying the report.

2. Management's Responsibility

Any supervisor or manager who witnesses or receives a report of harassment or discrimination shall promptly inform Human Resources, the Department Head/Elected Official, or the County Commission. Upon receipt of a complaint alleging harassment or discrimination, the Department Head/Elected Official or the Commission shall take steps to prevent the alleged conduct from continuing, pending completion of an investigation.

<b>SUBJECT:</b>	Preventing Harassment and Discrimination	<b>POLICY NUMBER:</b>	RC-2.004
<b>REFERENCE:</b>	Montana Human Rights Act, Title 49, MCA	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Discrimination Policy Acknowledgement Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

The Department Head/Elected Official shall initiate an investigation or recommend another appropriate management representative to investigate the complaint. The County has the right to designate a representative of its choosing to perform any investigation. The factual report and final decision will remain confidential and be disseminated to only those persons having a need to know. The parties will be informed of the general results of the investigation. If the results establish that a policy violation occurred, appropriate action may be taken including, but not limited to, disciplinary measures, which may include termination.

### **Retaliation**

Neither the County nor any employee shall retaliate against any employee for filing a complaint or for participating in any way in a complaint investigation procedure under this policy. Any employee who suspects he/she is being retaliated against because he/she made a complaint or participated in an investigation should immediately report the actions, following the guidelines above. The report shall be investigated and dealt with appropriately.

All employees have the right to make a complaint under this policy, either internally or to an outside agency. It is unlawful for the County to retaliate against any employee for making such a complaint. The County will not retaliate against any employee for making such a complaint whether the complaint is eventually substantiated or not. To be retaliation, the adverse employment action must be **because the employee submitted a discrimination complaint, and not due to any valid performance concerns or policy violations by the employee.**

Examples of retaliation could include:

- Reprimanding an employee or giving a performance evaluation that is lower than it should be;
- Transferring an employee to a less desirable position;
- Engaging in verbal or physical abuse;
- Threatening to make, or actually making reports to authorities;
- Increasing scrutiny;
- Spreading false rumors, treating a family member negatively; or
- Making the person’s work more difficult.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, “snubbing” a colleague, or negative comments that are justified by an employee’s poor work performance or history.

Employees are not excused from continuing to perform their jobs or follow the County’s legitimate workplace rules just because they have filed a complaint or opposed discrimination.

<b>SUBJECT:</b>	Preventing Harassment and Discrimination	<b>POLICY NUMBER:</b>	RC-2.004
<b>REFERENCE:</b>	Montana Human Rights Act, Title 49, MCA	<b>EFFECTIVE DATE:</b>	7/1/2023
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Any employee that believes they have been retaliated against should report their concerns immediately to any supervisor, the Human Resource Department and/or the Commissioners. The matter will be investigated and the County will respond accordingly.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be subject to appropriate disciplinary action.

<b>SUBJECT:</b>	Whistleblower Protections	<b>POLICY NUMBER:</b>	RC-2.005
<b>REFERENCE:</b>	MCA 2-2-145	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Whistleblower Protections

Neither Ravalli County, nor any employee shall retaliate against, condone or threaten retaliation, against any employee who, in good faith, alleges waste, fraud, or abuse by the County. For this section, retaliate means to take any of the below actions against an employee because of their good faith allegations of waste, fraud, or abuse:

- Terminate employment;
- Demote;
- Deny overtime, benefits, or promotion;
- Discipline;
- Decline to hire or rehire;
- Threaten or intimidate;
- Reassign to a position that hurts future career prospects;
- Reduce pay, work hours, or benefits; or
- Take another adverse personnel action.

Any employee who believes they have been retaliated against under this section and chooses to file a grievance must file one as outlined in the Employee Grievance Policy herein.



<b>SUBJECT:</b>	Nepotism	<b>POLICY NUMBER:</b>	RC-2.006
<b>REFERENCE:</b>	MCA 2-2-302, MCA 2-2-303	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Nepotism

Nepotism is defined in state statute. In general, it prohibits the hiring and appointment of individuals within certain familial relationships. Ravalli County prohibits nepotism. If an employment situation relating to marital status poses a conflict with the nepotism policy, the involved employees must notify the County Commission so that reasonable steps can be instituted to ensure statutory compliance.

The statutory prohibition does not apply to sheriffs appointing a cook and/or attendants, employment of election judges, or the renewal of an employment contract for a relative initially hired before a related member assumed duties of the office.

<b>SUBJECT:</b>	Recruitment and Selection	<b>POLICY NUMBER:</b>	RC-2.007
<b>REFERENCE:</b>	MACo Recruitment and Selection Guidelines, MACo Personnel Services, MCA 49-3-201 MCA 39-29-101, MCA 39-29-102, MCA 39-29-101, MCA 39-30-103 MCA 39-30-101, MCA 39-30-107, MCA 39-20-201, MCA 39-29-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Recruitment and Selection

Ravalli County provides a fair, consistent, and competitive hiring process based on each applicant’s qualifications and competencies. County Department Head/Elected Officials may recruit applicants internally or externally in the recruitment and selection process. The County will use a selection process that is designed to select the best candidate based on merit and qualifications. Temporary and short-term workers are not eligible to become permanent employees without a competitive selection process.

**All New Hire Positions, whether it is a newly created position or a vacancy in an existing position, must be approved by the Ravalli County Board of County Commissioners.**

### Employment Preference

It is the policy of Ravalli County to provide preference in employment to eligible individuals. All statutory preferences shall be provided as required by law.

<b>SUBJECT:</b>	Background and Reference Checks	<b>POLICY NUMBER:</b>	RC-2.008
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Background Authorization Form(s)	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Background and Reference Checks

To ensure that individuals who join Ravalli County are well qualified and to ensure a safe and productive work environment, it is the County's policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form. Failure to accurately report education, work history, criminal history or previous employment may lead to rejection of the applicant. Background checks may be used during the application/hiring process in order to rate applicants.

All offers of employment are conditioned on receipt of a background check report that is acceptable to Ravalli County. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

It is the responsibility of the Human Resource Department or their designee to conduct a post offer pre-employment criminal background check. Credit History Checks may be done for all individuals hired for positions with fiduciary responsibilities. Examples are Treasurer's Office, Accounting/Finance and Department Head/Elected Officials. Human Resources or the Department Head/Elected Official will check references on all individuals considered for regular employment with Ravalli County. Reference checks will include both references listed by the applicant and references from their employment history. The costs associated with the background checks will be the County's responsibility.

If information obtained in a background check would lead Ravalli County to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related.

Ravalli County also reserves the right to conduct a background check for current employees to determine eligibility for promotion, reassignment or department security needs (i.e. Elections) in the same manner as described above.

<b>SUBJECT:</b>	Probationary Period	<b>POLICY NUMBER:</b>	RC-2.009
<b>REFERENCE:</b>	MCA 39-2-910, MCA 7-32-2105 MCA 39-2-904	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Probationary Period

It is the policy of the County that new employees shall complete a probationary period. The purpose of a probationary period is to provide a trial period to assess employees' ability to perform their job duties, to assess their conduct on the job, and to determine if they should be retained beyond the probationary period and attain permanent status. All new employees shall be given a probationary period of twelve-months. If an employee has one or more leaves of absence during their probationary period, the time of each leave does not count as part of the probationary period unless the County affirmatively elects, in writing, to include each leave.

The County may choose to extend an employee's probationary period prior to the expiration of the original period, but the original period plus the extension may not exceed eighteen months. If the probationary period will be extended, the employee shall be notified of this in writing prior to the expiration of the original probationary period. After probation has been satisfactorily completed, the employee is considered a permanent employee. This policy does not apply to temporary staff or short-term workers, who cannot attain regular status.

### Deputy Sheriffs

Deputy Sheriffs shall serve a one-year probationary period, and during this one-year period, the employment of any such deputy may be terminated by the sheriff with or without cause and without recourse to the sheriff under the terms of MCA 7-32-2104 through MCA 7-32-2110.

### Undersheriff

The sheriff, as soon as possible after taking office, shall, appoint an undersheriff to serve at the pleasure of the sheriff. The undersheriff has the same powers and duties as a deputy sheriff under the terms of MCA 7-32-2102.

<b>SUBJECT:</b>	Internal Transfers and Promotions	<b>POLICY NUMBER:</b>	RC-2.010
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Internal Transfers and Promotions

Ravalli County offers employees promotions to higher-level positions when appropriate. Management prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies, unless outside recruitment is considered to be in the County's best interest.

### Department Transfers/Promotions

- **A promotion** is a change for an employee from their current grade to a higher grade within the same department/office while continuously employed by the County.
- **A transfer** is a change from the employee's current department/office to another department/office while continuously employed by the County.

### Employee transfers

At its' discretion, the County may initiate transfers of employees between departments and facilities to meet specified work requirements and reassignment of work requirements.

### Employee Promotion

Employees promoted to a different position within a department agree to an evaluation period if the new position entails different job duties and the employee will be entitled to additional compensation.

If a promoted employee fails to satisfactorily complete the evaluation period, the employee shall revert to his/her former position, if the position is unfilled. If the former position has been filled, the employee is eligible to apply for other available County positions, which are posted or advertised pursuant to the County recruitment and hiring process.

A transferred or promoted employee shall not be required to serve a new probationary period.

<b>SUBJECT:</b>	Performance Appraisals	<b>POLICY NUMBER:</b>	RC-2.011
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Performance Appraisal

The County shall have the option of providing a performance appraisal system for use as part of its documentation in personnel decisions. If implemented, the system will provide for regular performance appraisals of permanent and seasonal full-time and part-time employees, wherein an employee's supervisor will monitor and assess the employee's performance. All managers and department supervisors will also receive an appraisal. An employee with unsatisfactory performance will be provided a specific plan for corrective action.

### **Regularly Scheduled Performance Appraisals**

Normally, supervisors and employees have ongoing discussions about job performance. The primary purpose of an employee performance appraisal system is to provide an opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, reemployment, salary increases, and training. Completed appraisal forms shall be returned to the Human Resource Department by the Department Head/Elected Official.

### **Special Evaluations**

A special evaluation may be completed whenever there is a change either upward or downward in the employee's performance.

### **Employee's Right of Rebuttal**

The contents of a performance appraisal are not to be grieved. Employees who disagree with an appraisal have the right to submit, within ten working days of receipt of the appraisal, a written rebuttal, which will be attached to the appraisal document.

<b>SUBJECT:</b>	Employee Discipline	<b>POLICY NUMBER:</b>	RC-2.012
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Employee Discipline

County employees are subject to disciplinary action up to and including dismissal from employment. This may include informal and/or formal disciplinary action, depending on the circumstances. This policy applies to employees who fail to perform job duties in a satisfactory manner, disrupt County operations or violate the County's procedures, policies, rules, or performance standards, or for any other legitimate business reasons. The following procedures shall apply:

- A. Discipline shall be commensurate with the seriousness of the offense. For example, the County, at its discretion, may utilize corrective counseling or a verbal warning before more severe disciplinary action is taken. However, more significant disciplinary action, up to and including dismissal, can be taken for offenses without having prior verbal or written counseling, based on the severity of the offense. Before taking action, management shall investigate and examine each case individually, considering the impact of the offense, the extent of the damage or disruption caused, and the circumstances of the offense.
- B. Each of the following disciplinary actions is independent of the others and does not necessarily follow in the order listed. Consequently, an employee may be suspended without having been given a warning, or may be dismissed without having been either given a warning or suspended.
  1. **Corrective counseling** is an informal action that may be used at the option of management prior to or in addition to formal discipline to deal with performance deficiencies or misconduct. A written record of the discussion may be placed in the employee's file. It is not part of formal discipline and is not grievable.
  2. **Verbal warning** consists of the supervisor outlining the unsatisfactory job performance and the corrective measures that the employee needs to take. A written record of the discussion is placed in the employee's file for future reference. It is not part of the formal discipline and is not grievable.
  3. **Written warning** should contain a description of the specific conduct for which the employee is being disciplined. Employees may provide a response to a written warning, which will be attached to the warning and included with it in their file.
  4. **Performance Improvement Plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be placed on a Performance Improvement Plan (PIP). PIP status will last for a predetermined amount of time not to exceed 6 months. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the Performance

<b>SUBJECT:</b>	Employee Discipline	<b>POLICY NUMBER:</b>	RC-2.012
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Improvement Period, the PIP may be closed or, if established goals are not met, dismissal may occur.

5. **Suspension without pay** is for a specific work period. An employee who is suspended is to leave work for the period specified. A disciplinary suspension must include a description of the specific conduct or reason for which the employee is being suspended, and should be documented by the supervisor. Employees may provide a response to a suspension, which will be attached to the documentation and included with it in their personnel file.
6. **Demotion or Transfer** the County retains the right to reassign (e.g., demote or transfer) an employee in conjunction with a corrective or disciplinary action (i.e., as an alternative to termination). A disciplinary demotion must include a description of the specific conduct or reasons for which the employee is being demoted or transferred, and should be documented by the supervisor. If appropriate, a disciplinary demotion or transfer may include a Performance Improvement Plan.
7. **Dismissal** may not take place until an investigation of the employee’s action has been undertaken and substantiated by the Department Head/Elected Official, Human Resources or County Commission.
8. **Administrative leave with pay:** Department Head/Elected Officials may place an employee on administrative leave with pay pending an investigation and consultation with the County Commission.

If a disciplinary decision is termination, the Department Head/Elected Official or Human Resources shall, at discharge or within fourteen days of the date of discharge, notify the discharged employee of the existence of the County’s Employee Grievance policy and procedures, and provide the discharged employee with a copy of the policy, as set forth below.

Ravalli County reserves the right to skip any of the previous steps and go directly to termination depending on the severity of the employee’s actions.



<b>SUBJECT:</b>	Employee Grievance	<b>POLICY NUMBER:</b>	RC-2.013
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
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## Employee Grievance Policy

It is the policy of the County to treat all employees equitably and fairly in matters affecting their employment. It is also the policy of the County to provide employees who have attained permanent status an opportunity to resolve certain complaints/problems in relation to their job without fear of reprisal. The purpose of this policy is to secure, at the lowest possible administrative level, equitable solutions to grievances that may arise.

Nothing contained herein should be construed as limiting the right of any employee to discuss any matter informally with a member of management. Every effort should be made to settle a grievance informally before a formal grievance is filed. For complaints alleging discrimination, employees should use the Reporting Procedure outlined in [Preventing Harassment and Discrimination Policy](#).

### **Acceptable Reasons for Filing Grievances**

An employee may file a grievance based on the application or interpretation of laws, written rules, and personnel policies and procedures, which adversely affects the employee, unless such action is specifically prohibited in policy.

### **Preparing and Pursuing Grievances during Working Hours**

An employee may not use paid working time to prepare and/or pursue a grievance. A grievant may request to use personal leave or leave of absence without pay to prepare a grievance. A request for use of personal leave or leave of absence without pay must be consistent with the County's policy on leave requests. Time spent by the grievant attending a hearing or being interviewed by an investigative officer is considered paid working time, should take place during the grievant's regular work hours if possible, and shall not exceed eight hours per day.

At the discretion of the County, an employee other than the grievant may be allowed to use work time to participate in an investigation or hearing. This time would be considered paid working time if the employee's participation is at the request of the County. Otherwise, an employee will need to request to use personal leave or leave of absence without pay to attend a hearing. All leave requests must be consistent with County policy regulating leave.

### **Grievance Filing Procedures**

All departments, including those which do not have their own procedures or those governed by the grievance policy in a CBA, must provide at least the basic procedure outlined below. An employee must begin Step 1 of the procedure within seventeen working days of his/her knowledge of the situation.

#### **Step 1 – Informal Resolution:**

Employees should try to resolve their grievance informally whenever possible by discussing the situation and relevant information with their immediate supervisor.

<b>SUBJECT:</b>	Employee Grievance	<b>POLICY NUMBER:</b>	RC-2.013
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**Step 2 – Submission of Formal Grievance to Supervisor:**

If the employee does not resolve the matter under the informal process, he/she should file a formal written grievance with his/her supervisor within ten working days from the supervisor’s response to the attempt at informal resolution. In the grievance, the grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue, the date when the event happened, and what resolution he/she would like. The supervisor shall respond in writing within ten working days of the date after receiving the formal grievance. If the employee does not accept the supervisor’s response or there is no response from the supervisor within the ten-day period, the employee may then, within five working days, advance the grievance to Step 3.

If the structure of the Department does not have a direct supervisor for the employee, the grievance process would move directly to Step 3.

**Step 3 – Submission of Grievance to Department Head/Elected Official.**

For a grievance not resolved in accordance with Step 2 above, the employee may prepare and file a formal grievance with his/her Department Head/Elected Official within five working days. The grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue, the date when the event happened, and what resolution he/she would like. The Department Head/Elected Official must respond in writing within 15 working days. If the employee accepts the Department Head/Elected Official’s response or does not advance the grievance to Step 4 within five working days of receiving the Department Head/Elected Official’s response, the grievance is resolved.

**Step 4 – Submission of Grievance to County Commission:**

An employee wishing to advance a grievance to this step must notify the County Commission within five working days of the Department Head/Elected Official’s response. Then, within five working days of such notification, the employee must present to the Commission a written summary and the relevant evidence regarding the matter. The Commission, or its designated representative, shall review the matter and advise the employee in writing of its decision within fifteen working days of receipt of the summary and evidence.

The County Commissioners may, at their discretion, designate a representative to perform their obligations under this policy.

At any step, the employee and the County can modify the time periods stated herein if done so by mutual agreement and placed in writing.

The County does not tolerate any form of retaliation against employees availing themselves of this policy and procedure. However, this policy does not prevent, limit, or delay the County from taking disciplinary action to and including termination, when appropriate.

<b>SUBJECT:</b>	Separation of Employment	<b>POLICY NUMBER:</b>	RC-2.014
<b>REFERENCE:</b>	MCA 39-29-111, MCA 2-18-704 MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Separation of Employment

Employee separation means the removal of an employee from County service for either voluntary or involuntary reasons. Separation of employment within an organization can occur for several different reasons.

### Resignation

Employees desiring to voluntarily terminate their employment relationship with the County in good standing should notify the County in writing at least two weeks in advance of their intended termination date. Proper notice generally allows the County sufficient time to calculate all accrued overtime (if applicable) as well as other monies to which the employee may be entitled and to include such monies in the final paycheck.

Management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

**Job abandonment:** Employees who fail to report to work or contact their supervisor for three consecutive workdays shall be considered to have abandoned their position and to have voluntarily resigned his/her position with the County effective at the end of their normal shift on the third day. If the employee is able to provide a valid and legitimate reason for the unexcused absence from work, the Board of County Commissioners may consider reinstatement upon confirmation that the absence and failure to communicate with the County during the absence was unavoidable. The supervisor shall notify the Human Resource department at the expiration of the third workday and initiate the paperwork to terminate the employee. **If an employees separates due to job abandonment, this information will be considered if they apply to be rehired.**

### Retirement

A qualified employee may retire in accordance with applicable state law. Employees who plan to retire are urged to provide the County with a minimum of one month's notice. This will allow ample time for the processing of appropriate retirement forms. A retired employee may continue County health insurance coverage if the employee meets the criteria established in MCA 2-18-704, and the premium amounts are paid in accordance with policies established by the Plan Administrator.

### Involuntary Termination

A probationary employee may be terminated in accordance with Ravalli County Policy.

A regular employee may be terminated when other forms of discipline fail or when the violation of policy is so severe that it demands the employee be removed immediately from the job. The regular

<b>SUBJECT:</b>	Separation of Employment	<b>POLICY NUMBER:</b>	RC-2.014
<b>REFERENCE:</b>	MCA 39-29-111, MCA 2-18-704 MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

employee shall be given a written termination letter stating the reasons for termination and the effective date. The employee shall have the right to grieve the decision to terminate under the established grievance procedure.

### **Termination Relating to a Work/ Industrial Accident**

If, as a result of an employment related accident, an employee is unable to perform the essential functions of the job. The County may fill the position with a temporary employee to avoid disrupting the work of the office or department. If the injured employee is capable of returning to work and performing the essential functions of the job within three months from the date of injury, the employee shall be returned to his/her previous position. If the injured employee is unable to return to work and perform the essential functions of the job within three months from the date of accident and there is no reasonable expectation of a near return to work, or MMI (Maximum Medical Improvement), the employee shall be terminated and all severance benefits to which the employee may be eligible will be paid.

An employee, terminated due to being unable to return to work and perform the essential functions of the job who receives a medical release to return to work within two years from the date of injury, will be given preference over other applicants for a comparable position that has become vacant if the position is consistent with the worker's physical condition and vocational abilities.

### **Exit Interviews**

The separating employee shall contact the Human Resource department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed.

### **Final paychecks will be issued on the next regularly scheduled payday following the employee's last day of work. Accrued vacation leave and sick leave will be paid in the week following the issuance of the employee's final paycheck.**

Health insurance terminates the last day of the last month of employment, unless an employee requests immediate termination of benefits. Information for Consolidated Omnibus Budget Reconciliation Act (COBRA) continued health coverage will be provided by the Plan Administrator. Employees with pro-rated benefits will be required to pay their share of the dependent health and dental premiums through the end of the month.

### **Rehire**

Employees who left Ravalli County in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted through the regular application process, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, and will be evaluated with the rest of the applicant pool.

<b>SUBJECT:</b>	Separation of Employment	<b>POLICY NUMBER:</b>	RC-2.014
<b>REFERENCE:</b>	MCA 39-29-111, MCA 2-18-704 MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

Supervisors must obtain approval from the Board of County Commissioners prior to rehiring a former employee. Previous tenure will not be considered in calculating longevity, seniority or any other benefits. Previous tenure will be considered for vacation leave accruals.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

<b>SUBJECT:</b>	Reduction in Workforce	<b>POLICY NUMBER:</b>	RC-2.015
<b>REFERENCE:</b>	MCA 39-29-111, MCA 2-18-704 MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Reduction in Workforce

If a reduction in the County workforce (layoff) becomes necessary, consideration will be given to essential services to be carried out by the County. Employees should be provided with notice of the reduction in force as much in advance of the reduction as is possible. A reduction in workforce requires Department Head/Elected Officials to continue meeting program services and objectives with fewer employees. The County will consider their program requirements, the employee's skills and qualifications necessary to meet these requirements, and other factors to decide the best way to conduct a reduction in workforce.

If a position is part of a collective bargaining unit, the provisions of the agreement regarding reduction in force take precedence over this policy.

### **Temporary, Seasonal, and Short-Term Workers**

Temporary, seasonal and short-term workers within the classification and department affected by the reduction in force shall be terminated before laying off or reducing hours for any permanent employees.

### **Deciding Factors for Permanent Employees**

Permanent employees within the same job classification and department affected by the reduction in force will be evaluated for layoff based on program requirements, the employee's skills and qualifications necessary to meet these requirements, and other factors (e.g., other alternatives such as reduced work hours, furloughs, or employee seniority). Employee skills and qualifications may include education, experience, certification, and capabilities in relation to the continuing needs of the department or program; and employment history may include previous performance and disciplinary actions. If there is no documentable difference in employment history factors, employee's length of continuous employment with the County shall be used as the criterion for retention, with the most senior employee being retained. "Continuous employment" means working within the same jurisdiction without a break in service of more than five working days or without a continuous absence without pay of more than fifteen working days.

### **Veterans' Preferences**

If a performance appraisal system is being used, a veteran, disabled veteran, or eligible relative whose performance has not been rated unacceptable shall be retained over other employees with similar job duties and qualifications and the same length of service. A disabled veteran with a service-connected disability of 30% or more shall be retained over other veterans, disabled veterans, and eligible relatives with similar duties, qualifications, and length of service. (MCA 39-29-111). The preference in retention does not apply to a position covered by a Collective Bargaining Agreement.

### **Re-staffing Preferences**

<b>SUBJECT:</b>	Reduction in Workforce	<b>POLICY NUMBER:</b>	RC-2.015
<b>REFERENCE:</b>	MCA 39-29-111, MCA 2-18-704 MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
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In the event the County decides to staff the position as it did prior to the reduction in force, individuals who have been laid off shall have a preference for recall to the position they were removed from for a period of one calendar year from the effective date of layoff. In the event the County decides to fill the position within the one calendar year period, the laid-off individual shall be sent a written notice at his/her last known address. The individual shall have five working days to respond to the written notice. If the recalled individual fails to respond or declines the recall, the individual will have no further recall rights.

<b>SUBJECT:</b>	Return of County Equipment	<b>POLICY NUMBER:</b>	RC-2.016
<b>REFERENCE:</b>	MCA 39-2-102	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Equipment Acknowledgment Form (Appendix B)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Return of County Equipment

Employees are responsible for all County property, materials, equipment, and written/digital information issued to them or in their possession or control. County employees must sign the Equipment Acknowledgment Form (Appendix B herein) before they are issued any County property. Any County equipment or property issued to employees including, but not limited to, laptops, cell phones, pagers, computer equipment, keys, credit cards, digital files, or physical files must be returned to the County upon request or at the time of termination. In the event any County property is not returned by the employee, the County may take all action deemed appropriate to recover or protect its property.

Employees are also accountable for equipment located in their work area. Employees should report any missing equipment immediately to their supervisor or Department Head/Elected Official. Whenever equipment with a property tag is moved from one location to another or when new equipment is acquired, follow the appropriate documentation procedures.



<b>SUBJECT:</b>	Employee Personnel Records	<b>POLICY NUMBER:</b>	RC-2.017
<b>REFERENCE:</b>	US Dept. of Health and Human Services, Health Insurance Portability and Privacy Act	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Employee Personnel Records

The County limits access to employees' personnel records and medical information (physical or electronic) to protect private information. Individuals with authorized access to employee information are expected to preserve the confidentiality of this information.

### **Establishment of Procedures and Responsibilities for the Maintenance of Personnel Records**

- Human Resources personnel, or other individual designated by the County Commission, is responsible for establishing and maintaining an official personnel file for each County employee.
- All employee personnel records are confidential, and access is restricted.
- Department Heads/Elected Officials are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.
- Each employee is responsible for the verification of information contained in the personnel file. No materials in a personnel file may be removed from the personnel file.
- Any employee wishing to review his/her personnel file may do so. The employee must request a review, and it shall be done at a mutually convenient time with Human Resources personnel present. The employee will not be permitted to remove any information from the file, but can obtain copies of desired documents.

### **Identification of Information to be Included in the Employee's Personnel File**

The following permanent documents are retained in accordance with Ravalli County's retention policy. This list should not be viewed as being required or all-inclusive.

Employee application and résumé

- Job description and specification information
- Job performance ratings and evaluations
- Education/training information
- Personnel data
- Personnel action forms
- Documentation of disciplinary action or warning of same

### **Medical or Other Confidential Personal Information**

The County maintains separate, confidential personal medical information files for employees.

### **Employee's Responsibility to Ensure that Files are Up to Date**

<b>SUBJECT:</b>	Employee Personnel Records	<b>POLICY NUMBER:</b>	RC-2.017
<b>REFERENCE:</b>	US Dept. of Health and Human Services, Health Insurance Portability and Privacy Act	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

To ensure that an employee’s personnel or medical files are up to date, the employee must notify the Human Resource Department or designee of any changes in status including, but not limited to, beneficiary designations, scholastic achievements, and the individuals to notify in case of an emergency.

A manager or supervisor considering the hire of a former employee or transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with antidiscrimination laws.

**Sheriff’s Office Personnel Files**

Personnel working for the Sheriff’s Office may have two personnel files. The County maintains basic personnel files for employees working in the Sheriff’s Office. The Sheriff’s Office maintains individual personnel files for employees containing more detailed information regarding the individual employee including job performance, training, disciplinary action, etc.

<b>SUBJECT:</b>	Driver's License Requirement	<b>POLICY NUMBER:</b>	RC-2.018
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Driver's License Requirement

In order to use a County vehicle, County employees must have a valid Montana driver's license (appropriate for the type of vehicle to be used) and an acceptable use, which includes conducting business on behalf of the County, getting food and lodging when in a travel status, and certain other approved activities.

All new employees hired for work that entails the operation of a County vehicle as an essential function of their position may, as a condition of employment, be required to submit to a Montana State Division of Motor Vehicles driving records check. Department Heads/Elected Officials may conduct periodic checks of employees' driver's licenses through visual and formal Division of Motor Vehicles reviews. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Employees performing work which requires the operation of a County vehicle must immediately notify their immediate supervisor, Department Head/Elected Official in all cases where their license is expired, suspended, or revoked and/or if they are unable to obtain an occupational permit from the State Division of Motor Vehicles.

<b>SUBJECT:</b>	Credit Cards and Travel Expenses	<b>POLICY NUMBER:</b>	RC-2.019
<b>REFERENCE:</b>	MCA 2-18-501 Ravalli County Credit Card Policy, Ravalli County Travel and Expense Reimbursement Policy for County Employees	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Credit Card Policy Acknowledgement	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Credit Cards and Travel Expenses

Authorized County employees may be issued County credit cards or be allowed to have their expenses reimbursed if purchasing supplies or equipment or if traveling/lodging is a requirement for their job. In either case, employees should be extremely prudent in incurring any debt that the County must pay for using its limited budget. Elected County Commissioners are subject to the meals, lodging and traveling expenses stipulations in MCA 2-18-501. The following guidelines regarding credit cards and County reimbursement procedures shall apply to all other County employees.

### Credit Cards

Only authorized persons may purchase supplies or cover travel expenses in the name of the County. No employee whose regular duties do not include purchasing necessary supplies and equipment or traveling on County business shall incur any expense on behalf of the County by any promise or representation without written approval. If employees are using County-issued credit cards, they must ensure they have read, signed and understood the Credit Card Policy.

### Travel Expenses

Traveling is a necessary operation of County government and may be a requirement of the job. Travel expense are a major budget consideration, so employees must be conscientious, efficient, and economical with travel plans and activities.

When employees travel on official County business in connection with the job, the County will pay or reimburse employees for certain travel expenses if they properly complete and submit, in a timely manner, their travel expenses via the approved format. Department Heads/Elected Officials may approve travel costs only for activities that directly benefit the County. Employees requesting reimbursement for travel expenses must have read and understand the Travel & Expense Reimbursement Policy.

<b>SUBJECT:</b>	Pet Policy	<b>POLICY NUMBER:</b>	RC-2.020
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	

## Pet Policy

Ravalli County is responsible for assuring the health and safety of all employees. In keeping with this objective, Ravalli County has formulated a policy balancing these concerns with the desire to promote a positive employment experience by allowing dogs in the office.

This policy is solely for companion dogs in the office space. This policy does not allow for other pets in the office space. Exceptions may be granted for outlying buildings of Ravalli County such as Fairgrounds, Road & Bridge, Airport and Weed District, which may request to have cats for pest control in their buildings.

A dog may be allowed in the office if its health and behavior are acceptable within an office setting, and it does not adversely affect office operations. A dog owner wishing to bring a pet to the office should first obtain permission from his or her Department Head/Elected Official.

Any decision to allow a dog to come to the office, or to exclude a dog from the office, will be made by the owner's Department Head/Elected Official. That decision will be final except in cases involving service animals, which should be referred to the Human Resources department. The Commissioners reserves the right to revoke permission to bring a dog to work for any individual, department or building should complaints, or disruptions arise.

An employee who requires the help of a service animal will be permitted to bring a service animal to the office, provided that the animal's presence does not create a danger to others and does not impose an undue hardship upon the County. (Service animal is defined by 28 CFR 36.104 as "Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.")

The privilege of bringing a dog to work is subordinate to the health, safety, and comfort of persons who may come into contact with dogs in the office. A dog may be excluded from the office if it:

- causes any person to experience allergic reactions, fear, or any other physical or psychological discomfort;
- distracts any employee from their work; or
- reduces any employee's productivity or quality of work. Any individual with a grievance regarding an animal at the office should bring the matter to the attention of the owner's Department Head/Elected Official/elected official. In addition, the following animals may not be brought to the workplace:
  - sick dogs;
  - dogs with fleas or any disease that is communicable to other dogs in the office or to humans;
  - dogs that have not been properly vaccinated, or that have internal or external parasites;
  - dogs that bark or behave aggressively; or

<b>SUBJECT:</b>	Pet Policy	<b>POLICY NUMBER:</b>	RC-2.020
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	

- dogs that foul the inside or outside of the building.
- Dogs that have not been spayed or neutered will not be permitted to come to the office in season.

**Requirements for Dogs in the Office:**

- All dogs must be in the full control of their owners.
- All dogs must be leashed at all times when in common areas with the public including outside on County property.
- All owners are required to have a place in their work area to contain their dog should interactions with the public or other employees require the dog to be contained.
- All owners are required to clean up after their dogs when walking them on or around County property.

An employee who brings a dog to the office is completely and solely liable for any injuries or any damage to personal property caused by the dog.

Any repair or cleaning/maintenance costs caused by a dog will be charged in full to the owner. Ravalli County may, at its discretion, require animal owner to maintain a liability insurance policy covering damage or injuries caused by the dog while at the office. Ravalli County may specify minimum coverage amounts under such a policy, and may require the owner to pay for such coverage.

Ravalli County shall not be liable for loss of, or injury to, any dog brought to the office.

<b>SUBJECT:</b>	Worksite Breastfeeding	<b>POLICY NUMBER:</b>	RC-2.021
<b>REFERENCE:</b>	MCA 39-2-215, MCA 39-2-17 PUMP Act	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Worksite Breastfeeding

The County supports and encourages the practice of breastfeeding, accommodates breastfeeding needs of employees, and provides facilities for breastfeeding or the expression of milk.

### **General Provisions and Management Responsibilities**

Ravalli County shall provide lactating employees with a suitable space, other than a bathroom, that is clean, private, and reasonably close to the work area. The space will include lighting, seating, and electrical outlets for breast pumps. The County may provide an employee the ability to store breast milk as requested.

### **Pay Stipulations for Exempt and Non-Exempt Employees**

If an employee is non-exempt from the FLSA, the County will not cover breastfeeding time that takes longer than the standard break period or number of breaks. Employees can use annual leave or compensatory (“comp”) time to cover extra time or breaks, or the time will be unpaid. The County shall not reduce the wages of exempt employees for the time it takes to breastfeed or express milk. However, the employee may be required to use accrued leave time in certain cases.

<b>SUBJECT:</b>	Prohibited Conduct and Guidelines for Appropriate Behavior	<b>POLICY NUMBER:</b>	RC-3.001
<b>REFERENCE:</b>	MCA 2-2-101 et.seq. and 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## EMPLOYEE CONDUCT

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### Prohibited Conduct and Guidelines for Appropriate Behavior

Standards of conduct provide ethical and behavioral guidance for public employees. As an integral member of the County team, employees are expected to accept certain responsibilities and adhere to acceptable conduct and business practices.

This not only involves demonstrating respect for the rights and feelings of others, but also demands that employees refrain from any behavior that might be detrimental to themselves, their co-workers, and/or the County. Employee conduct reflects on the County. Consequently, employees are encouraged to observe the highest standards of professionalism at all times.

County employees are expected to accept certain responsibilities, protect the public from harm, adhere to acceptable principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

#### **Prohibited Conduct**

Listed below are types of prohibited workplace conduct and behavior. This list should not be viewed as being all-inclusive. Actions the County deems inappropriate and that will lead to disciplinary action include, but are not limited to:

1. Falsifying employment or other County records or making false statements.
2. Violating the County’s policy on [Equal Employment Opportunity](#), which prohibits County Employees from refusing employment or discriminating in compensation or other terms, conditions, and privileges of employment based on race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, or veteran’s status.
3. Harassment of employees, or any person doing business or interacting with the County, because of a person’s race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, or veteran’s status. (See [Preventing Harassment and Discrimination](#) herein.)
4. Sexual or other unlawful or unwelcome harassment. (See [Preventing Harassment and Discrimination](#) policy herein.)



<b>SUBJECT:</b>	Prohibited Conduct and Guidelines for Appropriate Behavior	<b>POLICY NUMBER:</b>	RC-3.001
<b>REFERENCE:</b>	MCA 2-2-101 et.seq. and 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

5. Violating the Montana Code of Ethics statute (MCA 2-2-101) which prohibits using public time, facilities, or resources for private business or political purposes; acts that create a conflict of interest between public and private interests; accepting substantial gifts; and violating other standards and requirements outlined in [Ethics and Conflict of Interest](#) policy herein.
6. Violating the nepotism statute (MCA 2-2-304). Nepotism is an unfair practice that occurs when hiring is based on personal connections rather than ability or merit, and is further addressed in [Nepotism](#) policy herein.
7. Establishing a pattern of absenteeism or tardiness.
8. Use of County equipment, vehicles, supplies, time, or facilities for private purposes or any other violation of the [Vehicle and Equipment Use](#) policy herein which includes, but is not limited to, failing to operate County vehicles and equipment safely or in the proper manner, abusing vehicles or equipment, or operating County vehicles or equipment while under the influence (as defined in MCA 61-8-401).
9. Violating the Drug Free Workplace Act described in [Drug- and Alcohol-Free Workplace](#) policy herein, including, but not limited to, reporting to work intoxicated or under the influence of un-prescribed drugs, testing positive for drug and/or alcohol use, bringing or using alcoholic beverages on County property, or using alcoholic beverages while engaged in County business away from County property. This includes possessing or using alcohol or un-prescribed drugs in County vehicles or private vehicles being used for County business.
10. Threatening, fighting, or causing or performing violent acts in the workplace or any other violation outlined in [Workplace Violence Protection](#) policy herein.
11. Theft of property from County employees, the County, or the public, including removal from the premises, without proper authorization, of food, company property or property of other employees, customers, and the general public.
12. Possessing dangerous, unauthorized materials such as firearms or explosives on County premises, in County vehicles, or while on County business. See [Weapons on County Property](#) policy herein.
13. Disregarding safety or security regulations as outlined in [Workplace Safety Program](#) policy herein.
14. Engaging in insubordination, which is the refusal to follow a direct order by the supervisor.
15. Failing to maintain the security of confidential information.

<b>SUBJECT:</b>	Prohibited Conduct and Guidelines for Appropriate Behavior	<b>POLICY NUMBER:</b>	RC-3.001
<b>REFERENCE:</b>	MCA 2-2-101 et.seq. and 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
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16. Failing to perform duties in a satisfactory manner, behavior that is disruptive of the County’s operations, or material or repeated violations of an express provision of the County’s written policies.
17. Violating the [Smoke-Free Workplace](#) policy herein, which adheres to the Montana Clean Indoor Air Act. The MCIAA bans smoking in all enclosed workplaces in Montana. Smoking is prohibited in all County facilities and vehicles.
18. Violating the [Personal Telephone Calls and Personal Communication Devices](#) policy herein by using County telephones inappropriately or using personal communication devices such as cell phones, smart phones, tablets, etc., to communicate, Email, text, view inappropriate material or interact with social media sites (Facebook, Twitter, etc.) during work hours. This policy does not preclude employees from visiting social media sites within the scope of their employment.
19. Violating the [Computers, Internet, and Email](#) policy herein, which prohibits improper use of these products and services including, but not limited to, altering or installing unauthorized software or hardware, revealing pass codes and files without authorization, using the County Internet and Email systems for non-County business-related purposes, and creating, transmitting, or viewing any offensive or inappropriate material, data, or images that may be construed to violate the County’s [Preventing Harassment and Discrimination](#) or [Equal Employment Opportunity](#) policies herein.
20. Using abrasive, impolite, or offensive conduct, gestures, or language toward the public, County officials, or other employees.
21. Abusing break times and/or lunch periods as outlined in the [Hours of Work, Meal Breaks, and Rest Breaks](#) policy herein.
22. Misrepresenting travel expenses and/or using County credit cards inappropriately or without authorization as set forth in the [Credit Cards and Travel Expenses](#) policy herein.
23. Violating drug and alcohol rules and regulations established for employees required to have Commercial Driver’s Licenses.
24. Failing to appear or dress in a manner acceptable for the position, including use of personal protective equipment (PPE) as needed.
25. Failure to return County equipment or property upon termination of employment. (See [Return of County Equipment](#) herein.)
26. Failure to respond or conduct County business appropriately while performing on-call duties.

<b>SUBJECT:</b>	Prohibited Conduct and Guidelines for Appropriate Behavior	<b>POLICY NUMBER:</b>	RC-3.001
<b>REFERENCE:</b>	MCA 2-2-101 et.seq. and 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
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27. Gambling on County time.
28. Conviction of a felony.
29. Refusing to adhere to the [Use of Scented Substances](#) policy herein, after a supervisor requests that an employee not come to work wearing a perfume, lotion, moisturizer, etc., about which a fellow employee has complained.
30. Any other act, failure to act, failure to adhere to any policy, or negligence, which is injurious to the County, its employees, or the general public.

### **Guidelines for Appropriate Behavior**

In accepting employment with the County, the employee assumes certain duties, responsibilities, and relationships which are to be observed during his/her tenure of employment. Upon hiring, all employees shall agree and accept the following responsibilities and work rules as a condition of continued employment. The employee agrees to:

1. Work conscientiously toward achieving the objectives of the County in compliance with its philosophy, policies, rules, procedures, and performance standards.
2. Perform assigned duties in a satisfactory manner and within specified guidelines.
3. Work with other staff members in a sincere, tactful, and positive manner.
4. Be punctual and utilize working hours in their most effective and productive way; notify his/her supervisor, in accordance with applicable policy, when the employee is unable to show up for work; refrain from excessive tardiness or absences; and refrain from leaving the work station early without prior approval.
5. Respect the confidentiality of County citizens and employees' information, and not disclose confidential information and/or administrative matters.
6. Immediately report in writing any accident occurring at work, whether or not there is immediate evidence of personal injury.
7. Immediately report any unsafe condition observed at the work site.
8. Use the County's property in a responsible and appropriate manner. Employees shall not provide unauthorized access to County facilities to any individual. Employees shall protect the County's property from damage and refrain from taking or using County property for personal use.

<b>SUBJECT:</b>	Prohibited Conduct and Guidelines for Appropriate Behavior	<b>POLICY NUMBER:</b>	RC-3.001
<b>REFERENCE:</b>	MCA 2-2-101 et.seq. and 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
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9. Be constantly mindful that the County and its staff have an obligation for the welfare and wellbeing of citizens served through its programs.
10. Respect co-workers and maintain appropriate conduct during work hours. If employee calls or use of personal communication device causes disruptions or loss in productivity, the employee shall become subject to disciplinary action per County policy. Cell phones shall be turned off or silenced during meetings, conferences, and in the office or other locations where incoming calls may disrupt normal workflow.
11. Refrain from and report any witnessed embezzlement; theft; insubordination; unsatisfactory work performance; harassment or discrimination; falsifying or using falsified records, materials, requisitions, passes, time sheets, or other documents used by the County; violation of County policies and procedures; and misuse or neglect of County benefits, property, co-workers, suppliers, vendors, contractors, or citizen.
12. Refrain from and report any conduct which may endanger the safety of others, which is disruptive of the County's operation, or impairs the ability of others to accomplish their work.
13. Refrain from interfering with or obstructing investigations and the investigator when suspected or alleged violations of any work rules, procedures, or policies may require investigation by or on behalf of management. Should the need for investigation arise, employees are expected to be open and cooperative in assisting the investigator.

Employees are advised that in no circumstances are these rules and policies to be interpreted as limiting the employee's ability to discuss workplace policies and procedures. However, policies and procedures are ultimately a management right.

### **Disciplinary Action**

Violations of the above standards or other County, state, or federal rules, or conduct which is injurious to the County's interests or those of its employees, may result in disciplinary action which can include written or oral warnings, suspension, demotion, termination\*, or other appropriate discipline. In cases involving a potential loss of pay, an employee subject to disciplinary action shall be informed by the Department Head/Elected Official of the alleged violations and employer's evidence, and the employee shall be allowed to present his/her side of the story and evidence orally and/or in writing before discipline, if appropriate, is imposed.

\*If the disciplinary decision is termination, the Department Head/Elected Official shall, at discharge or within fourteen days of the date of discharge, notify the discharged employee in writing or electronically of the existence of the County's Employee Grievance policy and procedures, and shall provide a copy of such.

<b>SUBJECT:</b>	Ethics and Conflict of Interest Policy	<b>POLICY NUMBER:</b>	RC-3.002
<b>REFERENCE:</b>	MCA 2-2-101, et. Seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Appendix C: Ethics and Conflict of Interest Acknowledgment Form</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Ethics and Conflict of Interest Policy

County employees serve the people of the County and owe them a duty to uphold their trust and maintain their confidence in the integrity of public employees. These principles require employees to avoid conflicts of interest, bias and favoritism, and the appearance of impropriety (i.e., acts that appear illegal or wrongful to the average citizen). County employees must conduct themselves in adherence to the rules of conduct stipulated for public employees in MCA 2-2-104. The general provisions are outlined in the General, County Ethics Standards below. All employees must sign the [Ethics and Conflict of Interest Acknowledgment Form](#) found in Appendix C of this Handbook.

Ravalli County will enforce a minimum set of standards that all employees must follow. Please refer to the section above on [Prohibited Conduct and Guidelines for Appropriate Behavior](#) for a more comprehensive, yet not all-inclusive, list of inappropriate conduct, as well as appropriate conduct and behavior to which all County employees must adhere. Failure to abide by or comply with any of the items in those policies or this **Employee Ethics and Conflict of Interest Policy** is a basis for disciplinary action up to and including termination.

### **In General, County Ethics Standards Prevent Employees From:**

- using public time, facilities, or resources for private business or political purposes (unless authorized by law);
- acts that create a conflict between public and private interests (MCA 2-2-101), which may include major financial transactions with someone an employee regulates or supervises, performing official acts to harm private competitors, performing official acts to benefit an employee’s own business interests, and other conflicts of interest;
- disclosing or using confidential information for personal economic benefit;
- accepting payment for helping people to obtain a contract, claim, license, or economic benefit from the County;
- taking payment for overlapping hours in two or more public jobs;
- requesting or accepting employment with a person the employee regulates without notifying Department Head/Elected Officials; and
- accepting substantial gifts or economic benefits (i.e., generally anything more than \$50.00) that could influence or reward official actions.

<b>SUBJECT:</b>	Ethics and Conflict of Interest Policy	<b>POLICY NUMBER:</b>	RC-3.002
<b>REFERENCE:</b>	MCA 2-2-101, et. Seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Appendix C: Ethics and Conflict of Interest Acknowledgment Form</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

The list above includes only some of the ethical standards and requirements that County employees must follow.

Violations of this Code of Ethics may not only result in disciplinary action, but may result in the County Attorney bringing a civil action in district court or criminal charges which may be prosecuted to the full extent of the law (MCA 2-2-144).

### **Conflict of Interest**

County employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or other party of interest (as described below) as a result of the County’s business dealings.

If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a supervisor or Department Head/Elected Official as soon as possible the existence of any actual or potential conflict of interest, so that safeguards can be established to protect all parties. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

### **Seeking Guidance on Ethical Dilemmas or Issues**

Before doing anything that might create an ethical problem, employees should ask their supervisor, Department Head/Elected Official for guidance. Employees should also report ethical concerns to supervisors, who can advise them on how to avoid or resolve potentially serious problems. After an employee notifies a Department Head/Elected Official of a possible violation, they can also file a complaint through established County protocols.

<b>SUBJECT:</b>	Outside Employment	<b>POLICY NUMBER:</b>	RC-3.003
<b>REFERENCE:</b>	Montana Code of Ethics, MCA 2-2-101 through 105	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise County interests, interfere with the employee’s ability to discharge County duties in full or adversely affect job performance and the ability to fulfill all job responsibilities. Any employment where the normal duties with the County place the employee in a position to exercise influence, which may enhance the outside interest, are forbidden. Employees are prohibited from performing any services for citizens on nonworking time that are normally performed by Ravalli County. This prohibition also extends to the unauthorized use of any County tools, vehicles or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Ravalli County determines that an employee’s outside work interferes with performance, the employee may be asked to terminate the outside employment or their employment with the County.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

It is the employee’s responsibility to disclose any overt or potential conflict of interest to his/her direct supervisor and to take steps to ensure a conflict does not exist. If it is determined that the outside employment constitutes a Conflict of Interest, and the employee fails to take steps to eliminate or prevent the conflict, disciplinary action may be taken.

<b>SUBJECT:</b>	Confidentiality	<b>POLICY NUMBER:</b>	RC-3.004
<b>REFERENCE:</b>	MCA 2-2-101, MCA 2-2-304	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Confidentiality

The public and other parties with whom the County does business entrust the County with important information relating to their businesses and personal lives. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to the employee’s Department Head or Elected Official.



<b>SUBJECT:</b>	Public Speech	<b>POLICY NUMBER:</b>	RC-3.005
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Public Speech

Employees shall not express anything in any public forum as an official County position without specific permission to do so. If an employee wishes to speak in their official capacity on a matter related to County business, their statements must be approved in advance. More restrictive rules may apply to law enforcement personnel. This policy does not prevent or prohibit an employee from expressing an opinion or idea involving concerted activity regarding their wages or other terms and conditions of employment.

**SUBJECT:** Solicitation, Distributions and Posting  
of Materials

**POLICY NUMBER:**

RC-3.006

**REFERENCE:**

**EFFECTIVE DATE:**

7/1/2023

**FORMS:**

**PREVIOUS REVISION DATE:**

7/1/2016

## Solicitations, Distributions and Posting of Materials

Ravalli County prohibits the solicitation, distribution and posting of materials on or at County property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities approved by the Ravalli County Board of County Commissioners.

### Provisions:

- Non-employees may not solicit employees or distribute literature of any kind on County premises at any time.
- Employees may only admit nonemployees to work areas with management approval or as part of a County-sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a County-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a County-sponsored event
- The posting of materials or electronic announcements are permitted with approval from BCC.

Violations of this policy should be reported to Human Resources.

<b>SUBJECT:</b>	Personal Telephone Calls and Personal Communication Devices	<b>POLICY NUMBER:</b>	RC-3.007
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Personal Telephone Calls and Personal Communication Devices

### Personal Telephone Calls Using County Telecommunication Systems

County-provided phones are to be used for County business and may be used for personal business on a limited basis only. The use of telecommunications equipment for essential personal business (e.g., calls to children, teachers, doctors, day care centers, and family members to inform them of unexpected schedule changes and other essential business) must be kept to a minimum, and not interfere with conducting County business.

In the event an employee has to make an essential long distance or cellular phone call (using a County-provided cell phone), it is the employee's responsibility to ensure that no cost to the County results from personal phone calls.

### Personal Communication Devices

The use of personal communication devices such as cell phones, smart phones, tablets, PDA devices, etc., to communicate, E-mail, text, or interact with personal social media sites (Facebook, Twitter, etc.) during work hours is prohibited. The use of cell phones for essential personal business (e.g., calls to children, teachers, doctors, day care centers, and family members to inform them of unexpected schedule changes and other essential business) must be kept to a minimum, and not interfere with conducting County business. Personal communication devices such as cell phones may be used for the purposes of conducting County business if necessary.

All personal communication devices should have any tones inaudible to other employees and members of the public. Employees whose jobs require public interaction are not permitted under any circumstances to use a personal communication device while interacting with and servicing members of the public.

Utilizing a computer or personal device that connects with the Internet to visit an offensive site or inappropriate material during work hours or break periods is prohibited and subject to disciplinary action. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, religion, sex, national origin, age, disability, or any other status protected by law.

In order to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy rule (see [Employee Personnel Records](#)) regarding the safeguarding of confidential information, County employees must refrain from the use of Instant Messaging, cell phones, texting, unprotected Email, or any other unsecured communication (e.g., unsecured Bluetooth interfaces or unsecured Internet conferencing) to transmit confidential information regarding County employees or citizens.

<b>SUBJECT:</b>	Computers, Internet, and Email	<b>POLICY NUMBER:</b>	RC-3.008
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Computers, Internet, and Email Policy</a> <a href="#">Acknowledgement Form (Appendix E)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Computers, Internet and Email

All County business equipment, hardware, software, network equipment, communications systems, Internet, Email, and data are the property of the County, and employees can use these only for authorized purposes such as conducting County business. Please see your Department Head/Elected Official or coordinate with the Information Technology (IT) department for instructions (and when troubleshooting is necessary) about the operation of computers, telecommunication systems, or other electronic devices used on the job. Employees must operate all IT equipment according to manufacturers' user instructions and County policy. All employees must sign the [Computers, Internet, and Email Policy Acknowledgement Form](#) found in Appendix E of this Handbook.

### **Computers**

Employees shall not install, modify, or remove any software operating on County computers. Employees may request review of additional software applications that may enhance or improve existing systems. In order to protect the County computer systems from viruses, all diskettes, flash drives, software, etc., should be reviewed and approved by the IT department prior to installation. The IT department is responsible for the overall operation of the County computer systems; and all installation, modification, or removal of software, hardware, or data should be reviewed and approved by the IT department.

Employees shall not use or disseminate codes, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by the supervisor or Department Head/Elected Official. All computer passcodes are the property of the County and will not be shared with other individuals.

### **Internet and Email**

Employees should not expect any privacy with County Internet and Email use. The County may monitor Internet use for planning and managing network resources, performance, troubleshooting, and suspected or potential abuse. All messages employees create, send, or retrieve over the County's systems are the property of the County.

County Internet and Email use are available for conducting County business. County employees may not use the County-maintained Internet, intranet, and related services for activities not related to County business. The County recognizes that sometimes an employee may use County computers and Internet for essential types of personal use; however, this must be kept to a minimum and not be excessive.

The creation, transmission, or viewing of any data or images that may be construed to violate the County's [Preventing Harassment and Discrimination Policy](#) or [Equal Employment Opportunity Policy](#) is strictly prohibited. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be

<b>SUBJECT:</b>	Computers, Internet, and Email	<b>POLICY NUMBER:</b>	RC-3.008
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Computers, Internet, and Email Policy</a> <a href="#">Acknowledgement Form (Appendix E)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

construed as harassment or disparagement on the basis of race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, veteran’s status or any other category protected by law. None of the County’s information technology resources may be used to transmit critical or derogatory statements regarding employees, political figures, or any other persons.

The following guidelines have been established for using the Internet, County-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, County-provided equipment (e.g., cell phone, laptops, and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon Ravalli County or be contrary to Ravalli County’s best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and County-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Any County e-mails, including e-mails sent from personal devices are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the County.

Internet access is provided by the County to assist employees in obtaining work-related data and technology. All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the County and, as such, is subject to disclosure to law enforcement or other third parties. Employees may also be held personally liable for any violations of this policy.

<b>SUBJECT:</b>	Computers, Internet, and Email	<b>POLICY NUMBER:</b>	RC-3.008
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Computers, Internet, and Email Policy</a> <a href="#">Acknowledgement Form (Appendix E)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

### **Social Media**

Social media is web-based technology that allows interactive dialogue and includes, but is not limited to, blogs, collaborative projects, content communities, and social networking sites.

Content contributed to social media by County employees may not:

- Claim to represent the County without permission of the Commissioners; or
- Include statements that are inappropriate because they are discriminatory, threaten violence, are obscene or otherwise disparage members of the public or co-workers.

An employee’s online conduct that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects the County’s legitimate business interests may result in disciplinary action up to and including termination. All instances must be judged on a case-by-case basis.

Nothing in this policy should be construed as prohibiting an employee’s right to engage in concerted activity or to discuss the terms and conditions of their work as permitted by the National Labor Relations Act.

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For a complete list of Ravalli County IT policies please visit our home page at [www.ravalli.us](http://www.ravalli.us)

<b>SUBJECT:</b>	Drug and Alcohol Free Workplace	<b>POLICY NUMBER:</b>	RC-3.009
<b>REFERENCE:</b>	US Department of Justice, Title 21 USC, Controlled Substance Act MCA 39-2-205, et seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Drug and Alcohol Free Workplace Acknowledgement Form (Appendix D)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Drug and Alcohol Free Workplace

It is the policy of Ravalli County to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The illegal use of controlled substances is inconsistent with the behavior expected of our employees, subjects all employees, citizens, and visitors to unacceptable safety risks, and undermines the County’s ability to operate effectively and efficiently.

The purpose of this policy is to ensure worker fitness for duty; to protect our employees and the public from the risks posed by the use of illegal drugs, controlled substances, or alcohol; and to maintain a safe working atmosphere conducive to effect operations. As stated in the [Prohibited Conduct Policy](#), employees are subject to disciplinary action, which may include immediate discharge for consumption, use, or being under the influence of alcohol or controlled substances while on County premises.

County employees must sign the [Drug and Alcohol Free Workplace Acknowledgement Form](#) (located in **Appendix D** of this Handbook) and abide by this policy as a condition of employment.

### **Prohibitions**

All County employees are absolutely prohibited from:

1. Unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace. “Controlled substances” are defined in schedules I through V of Section 812, Title 21, United States Code. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants, and hallucinogens. The County does not accommodate the use of medical marijuana in the workplace.
2. Reporting for duty, remaining on duty, or operating County vehicles or personal vehicles on County business while under the influence or impaired by alcohol or a controlled substance.
3. Drinking alcohol at any time during work hours.
4. The illegal or unauthorized use of prescription drugs.

### **Disciplinary Action**

Violations may result in disciplinary action up to and including termination. Violating the drug and alcohol prohibitions in the policy for [Use of Vehicles and Equipment](#) is also subject to disciplinary action up to and including termination, whether the employee is operating County vehicles or equipment on County-owned property or anywhere else. Any use of illegal drugs or driving while intoxicated shall also be reported to the proper authorities for criminal prosecution.

### **Reporting Convictions of Drug Statute Violations**

Any employee convicted of violating a criminal drug statute in the workplace or while conducting official County business must inform his/her immediate supervisor of such conviction within five days after the

<b>SUBJECT:</b>	Drug and Alcohol Free Workplace	<b>POLICY NUMBER:</b>	RC-3.009
<b>REFERENCE:</b>	US Department of Justice, Title 21 USC, Controlled Substance Act MCA 39-2-205, et seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Drug and Alcohol Free Workplace Acknowledgement Form (Appendix D)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

conviction. The supervisor must inform the Department Head/Elected Official of any such communication immediately.

**Exceptions – Prescription Drugs**

The only exceptions to this policy are possession or use of a controlled substance as prescribed by a licensed physician, if the employee has given his/her supervisor or Department Head/Elected Official prior notice of such use and/or possession. Employees using medication prescribed by a licensed physician may be required to provide management with proof that such medication was prescribed. Employees taking prescribed or over-the-counter medications will be responsible for talking to a doctor and/or pharmacist about whether the medications may interfere with their ability to perform their job safely. If the use of a medication could compromise the safety of the employee, fellow employees, or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request a change of duty, notify supervisor, etc.) to avoid unsafe work practices. The County has the sole discretion as to whether or not it will be safe for those employees to remain on duty. As stated above, it is a violation of our [Drug and Alcohol Free Workplace](#) policy to intentionally misuse prescription medications. Appropriate disciplinary action shall be taken if job performance deteriorates and/or accidents occur.

**Searches**

The County reserves the right at all times, while employees are entering, departing, or on the premises, properties, and work areas; when circumstances warrant; or when reasonable cause exists, to have properly authorized personnel conduct unannounced reasonable searches and inspections of County facilities.

Searches may be initiated without prior notice and conducted at reasonable times and locations as deemed appropriate by the County. At no time will employees or others be touched without their consent.

**Co-Worker, Supervisor Obligations**

Any employee or supervisor who has observed or has personal knowledge that another employee is using or possessing illegal drugs or alcohol in violation of this policy may choose to make a good faith report to a supervisor or Department Head/Elected Official. The employee shall refrain from discussing the matter with anyone except appropriate management personnel.

**Possession of Alcohol on County Premises**

Employees may not possess or use alcohol in any County facility with the exception of an authorized function, under the control of the holder of a valid liquor license.



<b>SUBJECT:</b>	Drug and Alcohol Free Workplace	<b>POLICY NUMBER:</b>	RC-3.009
<b>REFERENCE:</b>	US Department of Justice, Title 21 USC, Controlled Substance Act MCA 39-2-205, et seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	<a href="#">Drug and Alcohol Free Workplace Acknowledgement Form (Appendix D)</a>	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

**EAP**

To assist employees in overcoming drug and alcohol abuse problems, the County provides an Employee Assistance Program (EAP) and makes available medical benefits that include substance abuse treatment.

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Drug and Alcohol Testing

The County retains the right to require the following tests:

- **Pre-employment:** All applicants for positions under the Ravalli County Sheriff's Office and those positions requiring a CDL must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. Human Resources should be consulted before sending an employee for "reasonable suspicion" testing.
- **Post-accident:** Employees are subject to testing when they cause or contribute to accidents that seriously damage a County vehicle, machinery, equipment or property and/or result in an injury to themselves, another employee or a member of the public requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner.
- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, Ravalli County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one year, but not more than two years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

### Consequences:

- Applicants who refuse to cooperate in a drug test or who test positive will not be hired.
- Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated.
- Under this policy the first time an employee tests positive for alcohol or illegal drug use, the result will be discipline up to and including termination.

Employees will be paid for time spent in alcohol/drug testing and then suspended without pay pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
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scheduled to discuss the results of the test; this meeting will include the employee, the employee’s supervisor and Human Resources. Should the results prove to be negative; the employee will receive back pay for the times/days of suspension.

**Confidentiality:**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to a medical review officer (MRO) shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files in the Human Resources Department.

**Inspections:**

Ravalli County reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

**Crimes Involving Drugs:**

Ravalli County prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

**Required Testing:**

It is Ravalli County’s policy to comply with all applicable Federal and State regulations governing workplace anti-drug programs that mandate urine drug testing and breathe alcohol testing for employees who are subject to CDL requirements and perform safety sensitive functions. “Safety-sensitive” functions include driving, loading and unloading, and inspecting a vehicle, operating potentially dangerous equipment, as well as time spent waiting to be dispatched or tending to a disabled vehicle.

This policy applies to all Ravalli County employees who operate commercial vehicles and are required to have a Commercial Driver’s License (CDL), and perform safety-sensitive functions. This policy applies to off-site breaks and lunch periods when an employee is scheduled to return to work. The County retains the sole right to change, amend or modify any term or provision of this policy in accordance with state and federal law without notice.

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

**It is the policy of Ravalli County to:**

- Engage in drug and alcohol testing for DOT regulated employees to assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner;
- Establish procedures for drug and alcohol testing in accordance with state and federal regulations;
- Create a workplace environment free from the adverse effects of drug, alcohol and substance abuse or misuse through education and drug/alcohol testing.

**Testing Compliance:**

Employees in covered positions will be subject to urine drug testing and breath alcohol testing. These employees, and prospective employees, will be subject to the following tests and assessments:

**Pre-employment:**

A successful applicant for a covered position will be required to undergo urine drug testing and breath alcohol testing after an offer of employment has been made. Employment will be contingent on receipt of a negative drug test and confirmed alcohol test indicating a concentration of less than 0.02. The prospective employee **may not** be part of the work force until the results are known.

Prior to hire, the prospective employee will be required to provide a written release to allow Ravalli County to obtain required information from previous employers (last two years) as provided in 49 CFR Part 382. This information must be made available from previous employers for whom the prospective employee operated a Commercial Motor Vehicle (CMV). If this information is not provided to the County within fourteen calendar days from the date of employment, the employee will be removed from performing safety-sensitive functions unless the County can document contact was made with the previous employer, the results of that contact, and why the information was not obtained.

A prospective employee with a confirmed positive drug or alcohol test will be disqualified from consideration for the position being filled. This will not prevent the applicant from being considered for any subsequent vacancy.

**Post-accident:**

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
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Employees in covered positions will be required to undergo drug and alcohol testing if they are involved in an accident with a County vehicle which occurs on a public road and any of the following conditions apply:

- a) It involves a fatality;
- b) It involves a moving violation issued to the driver;
- c) It involves injury to a person who, as a result, receives medical treatment; or
- d) One or more of the motor vehicles incur disabling damage that requires it to be towed from the accident site. (Disabling damage means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner after simple repairs. It does not include damage to tires).

Following the accident, the employee will be required to be tested within two hours. If this cannot be done, reasons for non-testing must be documented. Attempts to test will cease after eight hours for alcohol testing and thirty-two hours for drug testing. Any employee in a covered position involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of an accident without appropriate explanation prior to submission to drug and alcohol testing will be considered to have refused the test. Refusal will be considered a positive test and the employee will be subject to discipline up to and including termination.

**Random:**

Employees in covered positions will be subject to random, unannounced testing for both drugs and alcohol. The selection for random testing will be made by a scientifically valid method, and each employee shall have an equal chance of being tested each time selections are made. Drug testing may occur during on-duty time. Alcohol testing will be performed before, during, or after the employee is performing safety sensitive functions.

**Reasonable suspicion:**

Employees in covered positions may be subject to a fitness-for-duty evaluation, which includes both drug and alcohol testing when there is reason to believe that drug or alcohol use is a potential factor in affecting job performance.

A reasonable suspicion determination must be made by an individual who has been trained in reasonable suspicion and who believes the employee has violated the prohibitions of the [County Drug-Free Workplace](#) policy based on specific observations concerning the appearance, behavior, speech, or body odors of the employee. Reasonable suspicion determinations must be documented within twenty-four hours of the observation and by test results. A written description of the observations that led to the determination must be prepared and signed by the person who made the determination.

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
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**Return-to-Duty and Follow-up:**

Employees who previously had a confirmed positive test for drugs and/or alcohol must have a negative test and be evaluated and reinstated to duty by a Substance Abuse Professional (SAP) before returning to perform safety-sensitive functions. Employees will be required to undergo unannounced follow-up alcohol and/or drug testing as directed by the SAP. This will consist of at least six tests in the first twelve months following the employee’s return to duty. Follow-up testing will not exceed sixty months from the employee’s return to duty.

**Employment Assessment:**

Any employee who has a confirmed positive test for the presence of alcohol above the minimum thresholds will be evaluated by a Substance Abuse Professional (SAP). The employee will be required to sign a release so that Ravalli County can obtain information on the rehabilitation program duration, employee compliance, completion, and post-treatment requirements.

The SAP will evaluate the employee to determine what assistance, if any, the employee needs in resolving problems associated with the prohibited use of abuse of alcohol, recommend a rehabilitation program and post-treatment requirements, and determine if the rehabilitation program has been successfully completed. The SAP will also determine if and when the employee can be released to return-to-duty. If an employee is released to return-to-duty, that employee must have been compliant will all recommended treatment as prescribed by the SAP and have a confirmed negative return-to-duty test result. Failure to follow the program as prescribed and required will result in termination.

Any employee or prospective employee who refuses to sign any required release(s) relative to test results, fails to comply to required testing, refuses follow-up evaluations by a Substance Abuse Professional (SAP), provides false information, or attempts to falsify test results though tampering, contamination, adulteration, or substitution shall be considered as having a positive test. Such behavior may also be considered insubordinate and result in disciplinary action unless there is a valid and verifiable medical explanation.

**Testing Procedure:**

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Services (DHHS) and strictly adhere to the “Mandatory Guidelines of Federal Workplace Drug Testing Programs.” All testing will be conducted following the procedures put forth in 49 CFR Part 40 as amended. It is Ravalli County’s intent to conform to state and federal requirements while protecting individual dignity, privacy, and confidentiality throughout the testing process.

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
<b>REFERENCE:</b>	Federal Highway Administration Department of Transportation MCA 39-2-207, MCA 39-2-208, MCA 7-5-2101 49 CFR § 40.11	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

### **Drug Testing:**

Drug testing may occur at any time while the employee is considered on duty. The drugs that will be tested for include, but are not limited to, marijuana, cocaine, amphetamines, opiates and phencyclidine.

In the event a test is positive, the employee will be immediately terminated, unless the testing agency advises that mitigating circumstances may be present, or that it would be in the best interest of the County and the employee to proceed with a rehabilitation program through a Substance Abuse Professional (SAP). In that case, the employee will be referred to an SAP for evaluation.

### **Alcohol Testing:**

Alcohol testing may be performed on prospective employees prior to employment or when the employee is performing safety-sensitive functions or immediately prior to or following performing safety-sensitive functions.

Tests for alcohol concentration will generally be conducted utilizing a breath test, which measures alcohol concentration in terms of the amount of alcohol in a certain volume of breath. The County reserves the right to utilize saliva tests and certain other kinds of screening as approved by DOT regulations.

If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and will be considered prohibited conduct.

### **Confirmed Alcohol Concentration of .04 or higher, but less than 0.08.**

If the testing confirms an alcohol concentration 0.04 or greater or if it is determined that an employee has used alcohol within the last four hours, the following actions will be taken:

- **First Occurrence:**  
The employee will be removed from their duties until the start of the employees' next regularly scheduled duty period, but not less than twenty-four hours following administration of the test. The employee will also be required to complete a return-to-duty test indicating a breath alcohol concentration of less than 0.02 before returning to duty.
- **Second Occurrence:**  
The employee will be removed from performing safety-sensitive functions until the start of the employees next regularly scheduled duty period, but not less than twenty-four hours following

<b>SUBJECT:</b>	Drug and Alcohol Testing	<b>POLICY NUMBER:</b>	RC-3.010
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administration of the test. The employee will also be required to complete a return-to-duty test indicating a breath alcohol concentration of less than 0.02 before returning to duty.

The employee will also be referred to a Substance Abuse Professional (SAP) for evaluation to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and be released to duty by the SAP.

- **Third Occurrence:**  
The employee will have their employment terminated immediately.

**Confirmed Alcohol Concentration of 0.08 or higher.**

- **First Occurrence:**  
The employee will have their employment terminated immediately.



<b>SUBJECT:</b>	Smoke-Free Workplace	<b>POLICY NUMBER:</b>	RC-3.011
<b>REFERENCE:</b>	Montana Department of Health and Human Resources Montana Clean Indoor Act MCA 50-40-101 et. seq.	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/13/2020

## Smoke-Free Workplace

### **Smoking Prohibitions**

In compliance with the Montana Clean Indoor Air Act (MCIAA), which bans smoking statewide in all enclosed workplaces in Montana, smoking is prohibited in ALL County vehicles and in ALL County facilities. The County recognizes the need of many of its employees to work in an environment free of tobacco smoke. Smoking is not permitted inside of any County building.

### **Designated Smoking Areas**

The County also respects the rights of employees who choose to smoke to make personal decisions without interference, as long as these decisions do not interfere with the rights of other workers or state laws. Employees may smoke in designated outdoor smoking areas.

<b>SUBJECT:</b>	Personal Appearance and Proper County Representation	<b>POLICY NUMBER:</b>	RC-3.012
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Personal Appearance and Proper County Representation

### **Proper Representation of the County to the Public**

It is the responsibility of all employees to represent the County to the public in a manner, which shall be courteous, efficient, and helpful.

### **Proper Personal Appearance While at Work**

County employees should be dressed in a manner suitable for the public service environment and to reflect favorably on the County's image. County employees should wear clothing appropriate to ensure their safety in the workplace. Supervisors may develop specific rules appropriate to their workplace. Such policies should be coordinated with Human Resources personnel or the County Attorney.

### **Personal Protective Equipment (PPE)**

Employees in positions needing the use of PPE are required to wear the appropriate PPE.

<b>SUBJECT:</b>	Use of Scented Substances	<b>POLICY NUMBER:</b>	RC-3.013
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Use of Scented Substances

The ability to perform one’s job may be adversely affected by scented substances, i.e., perfume, lotion, oil, and scented deodorants. Staff members are encouraged to inform their supervisor or Department Head/Elected Official if a reasonable accommodation is required regarding their reaction to a scented product. The County may request reasonable documentation to support the accommodation request. The County may instruct County employees to stop coming to work with scented substances that bother their fellow employees.

<b>SUBJECT:</b>	Hours of Work and Meal Breaks	<b>POLICY NUMBER:</b>	RC-4.001
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
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## HOURS OF WORK, TIME REPORTING, WAGES

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### Hours of Work and Meal Breaks

County positions are vital to effectively managing County business during operating hours and, therefore, County employees shall follow established work schedules, receive prior approval from their supervisor to deviate from normal schedules, and use proper procedures for notification of daily work hours in accordance with this policy and the policy set forth in [Timekeeping and Record of Attendance](#) policy herein.

The workweek begins at 12:00 a.m. on Monday morning and ends at 11:59 p.m. on Sunday night. Except as otherwise provided by labor agreements, the normal working hours for administrative or office-based employees are from 8:00 a.m. to 5:00 p.m., with one-hour unpaid lunch period. This does not include personnel engaged in shift work, nor does it limit management’s ability to assign alternate shifts. If a position is part of a Collective Bargaining Unit (i.e. Union), the employee should refer to that agreement for information about hours of work, meal periods, and rest breaks. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. Supervisors set individual work schedules depending on the office/departments’ needs.

Due to the nature of work, hours for employees may vary from the normal office hours established above. Variances must be approved by the appropriate Department Head/Elected Official. Nothing in the Policy limits the County from establishing or changing work schedules as necessary for the successful operation of County programs.

Each department shall maintain daily attendance records, including date and time absent and reason for absence. Tardiness or other attendance irregularities shall be cause for disciplinary action.

#### **Rest Breaks**

Employees may have a rest break of fifteen-minutes on the County’s time, for each four-hour work period. Rest periods shall be scheduled as near as possible to the midpoint of each four-hour work period. Breaks cannot be combined or saved to be used for a paid lunch or to leave early.

<b>SUBJECT:</b>	Attendance and Punctuality	<b>POLICY NUMBER:</b>	RC-4.002
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Attendance and Punctuality

Ravalli County expects that their employees will work a full day for a full day's pay. Employees are expected to be at their assigned work stations, and ready to work at the start of their assigned shifts.

Vacations must be scheduled with one's supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted all available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps.

**A no-call/no- show lasting three days will be considered job abandonment and will be deemed an employee's voluntary resignation of employment.**

<b>SUBJECT:</b>	Timekeeping and Record of Attendance	<b>POLICY NUMBER:</b>	RC-4.003
<b>REFERENCE:</b>	Public Drive: HR and Payroll folder/Time Clock Trainings CFR 29 541-710 MCA 7-4-2521	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Decedent's Warrant	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Timekeeping and Record of Attendance

### Timekeeping

In order to prepare County payrolls, it is the policy of the County to have employees prepare and complete timekeeping electronically according to established guidelines. The time record will include:

- Employee name
- Department
- Pay period
- Hours to be compensated, broken down on a daily basis into hours worked
- Holiday time
- Sick leave
- Compensatory time
- Vacation
- Leave without pay or other designated leave (e.g. FMLA etc.).
- Employee acknowledgement
- Supervisor acknowledgement

Exempt employees are required to complete timekeeping electronically reflecting work time, leave time, and other hours applicable to County employment under the principle of accountability of public employees.

Electronic timekeeping should be entered daily to ensure accuracy of records and approved by the employee by the day following the end of the pay-period. This will allow timely supervisor approval and payroll processing.

<b>SUBJECT:</b>	Wage Increases	<b>POLICY NUMBER:</b>	RC-4.004
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Wage Increases

Ravalli County works on an adopted budget, which is limited by the revenues that are collected for the County. Positions in the County are compensated competitively in Ravalli County Based on the County's overall economy.

Ravalli County does not give merit based raises.

### **Longevity**

Ravalli County employees who are not subject to a CBA (Collective Bargaining Agreement) will receive longevity based on their time in continuous service, with the County. Longevity will be calculated on an employee's anniversary date and will equal 1% of the employee's current base wage and will increase the employee's base wage by that amount.

Employees working in temporary, short-term or seasonal positions that are grant-funded for educational purposes that are hired into a permanent role may not carry the longevity from the educational role into the permanent role.

### **COLA – Cost of Living Adjustment**

COLA is set annually by the Board of County Commissioners. Ravalli County employees who are not subject to a CBA (Collective Bargaining Agreement) may receive a COLA adjustment in the fall retroactive to July 1<sup>st</sup>, contingent upon the approved budget. COLA is based on budget constraints and is not guaranteed. Any COLA adjustments will not be set until the final budget approval, typically in September.

<b>SUBJECT:</b>	Overtime and Compensatory Time	<b>POLICY NUMBER:</b>	RC-4.005
<b>REFERENCE:</b>	FLSA 207(o) through FLSA 207 (o)(7)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Overtime and Compensatory Time

Employees who anticipate the need for overtime to complete the week’s work must notify the Department Head/Elected Official in advance and obtain approval before working hours that extend beyond their normal schedule.

Non-exempt Department Heads must obtain permission from the Board of County Commissioners prior to working any overtime. Non-exempt Department Heads are expected to flex their workweek whenever possible in order to avoid accumulating overtime.

Department Head/Elected Officials shall ensure that all overtime and compensatory time earned and used is recorded appropriately on the employee’s timekeeping as it occurs.

The workweek begins at 12:00 a.m. on Monday morning and ends at 11:59 p.m. on Sunday night.

### **Non-Exempt Overtime Pay**

Non-exempt employees ( an employee in a position not meeting the definition of *exempt* as defined by the Fair Labor Standards Act, Montana Minimum Wage and Overtime Compensation Act) ) may receive overtime compensation for hours worked in excess of forty hours per week at the rate of 1 ½ times the regular hourly rate of pay. Absences while in a leave status (e.g., annual leave, sick leave, personal leave, etc.) shall not be considered hours worked for the purpose of calculating overtime payments or compensatory time earned.

Overtime applies only after forty hours of actual work, not hours paid. Time taken as leave or holidays is not considered hours worked. Paid leave, such as holiday, sick or vacation pay, does not apply toward work time. Time spent in job-related meetings, courses, and training programs will generally count as time worked. An exception may apply if the employee’s attendance is truly voluntary, is outside normal working hours, does not relate directly to the job, and if the employee does not perform productive work while attending the meeting or program.

### **Non-exempt Compensatory Time**

Non-exempt employees may receive compensatory time off in lieu of overtime payment if this is mutually agreed upon between the employee and the Department Head/Elected Official. Compensatory time for non-exempt employees shall be earned at the rate of 1 ½ hours for each hour worked in excess of forty hours per week. Employees may accrue a maximum of forty compensatory time hours. Employees who have accrued compensatory time and request use of this compensatory time shall be permitted to use the time off within a reasonable time after making the request, if the use does not unduly disrupt the operations of the County. An employee shall, upon termination of employment, be paid for unused accumulated compensatory time.



<b>SUBJECT:</b>	Overtime and Compensatory Time	<b>POLICY NUMBER:</b>	RC-4.005
<b>REFERENCE:</b>	FLSA 207(o) through FLSA 207 (o)(7)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

The Department Head/Elected Official shall have the authority to approve overtime and compensatory time. No employee shall work overtime of compensatory hours without the prior knowledge and approval of the Department Head/Elected Official.

**Exempt Compensatory Time**

Exempt employees are identified using the criteria listed in the Federal Labor Standards Act (FLSA). Exempt employees do not receive overtime pay. If authorized by the County Commission, exempt employees may receive compensatory time off for hours worked in excess of forty hours per week at the rate of one hour for each hour worked in excess of forty hours. Exempt employees may accrue of maximum of forty compensatory hours. The Department Head/Elected Official shall give prior authorization for all hours worked in excess of forty hours per week. No compensation for unused compensatory time shall be allowed at any time or paid out at termination.

Absences while in a leave status (e.g., annual leave, sick leave, personal leave, etc.) shall not be considered hours worked for the purpose of calculating overtime payments or compensatory time earned.

<b>SUBJECT:</b>	On-Call Duty	<b>POLICY NUMBER:</b>	RC-4.006
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## On-Call Duty

The County recognizes that it may be necessary for various departments to require employees to be available on an on-call basis. It is the County’s general policy that on-call assignments should be kept to a minimum. The following procedures and guidelines shall apply:

1. Some employees shall be required by their supervisor to carry a pager, cell phone, or be able to be reached immediately while not at work, in the event it is necessary for them to respond or report to work within a specified period of time. Such on-call duty is necessary to deal with after-hours situations, emergencies, or as the workload of the department requires.
2. Compensation information for employees required to perform on-call duty shall be available from the Department Head/Elected Official or Human Resources.

<b>SUBJECT:</b>	Stipends	<b>POLICY NUMBER:</b>	RC-4.007
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Stipends

A stipend is a fixed amount of money typically given for specific services or specific job duties not included in an employee’s standard Job Description. Stipends are not considered an increase to the employee’s base salary and are not included when calculating COLA or longevity. Should the duties for which the stipend is being paid ends, or those duties are transferred to another employee, the stipend will end. The granting or removal of a stipend is at the Board of County Commissioners discretion and cannot be grieved.

All stipends should detail on the action form specifics of the services or job duties added to the employee for the stipend. The Employee Action Form should also note that the stipend may be removed at any time the specific services or job duties end, are transferred to another employee or at the discretion of the Board of County Commissioners.

When considering a stipend, it must be clarified if the stipend is to be given on “all hours paid” or on “all hours worked.” The designation is dependent on both the complexity of the additional responsibilities and the amount of time devoted to duties for which the stipend is granted. Typically, stipends are for all hours actually worked, as stipends are meant to compensate employees for performing a specific task, duties or responsibilities. The stipend designation as either “all hours paid” or “all hours worked” must be approved by the Board of County Commissioners and noted on the Employee Action Form accompanying the stipend approval.

- All hours paid – stipend is paid on all hours when the employee is in a paid status including holidays, vacation and sick time.
- All hours worked – stipend is paid only on hours worked while performing those duties specific to the stipend, but NOT on Holiday’s, vacation and sick time.

<b>SUBJECT:</b>	Payment of Wages	<b>POLICY NUMBER:</b>	RC-4.008
<b>REFERENCE:</b>	MCA 39-3-205	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Payment of Wages

Salary payments are made semi-monthly and paydays are usually on the 15<sup>th</sup> and the last day of the month. Pay periods are from the 24<sup>th</sup> through the 8<sup>th</sup> of the month paid on the 15<sup>th</sup> and from the 9<sup>th</sup> through the 23<sup>rd</sup> paid on the last day of the month. Should payday fall on the weekend, Ravalli County will make every effort to issue paychecks on Friday, prior to the weekend. If the normal payday falls on a County-recognized holiday, paychecks will be distributed one workday before the aforementioned holiday.

Overtime payment, which is included with the nonexempt employee's base salary payment, is also paid semi-monthly with such payment covering hours worked in the prior pay period.

Payroll may be distributed by direct deposit with proper authorization from the employee. Paychecks may be picked up from the Finance Department. An employee's paycheck may be released to the employee's spouse, designated family member, or another person only if authorized in writing by the employee.

In the event of a lost paycheck, the Finance Department must be notified in writing as soon as possible and before a replacement check can be issued. In the event the lost paycheck is recovered and the County identifies the endorsement as that of the employee, the employee must remit the amount of the replacement check to the company within twenty-four hours of the time it is demanded.

If an employee wants to change, the number of exemptions previously claimed, a new Form W-4 must be submitted to the Human Resource department.

### **Payment Upon Termination**

When an employee is terminated or laid off, the County may pay the employee's final wages on the next regularly occurring payday for the pay-period that includes the last day the employee worked, or within fifteen calendar days, whichever occurs first. Final payout of accumulated vacation, sick leave and compensatory time will be paid out in the week following the issuance of the final paycheck. Employees termination date may not be extended beyond the last day worked with use of vacation, sick or compensatory time.

### **Decedent's Warrant**

Employees may file a designation of a person who, notwithstanding any other provision of law, is entitled, on the death of the employee, to receive all warrants or paychecks that would have been payable to the decedent. Employees should periodically review their designee and update if needed. A designated person shall claim the warrants or paychecks from the County clerk, and on sufficient proof of identity, the County clerk shall reissue the warrant or paycheck in the name of the designated person and deliver the warrant or paycheck to the designated person.

<b>SUBJECT:</b>	Grant Funded Employees	<b>POLICY NUMBER:</b>	RC-4.009
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Grant Funded Employees

All employees funded by grants fall under the County’s personnel policy. Continued/long term employment for employees whose positions are funded by grants is dependent on their performance and the continuation of the grant funding. Changes in funding levels for the various grants will affect the employees who are grant funded. Should the grant funding end, the position will be eliminated and the grant funded employee will have their employment terminated.

Wages for grant-funded employees are set by the Commissioners annually and are based on the grant amount.

The Department Head/Elected Official and/or the grant-funded employee do not have the authority to set their own pay rates without the approval of the Board of County Commissioners. When completing grant applications, the person requesting the grant must contact the Finance Department to have them calculate the costs (salary and benefits) for the grant-funded employee(s) to be included with their grant application.

<b>SUBJECT:</b>	Holidays	<b>POLICY NUMBER:</b>	RC-5.001
<b>REFERENCE:</b>	MCA 1-1-216, MCA 2-18-603 Fair Labor Standards Act, US Department of Labor	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## EMPLOYEE LEAVE

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### Holidays

#### **Eligibility and Holiday Benefit Calculations:**

Holiday leave is a paid absence from work provided to eligible permanent, seasonal, and temporary employees on legal state holidays. To be eligible, employees must be in a paid status the last regularly scheduled working day immediately before the holiday or on the employee's first regularly scheduled working day immediately after the holiday. If the observed holiday falls on a regularly scheduled day off, except Sunday, the employee is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday, whichever allows a day off in addition to the employees regularly scheduled day off.

Annual vacation leave taken on a legal holiday shall not be charged to an employee's annual vacation leave for that day.

An employee shall not be eligible to receive holiday benefits if:

- The employee is a new employee to County government and begins work on the day after a holiday is observed; or
- The employee is reinstated or reemployed following a reduction in force, returns to work following a leave of absence without pay of more than one pay period or a disciplinary suspension, or is called back to seasonal or temporary employment on the day after a holiday is observed.

#### **The County Observes the Following Holidays:**

- New Year's Day, January 1
- Martin Luther King Day, the third Monday in January
- Lincoln's and Washington's Birthday (President's Day), the third Monday in February
- Memorial Day, the last Monday in May
- Independence Day, July 4
- Labor Day, the first Monday in September
- Columbus Day, the second Monday in October
- State General Election, even number years
- Veteran's Day, November 11
- Thanksgiving Day, the fourth Thursday in November
- Christmas Day, December 25

<b>SUBJECT:</b>	Holidays	<b>POLICY NUMBER:</b>	RC-5.001
<b>REFERENCE:</b>	MCA 1-1-216, MCA 2-18-603 Fair Labor Standards Act, US Department of Labor	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

### **Holidays Falling on Weekends**

If any holiday falls upon a Sunday, the Monday following shall be the observed holiday. When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday, except as provided for in the next paragraph.

### **Part-Time Employee Benefits**

Part-time employees receive holiday benefits on a prorated basis (MCA 2-18-603).

Holiday benefits are based upon an average of the employee's regularly scheduled work hours. To find the average, the number of hours regularly scheduled to work in a pay period in which the holiday falls shall be divided by the number of working days in a pay period. Holiday benefits shall not exceed eight hours.

If the pay period in which the holiday falls is not characteristic of the employee's regular schedule, the County has the discretion to approximate the employee's schedule for purposes of determining holiday benefits.

If a part-time employee usually receives the holiday off but the County requires a part-time employee to work on the day a holiday is observed, the employee shall be compensated for all hours actually worked on a holiday and the holiday benefits as provided in the next paragraph.

### **Pay for Work Performed on a Holiday:**

A permanent, temporary, or seasonal full-time employee, whose regular schedule calls for the employee to work on the day a holiday is observed, shall receive eight hours of holiday benefits. The employee usually receives the holiday off. However, the County reserves the right to require an employee to work on the day a holiday is observed.

A full-time employee who is designated as non-exempt under the Fair Labor Standards Act (FLSA) and who works on the day a holiday is observed shall be paid for all hours actually worked. In addition, under the benefit provided for in this policy, the employee shall receive either a paid day off at the regular rate at a later date (exchanged) or overtime pay as described below, at the County's discretion.

- a) If the holiday benefit is exchanged, the employee shall receive pay at the regular rate for every hour worked on the holiday.
- b) If the holiday benefit is to be paid, not exchanged, the employee shall receive overtime pay or compensatory time (regular rate x 1.5) for all hours worked on the holiday.

If an employee does not work a regular schedule and is called in to work on the holiday, the employee shall receive pay at the regular rate for every hour work on the holiday. An employee shall receive

<b>SUBJECT:</b>	Holidays	<b>POLICY NUMBER:</b>	RC-5.001
<b>REFERENCE:</b>	MCA 1-1-216, MCA 2-18-603 Fair Labor Standards Act, US Department of Labor	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

overtime or compensatory time for actual hours worked that exceed forty in a workweek, in compliance with the overtime policy.

An employee who is exempt from the FLSA and who receives approval to work on the holiday may receive paid time off equivalent to the number of hours worked (exchange the holiday for another day).

In the case of both non-exempt and exempt employees, when they request to use the exchanged holiday but the interest of the County requires the employee's attendance, the County's interest overrides that of the employee.



<b>SUBJECT:</b>	Annual Leave	<b>POLICY NUMBER:</b>	RC-5.002
<b>REFERENCE:</b>	MCA 2-18-611, MCA 2-18-617	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Annual Leave

Annual vacation leave or annual leave is an authorized paid absence from work. Permanent, seasonal, and temporary employees are eligible to earn annual leave. An employee begins earning annual leave on the first day of employment, and must complete six calendar months of continuous employment to use annual leave or to cash it out upon termination.

### **Procedures for Calculating Annual Leave, Accumulating Credits, Scheduling, and Termination**

Annual leave is calculated and credited each pay period based on years of service with any Montana state agency or political subdivision as illustrated in the chart below, and an employee can use it only after earning it. If an employee is part-time, he/she earns annual leave on a prorated basis (for example, if an employee works twenty hours per week, or half-time, he/she will earn leave at half of the full-time rate). An employee does not accrue leave for hours in an unpaid status or based on hours in an overtime status.

<b>Rate Earned Schedule</b>	
<b>Years of Employment*</b>	<b>Working Days Credit Per Year</b>
1 day through 10 years	15
10 years through 15 years	18
15 years through 20 years	21
20 years or more	24

\* Years of service need not be consecutive, and prior Montana public employment or military service may apply.

An employee must request to schedule annual leave. To schedule vacation time, employees must submit a request to the supervisor at least two weeks before the requested leave. Employees must ensure that they have enough accrued leave available to cover the dates requested. Approval or denial of leave is based on the department's and employee's interests, and management reserves the right to deny requests. The total number of annual leave hours approved may not exceed the number of hours in a regular workweek.

An employee may accumulate an annual leave balance of up to two times the eligible accrual rate per year. Balances exceeding this limit are "excess." Except as provided in this policy, excess annual vacation leave may be forfeited unless used within ninety calendar days from the last day of the calendar year in which the excess leave was accrued.

Department Head/Elected Officials are responsible for actively managing annual vacation leave for employees by providing reasonable opportunity for an employee to use rather than forfeit accumulated

<b>SUBJECT:</b>	Annual Leave	<b>POLICY NUMBER:</b>	RC-5.002
<b>REFERENCE:</b>	MCA 2-18-611, MCA 2-18-617	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

annual vacation leave as provided in MCA 2-18-617. To avoid forfeiture of annual leave, management is encouraged to work with employees who have excess vacation leave balances as early as possible in the ninety-day grace period or at an earlier time if the employee’s leave balance is projected to exceed two times the annual vacation accrual rate.

Employees are responsible for making a reasonable written request to use excess annual leave during the ninety-day grace period. Agency management may approve all, some, or none of the employee’s request by written response. If the original request is not approved, management and the employee may negotiate alternate leave dates during the ninety-day grace period. If management denies all or any portion of the written request, management and the employee must work together to ensure that the employee may use the excess annual leave before the end of the calendar year. Any excess annual leave not used by the end of the calendar year in which the grace period was extended must be forfeited.

If an employee terminates employment after the eligibility period, he/she can receive cash compensation at the regular rate, unless the termination was for a reason reflecting discredit on the employee.

**Permanent Full-time Employees**

Permanent full-time employees earn annual vacation leave credits from the first day of employment. They are not entitled to annual vacation leave with pay until they have been employed for six qualifying months.

**Permanent Part-time Employees**

Permanent part-time employees earn prorated annual vacation leave credits from the first day of employment. They are not entitled to annual vacation leave with pay until they have been employed for six qualifying months. Prorated annual vacation leave credits are calculated using the following schedule multiplied by the hours in pay status in the pay period. Prorated annual vacation leave credits are to be reported by rounding to two digits beyond the decimal point and carried in each employee’s account in that configuration.

<b>Rate Earned Schedule</b>	
<b>Years of Employment</b>	<b>Hours in the Pay Status in the Pay Period</b>
1 day through 10 years	.058 x # of hours
10 years through 15 years	.069 x # of hours
15 years through 20 years	.081 x # of hours
20 years or more	.092 x # of hours

<b>SUBJECT:</b>	Annual Leave	<b>POLICY NUMBER:</b>	RC-5.002
<b>REFERENCE:</b>	MCA 2-18-611, MCA 2-18-617	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

**Temporary Full-time Employees**

Temporary full-time employees receive the same annual vacation leave credits as permanent full-time employees but may not use the credits until after working for six qualifying months.

**Temporary Part-time Employees**

Temporary part-time employees earn the same prorated annual vacation leave credits as permanent part-time employees, but may not use the credits until after working for six qualifying months.

**Seasonal Full-time Employees**

Seasonal full-time employees earn the same annual vacation leave benefits as permanent full-time employees, but may not use the credits until after working for six qualifying months. In order to qualify, they must be recalled and immediately report back for work when operations resume in order to avoid a break in service.

**Seasonal Part-time Employees**

Seasonal part-time employees receive the same annual vacation leave benefits as permanent part-time employees, but may not use the credits until after working for six qualifying months. In order to qualify, they must be recalled and immediately report back to work when operations resume.

**Short-term Employees**

Short-term workers do not receive annual vacation leave credits.

<b>SUBJECT:</b>	Sick Leave	<b>POLICY NUMBER:</b>	RC-5.003
<b>REFERENCE:</b>	MCA 2-18-618, MCA 2-18-1311 MCA 2-18-606	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Sick Leave

The County follows Montana law on the qualification, accrual, and use of sick leave. Sick leave is an authorized paid leave of absence from work when an eligible employee or qualifying family member is sick and requires care. Accumulated sick leave credits are a valuable resource that maintains an employee's income during a period of personal illness or family emergency.

An employee cannot request leave in excess of hours regularly schedule to work.

### **Qualification and Calculation**

Employees are not entitled to use paid sick leave until they have been continuously employed for ninety days. Permanent, temporary, and seasonal full-time employees earn sick leave credits from the first full day of employment at the rate of one working day per month without restriction as to the number of working days, which may be accumulated. The provisions of MCA 2-18-618 govern sick leave for County employees. Short-term workers do not earn sick leave credits.

An employee must request to use sick leave by first informing their supervisor of the need and then completing a sick leave request form.

For calculating sick leave credits 2,080 (52 weeks x 40 hours) equals one year. Sick leave credits shall be earned and credited at the end of each pay period. Prorated sick leave credits are calculated by multiplying .046 by the number of hours worked, excluding overtime. Credits are to be recorded by rounding to two digits beyond the decimal point and carried in each employee's account in that configuration.

### **Leave Without Pay, Holiday, or Vacation Stipulations**

Employees do not accrue sick leave credits during a leave of absence without pay. Sick leave taken on a legal holiday shall not be charged to an employee's sick leave for that day. With the Department Head/Elected Official approval, an employee may substitute sick leave credits for annual vacation leave, if the employee becomes sick while on approved annual vacation leave. Advancing sick leave after an employee's earned sick leave credits have been exhausted is prohibited.

### **Payment Upon Termination**

Upon termination, an employee who has worked the qualifying period shall be entitled to a lump sum payment in the amount equal to one-fourth (25%) of the amount attributed to accumulated sick leave. The pay attributed to the accumulated sick leave must be computed on the basis of the employee's salary or wage at the time the employee terminates employment with the County.

### **Use of Sick Leave**

Sick leave is granted for:

- time off when an employee is unable to perform job duties because of physical or mental illness, injury or disability;

<b>SUBJECT:</b>	Sick Leave	<b>POLICY NUMBER:</b>	RC-5.003
<b>REFERENCE:</b>	MCA 2-18-618, MCA 2-18-1311 MCA 2-18-606	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

- maternity or pregnancy-related disability or treatment, including prenatal care, birth, or other medical care for either employee or child;
- parental leave as provided in MCA 2-18-606;
- quarantine resulting from exposure to contagious disease;
- consultation, examination, or treatment by a licensed health care provider;
- short-term attendance to an immediate family member or, at an agency's discretion, another relative because of physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
- necessary care of a spouse, child, or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993; and
- death or funeral attendance of an immediate family member or, at the discretion of Ravalli County Board of County Commissioners', another person.

**Reporting**

Absences which will necessitate use of sick leave shall be reported by the employee to the supervisor or Department Head/Elected Official as soon as it is practical. Failure to report such leave within two hours of employee's regularly scheduled starting time may be considered absence without approved leave. Absences without approval are grounds for disciplinary action

**Abuse**

Abuse of sick leave may be cause for dismissal, forfeiture of payment for accumulated sick leave, or other disciplinary action. Sick leave abuse occurs when an employee uses sick leave for unauthorized purposes or misrepresents the actual reason for charging an absence to sick leave. Abuse may also occur when an employee establishes a pattern of sick leave usage over a period of time. The employee's supervisor may require an employee to submit a medical certification signed by a licensed physician to substantiate use of sick leave.

**Medical Certification**

The employer may require a medical exam when an employee is returning to duty following an illness or absence due to injury and the County has a reasonable belief, based on objective evidence, that the employee's ability to return to duty and perform the job is impaired by a medical condition or that the employee will pose a direct threat to self or others.

<b>SUBJECT:</b>	Direct Grant of Sick Leave	<b>POLICY NUMBER:</b>	RC-5.004
<b>REFERENCE:</b>	MCA 2-18-618-2-18-1311	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Direct Grant of Sick Leave Authorization	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Direct Grant of Sick Leave

Direct Grant of Sick Leave is established to allow County employees to share accrued sick leave between employees, according to the following procedures. A grant of sick leave may be available to a qualifying employee who suffers an extensive illness or accident, or an immediate family member of the Employee requires care or attendance by the employee that prevents the employee from working. The employee must:

- Have met the ninety-day qualifying period to take sick leave in accordance with County [Sick Leave policy](#).
- Experience an extensive illness or accident which results in, or will result in, an absence from work of no less than ten consecutive working days and;
- must have exhausted all personally accrued sick leave, annual leave, all other leave and compensatory time and;
- Receive approval from the Department Head/Elected official or the Board of County Commissioners.
- Provide their Department Head/Elected Official or Human Resources a physician's certification of extensive illness or injury.

### **Prohibited Uses**

An employee shall not receive direct grants of sick leave:

- if the employee is eligible for workers' compensation benefits;
- if the employee is no longer employed by the County; or
- while the employee is on a leave of absence without pay for a reason other than extensive illness or accident.

### **Eligibility to Make a Direct Grant**

- To be eligible to make a direct grant of sick leave, an employee shall have completed the ninety-day qualifying period to take sick leave (Section 2-18-618 MCA) and shall have a minimum balance of forty hours of accrued sick leave remaining in the granting employee's account following the contribution. The minimum balance for a part-time employee shall be prorated.
- An employee may directly grant a maximum of forty hours of accrued personal sick leave in any continuous twelve-month period. The twelve-month period is calculated from the first day an employee makes a direct grant.
- An employee may make a direct grant of sick leave to an eligible employee in any County department.

### **Eligibility to Receive Direct Grant(s)**

<b>SUBJECT:</b>	Direct Grant of Sick Leave	<b>POLICY NUMBER:</b>	RC-5.004
<b>REFERENCE:</b>	MCA 2-18-618-2-18-1311	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Direct Grant of Sick Leave Authorization	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

- a) An employee may receive no more than a maximum of 160 hours of sick leave in any continuous twelve-month period in direct grants. Leave granted to a part-time employee shall be prorated.
- b) The twelve-month period is calculated from the first day the employee takes sick leave, which is a direct grant.
- c) No employee is eligible to receive direct grants of sick leave without the approval of the Department Head/Elected Official or the Board of County Commissioners.
- d) If an employee is incapacitated and unable to apply for leave of absence or direct grants, the employee's Department Head/Elected Official may do so on behalf of the employee.
- e) An employee may receive a direct grant of sick leave to provide necessary care of, or attendance to, an immediate family member. The maximum allowable time for this purpose is eighty hours.

**The Ravalli County Board of County Commissioners may grant exceptions to this policy.**

<b>SUBJECT:</b>	Military Leave	<b>POLICY NUMBER:</b>	RC-5.005
<b>REFERENCE:</b>	MCA 10-1-1001 – 10-1-1009, US Department of Labor Compliance Assistance Uniformed Services Employment and Reemployment Rights Act (USERRA), Montana Military Service Employment Rights Act (MMSERA)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Active Duty Benefits Form, Active Duty Reinstatement Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Military Leave

### **Procedures under the Montana Military Service Employment Rights Act**

The Montana Military Service Employment Rights Act (MMSERA) provides paid military leave for eligible County employees. This benefit supports employees in fulfilling military obligations and compensates employees for loss of income due to time spent performing military service.

Employees who are members of the Montana Army, Air National Guard or Armed Forces Reserves (active or inactive duty), and are permanent, or seasonal employees or student interns become eligible for paid military leave after *six continuous months* of employment. Time spent in a leave of absence without pay status does not count toward the six-month requirement.

Eligible full-time employees earn 120 hours of paid military leave each calendar year (prorated for part-time employees). Employees cannot earn more than 120 hours of paid military leave per calendar year, and cannot accrue more than 240 hours (prorated for part-time employees). Once employees reach the maximum, they do not accrue additional paid military leave until their balance drops below 240 hours (or the prorated limit for part-time employees). Employees do not accrue paid military leave during leaves of absence without pay unless the leave is for military duty. The County does not cash out unused military leave when employees terminate employment.

Employees must request military leave according to the policy or procedure established by their department. Employees must provide their supervisor and Human Resources with a copy of the orders that direct them to report for duty, and should give as much advance notice as possible (i.e., as soon as they learn of the need to take military leave).

Employees may also use paid military leave intermittently with leave without pay while performing military service. Supervisors may grant paid military leave only for hours the employee normally works, and may deny paid military leave if it results in overtime. When employees are taking authorized paid military leave, they shall receive regular salary and benefits. If active duty is more than 31 days, employees need to evaluate options regarding benefits and complete an Active Duty Benefits Election Form and an Active Duty Reinstatement Form.

Employees who are eligible to be reemployed must be returned to employment with the same seniority, status, pay, health insurance, pension, and other benefits as the member would have been eligible for if the member had not been absent for the state military duty unless:



<b>SUBJECT:</b>	Military Leave	<b>POLICY NUMBER:</b>	RC-5.005
<b>REFERENCE:</b>	MCA 10-1-1001 – 10-1-1009, US Department of Labor Compliance Assistance Uniformed Services Employment and Reemployment Rights Act (USERRA), Montana Military Service Employment Rights Act (MMSERA)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Active Duty Benefits Form, Active Duty Reinstatement Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

- the member is no longer qualified to perform the duties of the position, subject to the provisions of MCA 49-2-303 prohibiting employment discrimination because of a physical or mental disability;
- the member's position was temporary and the temporary employment period has expired;
- the member's request to return to employment was not done in a timely manner as defined in MCA 10-1-1007(3);
- the employer's circumstances have changed so significantly that the member's continued employment with the employer cannot reasonably be expected; or
- the member's return to employment would cause the employer an undue hardship;
- the member did not inform the employer at the time of hire that the member was a member of the state's organized militia or the national guard of another state; or
- the member enlisted in the state's organized militia or another state's national guard during the course of employment with the employer and did not inform the employer of the enlistment.

#### **Uniformed Services Employment and Reemployment Rights Act Procedures**

An employee ordered to federally funded military service is entitled to all of the rights provided pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees have the right to be reemployed in their last County job, or the job they would have attained had they not been absent for military service, if they:

- leave that job to perform service in the uniformed service and they provide advance written or verbal notice of the service;
- have five years or less of cumulative service in the uniformed services while with the County;
- have not been separated from service with a disqualifying discharge or under other than honorable conditions.

<b>SUBJECT:</b>	Jury and Witness Duty Leave	<b>POLICY NUMBER:</b>	RC-5.006
<b>REFERENCE:</b>	MCA 2-19-619	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Jury and Witness Duty

Jury and witness duty leave provide paid time off for permanent, seasonal, and temporary County employees who receive a legal summons or subpoena to serve on a jury or as a witness.

### Notification and Leave Request

An employee shall request leave using the request procedures established by their department. An employee must inform their supervisor of the date(s) and anticipated length of the absence as soon as possible after receiving a summons or subpoena, and provide a copy of the summons or subpoena with the leave request.

### Pay Options

If an employee is subpoenaed or summoned, they have two choices regarding pay and expenses:

- Use accrued annual leave or compensatory time for the time away from work, and keep the fees and allowances paid for service as a juror or witness; or
- Receive regular pay and benefits while on approved jury duty or witness leave, and remit the fees and allowances received for service as a juror or witness to the Finance Department within three days of receipt.

Employees must notify their supervisor of their choice upon requesting leave. A part-time employee shall receive prorated compensation for those hours the employee is scheduled to work.

### Expense Claims and Return to Work

Employees who serve as a juror may submit a claim for expenses. If they serve as a witness, they may submit a claim for expenses only if the appearance was for work-related reasons. Employees who receive payment from the court of a third party for the same expenses must return such dual payments to the County. If they use their personal vehicles and receive a mileage allowance from the court, they may keep the funds. If a County vehicle is used, they must return any mileage allowance to the County.

Employees who receive a subpoena to testify in connection with their official duties in a civil action where the County is not a party may be required by management to reimburse such funds for the compensation and benefits paid from the person or entity requesting issuance of the subpoena.

Employees who take leave to serve on a jury or as a witness must return to work on the next regularly scheduled shift upon release from duty. If the shift is in progress at the time of release, they must either return to work immediately or arrange with their supervisor to return at a later specified time.

<b>SUBJECT:</b>	Bereavement Leave	<b>POLICY NUMBER:</b>	RC-5.007
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Bereavement Leave

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately. Bereavement leave will be granted unless there are unusual business needs or staffing requirements.

All Bereavement Leave will be charged against the employee's Sick leave credits.

Paid bereavement leave is granted according to the following schedule:

- Employees are allowed four consecutive days (five consecutive days if the funeral which the employee attends is more than 500 miles from the workplace) of paid leave to attend or make arrangements for a funeral of a member of the employee's immediate family.
  - "Immediate" family means the employee's spouse and any member of the employee's household or any parent, child, sibling, grandparent, grandchild or corresponding in-law
- Employees are allowed up to four hours of bereavement leave to attend the funeral of an employee or retiree of the County.

This policy does not limit an employee's ability to take additional time off during their time of bereavement using Vacation leave or accumulated Compensatory Time if that time is available.

<b>SUBJECT:</b>	Maternity and Parental Leave	<b>POLICY NUMBER:</b>	RC-5.008
<b>REFERENCE:</b>	Montana Human Rights Bureau: Rights of Pregnant Employees MCA 49-2-310 and 311, Parental Leave for State Employees, MCA 2-18-606	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Maternity and Parental Leave

The maternity and parental leave policy provides for unpaid leave for eligible employees associated with the birth or placement of a child. It is unlawful for the County to terminate a woman’s employment because of her pregnancy. Even if she is ineligible for sick leave or FMLA leave, a woman is still eligible for maternity leave; and she/he may be eligible for parental leave.

Maternity and Paternal leave run concurrently with FMLA.

Maternity or parental leave must be requested in accordance with the procedures established by the employee’s department. Employees should give at least 30 days’ advance oral or written notice of the need for leave, or as soon as practical when advance notice is not possible.

### Maternity Leave

Maternity leave is an unpaid leave of absence available to female employees for temporary disability because of pregnancy and delivery. Montana law requires female employees receive a reasonable leave of absence for maternity leave. “Reasonable leave” is determined case-by-case and is based upon the employee’s ability to perform her job. The Montana Human Rights Bureau provides guidance regarding what is reasonable leave, stating that an employee is entitled to a reasonable leave of absence for the temporary disabilities associated with childbirth, delivery, and related medical conditions. The employer may not place restrictions on the leave, which would not apply to leaves of absence for any other valid medical reason.

In the case of normal pregnancy and delivery, the state assumes a minimum of six calendar weeks after the birth of a child as a reasonable period for recovery. Leave may be longer if the employee is unable to perform her job prior to delivery or if additional leave after delivery related to the pregnancy is needed and reasonable. Employees are not required to obtain medical certification of temporary disability for the initial negotiated leave following the birth of a child. Employees may voluntarily return to work before their agreed-to maternity leave expires, if they desire and inform the County.

### Parental Leave

Parental leave applies to both male and female employees. If the employee has FMLA leave available, that leave shall be used instead of parental leave. However, if no FMLA leave is available, parental leave is an unpaid leave of absence for permanent, seasonal, and temporary employees not to exceed fifteen working days immediately following the birth or placement of a child (e.g., if the employee is adopting a child or is a birth father). Department Head/Elected Officials may approve less than fifteen working days if they determine the length of leave requested is unreasonable. The Department Head/Elected Official must provide a written response explaining why the request is unreasonable, and include the length of

<b>SUBJECT:</b>	Maternity and Parental Leave	<b>POLICY NUMBER:</b>	RC-5.008
<b>REFERENCE:</b>	Montana Human Rights Bureau: Rights of Pregnant Employees MCA 49-2-310 and 311, Parental Leave for State Employees, MCA 2-18-606	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

leave considered reasonable and approved. Employees may be required to provide documentation for the use of parental leave.

Both maternity and parental leaves are unpaid. However, employees may request to use accrued paid leave concurrently with maternity or parental leave, according to County policy applicable to the type of leave requested.

<b>SUBJECT:</b>	Family Medical Leave Act (FMLA)	<b>POLICY NUMBER:</b>	RC-5.009
<b>REFERENCE:</b>	Federal Family Medical Leave Act of 1993 (FMLA)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) provides eligible employees up to twelve weeks of unpaid, job-protected leave for certain family and medical reasons, and up to twenty-six weeks to care for a covered service member with a serious injury or illness sustained in the line of duty.

### Eligibility

To be eligible for FMLA leave, the employee must have worked for the County for a total of twelve months minimum, and for at least 1,250 hours during the twelve-month period immediately preceding the leave.

### Duration

Eligible employee may take up to twelve weeks within a twelve-month period. The twelve weeks of leave may be taken in a single block of time or, if medically necessary, on an intermittent basis or a reduced schedule. When the leave is taken for childbirth or placement of a child for adoption or foster care, intermittent or reduced leave schedules are subject to approval.

### Qualifying Reasons for FMLA Leave

Under the FMLA, the County must grant twelve weeks of unpaid leave, or paid contingent upon available leave balances and employee authorization to use that leave, for any of the following reasons:

- The birth of a son or daughter and to care for the newborn child.
- Placement with the employee of a son or daughter for adoption or foster care.
- To care for the employee’s spouse, son, daughter, or parent with a serious health condition.
- The serious health condition that renders the employee unable to perform the functions of his/her job.
- Any qualifying exigency (e.g., short-notice deployment, military events, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other events which arise out of the covered member’s active duty or call to active duty status) arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
- To care for a covered service member with a serious injury or illness sustained in the line of duty on active duty if the employee is the spouse, son, daughter, parent, or next of kin of the service member. Eligible employees are entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of twenty-six weeks of all types of FMLA leave.

<b>SUBJECT:</b>	Family Medical Leave Act (FMLA)	<b>POLICY NUMBER:</b>	RC-5.009
<b>REFERENCE:</b>	Federal Family Medical Leave Act of 1993 (FMLA)	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

### **Serious Health Condition Qualifications**

A “serious health condition” is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or treatment by a health care provider. Serious health conditions include:

- An illness that requires the person to be hospitalized.
- An illness that keeps a person away from his/her normal activities for three consecutive days if treated at least twice by a health care professional during that period.
- An illness lasting three days or more that requires at least one visit to a physician and a regimen of continuing treatment.
- Any period of incapacity due to pregnancy or childbirth.
- A permanent or long-term problem supervised by a physician where there is no effective treatment, such as Alzheimer’s Disease, severe stroke, terminal stages of disease, etc.
- Any period of incapacity due to a chronic and serious health condition (one that requires occasional visits for treatment by a health care provider, continues over an extended period of time, and may cause episodes of illness).
- Treatment for a condition that could result in an illness of more than three consecutive days in the absence of medical treatment, such as cancer (chemotherapy, radiation), severe arthritis (physical therapy), or kidney disease (dialysis).

### **Notice and Certification**

Employees are required to provide advance notice of leave requests whenever possible and may be required to provide medical certification. Taking of leave may be denied if requirements are not met. Thirty days’ notice is required when the need for leave is foreseeable. When advance notice is not possible, the employee must provide notice as soon as practical. Requests for FMLA leave must be made following the County’s normal requirements for requesting leave and providing enough information so the County can determine whether the FMLA may apply to the leave request. The County must promptly (within five business days, absent extenuating circumstances) notify the employee of the employer’s response to the request for FMLA leave. If the request is approved, the County should formally designate the leave as FMLA.

The County may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer’s expense) and a fitness for duty report to return to work. The County may contact the employee’s health care provider for clarification and authentication of the medical certification (whether initial certification or recertification) after the employee has been given the opportunity to cure any deficiencies in the certification. Some examples of deficiencies might be when the certification does not provide necessary information such as the duration of the leave, the nature of the restrictions, or the medical necessity of the leave or restrictions. In these instances, the correspondence with the employee and health care provider shall be coordinated

<b>SUBJECT:</b>	Family Medical Leave Act (FMLA)	<b>POLICY NUMBER:</b>	RC-5.009
<b>REFERENCE:</b>	Federal Family Medical Leave Act of 1993 (FMLA)	<b>EFFECTIVE DATE:</b>	7/1/2023
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through County Human Resources Personnel, and the contact on behalf of the County will be made by a health care provider or a Human Resource professional.

**Supervisor’s Responsibilities**

If a Department Head/Elected Official or supervisor becomes aware of an employee taking leave for a potentially qualifying event (e.g., those described in the Qualifying Reasons paragraph above), or if the employee is absent from work on sick or unpaid leave for three days or more for reasons including health conditions, care of a family member, or in conjunction with a qualified military status, he/she will immediately notify Human Resources personnel, who will complete the FMLA Notice & Designation Form.

**Use of Paid Leave**

Employees must use accrued sick leave concurrently with leave through the Family and Medical Leave Act, if the leave meets the conditions of the County Sick Leave Policy. Employees must also use accrued annual vacation leave and compensatory time concurrently with Family and Medical Leave Act leave. The hours used shall be counted against the employee’s Family and Medical Leave Act entitlement. These hours will not be counted against the Family and Medical Leave Act entitlements.

**Reinstatement**

An employee returning to work following a FMLA leave shall be returned to the same or equivalent position with equivalent pay as when the leave began. The use of FMLA leave shall not result in the loss of any employment benefit accrued prior to the start of an employee’s leave.



<b>SUBJECT:</b>	Leave of Absence without Pay	<b>POLICY NUMBER:</b>	RC-5.010
<b>REFERENCE:</b>	MCA 10-1-1006	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Leave of Absence Without Pay

A leave of absence without pay is a period of unpaid absence from employment provided by the County that does not result in a break in service. Typical requests for leave without pay are in situations where an employee has exhausted all applicable leave balances and needs to be absent from work for personal reasons. Leaves of absence without pay are contingent on the approval of the employee’s Department Head/Elected Official on a case-by-case basis.

### **Requests, Qualifications, and Procedures**

Requests for leave of absence without pay shall be in writing and specifically state the reasons for the request, the date the employee wishes to begin the leave, and the return-to-work date. The request shall be submitted by the employee to the affected Department Head/Elected Official. The Department Head/Elected Official shall make a decision based upon the best interest of the County, giving due consideration to the reasons given by the employee and the requirements of any departmental procedures and applicable state and federal laws.

A Department Head/Elected Official may grant a permanent, temporary, or seasonal full-time or part-time employee a leave of absence without pay not to exceed ninety calendar days. An extension of the approved leave, not to exceed ninety calendar days, may be approved by the Department Head/Elected Official. No sick leave, annual vacation leave, holiday benefits, or any other fringe benefits shall accrue while an employee is on leave of absence without pay. An employee may continue to participate in the County insurance plan, but the employee must pay 100% of the premiums in a manner prescribed by the Plan Administrator. Employees may be required to use all appropriate accrued leave or compensatory time before a leave of absence without pay. However, the County may not require an employee to exhaust annual leave balances for reasons of illness unless he/she agrees.

### **Returning to Work**

Upon expiration of the approved leave of absence, the employee is not guaranteed to be placed in the same position but shall be placed in in a position at the needs of the County. If an employee fails to comply with the return-to-work requirement and does not arrange for an approved extension of leave, he/she may lose reinstatement rights, and be subject to termination.

### **Other Leaves That Take Precedence Over Leave of Absence Without Pay**

Employees taking a leave of absence without pay shall have FMLA or military leaves taken concurrently. Those policies take precedence over this policy to the extent there are differences.

<b>SUBJECT:</b>	Retirement	<b>POLICY NUMBER:</b>	RC-6.001
<b>REFERENCE:</b>	MCA 19-3-101 et seq.; Montana Public Employee Retirement Administration	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## BENEFITS

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### Retirement

The County offers a retirement program guaranteed by the Montana Constitution through the Public Employees Retirement System (PERS) or the Sheriff’s Retirement System (SRS). Participation includes contributions from both the employee and the County.

#### Eligibility

Employees are eligible for participation in PERS/SRS beginning on their date of hire. Employees eligible for PERS have twelve months from the first month the County reports the employee to the Montana Public Employees Retirement Administration (MPERA) to file a choice of retirement plans, as described below.

#### Retirement Plan Options for PERS Members

New County employees may choose between two retirement plan options, either the Defined Benefit Retirement Plan (DBRP) or the Defined Contribution Retirement Plan (DCRP). A description of each plan can be obtained from MPERA.

MPERA provides regular Retirement Plan Choice webinars that employees can attend at their convenience from their own computer. MPERA also offers workshops at different locations around the state throughout the year.

Retirement plan election is irrevocable (i.e., it cannot be changed later), and if an employee does not file a retirement plan election by the end of the twelve-month election window, state law will default their choice to the PERS DBRP. The County strongly encourages employees to make the election to ensure they are in the retirement plan that best meets their and their family’s needs.

For more information regarding PERS and SRS, please contact the [Montana Public Employee Retirement Administration](#).

#### 457(b)

The County offers a voluntary deferred compensation plan in which regular full-time and part-time employees (scheduled for and working a minimum of twenty hours per week), who are 21 years of age or older, may elect to participate beginning with the first payroll period. The 457(b) is a type of non-

<b>SUBJECT:</b>	Retirement	<b>POLICY NUMBER:</b>	RC-6.001
<b>REFERENCE:</b>	MCA 19-3-101 et seq.; Montana Public Employee Retirement Administration	<b>EFFECTIVE DATE:</b>	7/1/2023
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qualified tax advantaged deferred-compensation retirement plan that is available for governmental employers. The plan operates similarly to a 401(k) or 403(b). Contact Human Resources personnel for further information.

<b>SUBJECT:</b>	Health, Dental, Vision and Life Insurance	<b>POLICY NUMBER:</b>	RC-6.002
<b>REFERENCE:</b>	MCA 2-18-704	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Health, Dental, Vision and Life Insurance

Group health, dental, vision and life insurance programs are described more fully in documents that are issued to each employee once he/she is eligible to participate. A complete description of the group health insurance programs can be obtained from County Human Resources personnel. These personnel can explain the provisions in the master insurance contracts and help employees choose the best option.

In the event of any contradiction between the information appearing in this policy, other County documents, and the information that appears in the master contracts or master plan documents, the master contracts and documents shall govern in all cases. Employees may request all benefit forms and information from County Human Resources personnel or access them online from the County HRIS (Bamboo HR). Employees will be responsible for notifying the benefit plan personnel of any change of status that may affect their benefits. Employees must meet eligibility requirements (e.g., qualifying events) of the benefit program in order to change benefit elections.

**Eligibility**

The County currently offers regular full-time employees, spouse, domestic partners, and dependent children enrollment in various medical, dental, vision and life insurance coverage options. Regular part-time employees who are scheduled to work twenty or more hours per week are offered the same benefits at a pro-rated cost.

Effective January 1, 2024 for participants in 2024 health plan elections. Regular part-time employees who are scheduled to work thirty or more hours per week are offered the same benefits at a pro-rated cost.

New County employees are eligible for coverage the first of the month following two-weeks of employment.

An employee who retires with at least five years of service and who is at least age 50 while in covered employment may choose to remain a member of the group health insurance until they become eligible for Medicare. The County does not contribute to retirement coverage.

Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Human Resource Department to determine if a family status change qualifies under the Plan document and IRS regulations.

At the end of each calendar year during open enrollment, employees may change medical, dental, vision and life elections for the following calendar year. The Human Resource department is available to answer benefits plan questions and assist in enrollment as needed.

<b>SUBJECT:</b>	In-Lieu	<b>POLICY NUMBER:</b>	RC-6.003
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	In-Lieu of Insurance Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## In-Lieu

Some employees may wish to decline enrollment in the County’s Health Insurance plans. Any employee may receive an in-lieu amount set by the Ravalli County Board of County Commissioners annually. The County’s in-lieu of contributions for health insurance is made with the understanding that this money is intended to defray the cost of the employee’s alternative health insurance premiums and is not intended as an increase in base salary. However, in-lieu payments will be added to the employee’s semi-monthly earnings and is subject to all taxation and deductions.

Enrollment in the in-lieu program is subject to the same time and conditional restrictions as enrolling in the County’s health insurance program:

- New hire enrollment;
- open enrollment, or
- a qualifying event as defined by the County’s current insurance policy.

In order to receive in-lieu payments the employee must voluntarily decline participation in the County’s Group Health Insurance Plan and must confirm eligibility through the following provisions:

- Complete and submit the Statement of Alternative Coverage and Request for Payment In-Lieu of Insurance form.
- Provide proof of current coverage as evidence they have other health care coverage currently in effect.
- The County may request current proof of alternative coverage at any time during the plan year to verify alternate coverage.

Since Payment in-lieu of Insurance is for an insurance plan other than the County’s Group Health Insurance Plan, it will be paid only during months where the employee is eligible to be insured under the County’s Group Health Insurance Plan, and in-lieu will not be paid retroactively. Employees who qualify for Medicare are eligible for in-lieu to assist with Medicare premiums and Medicare supplements. As in-lieu is not an increase in salary, employees who are enrolled in a State/Federal Medicaid plans are not eligible for in-lieu as Medicaid premiums are already being paid for by the taxpayers. Employees enrolled in the Montana Medicaid HELP program are eligible for in-lieu up to the amount on their monthly premium, but not greater than the amount given the majority of other employees receiving in-lieu. Employees on the Montana Medicaid Help program must submit their premium notice monthly in order to receive in-lieu.

Part-Time employees who qualify for enrollment in the County’s Group Health Insurance Plan may receive in-lieu payments under the same conditions as full time employees, but pro-rated based on hours worked.

Employees hired prior to August 1, 2005 and Receiving Payment In-Lieu of Insurance prior to that date will maintain this benefit as in place under prior policy unless Payment In-lieu of Insurance is determined to be illegal by the Attorney General, a Court of competent jurisdiction or the Affordable Care Act. Employees

<b>SUBJECT:</b>	In-Lieu	<b>POLICY NUMBER:</b>	RC-6.003
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	In-Lieu of Insurance Form	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

on Medicaid and Receiving Payment In-Lieu of Insurance prior to the adoption of this policy will maintain this benefit as in place under prior policy unless Payment In-lieu of Insurance is determined to be illegal by the Attorney General, a Court of competent jurisdiction or the Affordable Care Act.

The County’s in-lieu policy is subject to change based on Federal Insurance requirements and eligibility.

<b>SUBJECT:</b>	Employee Assistance Program (EAP)	<b>POLICY NUMBER:</b>	RC-6.004
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Employee Assistance Program (EAP)

Through the employee assistance program (EAP), Ravalli County provides confidential access to a variety of services. EAP is available to all employees and their immediate family members offering work/life services to help with:

- Stress
- Depression
- Addiction
- Child care research
- Elder care resources
- Financial or Legal issues
- Grief and loss
- Relationships and parenting
- Assistance in reducing medical/dental bills

EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to Ravalli County only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

<b>SUBJECT:</b>	Workers' Compensation Benefits	<b>POLICY NUMBER:</b>	RC-6.005
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Workers' Compensation Benefits

As required by law, the County pays to cover employees with workers' compensation insurance, which provides payment for medical expenses resulting from a work-related injury or disease.

Employees who are injured or become ill from an occupational hazard may be entitled to reasonable doctor, hospital, prescription and medical care costs. After they file a claim, the County's workers' compensation provider shall evaluate the claim, use appropriate fee schedules, and apply certain laws and rules to establish wage loss payments and medical care cost benefits. The provider may investigate the validity of the claim. Workers' comp benefits apply only toward medical conditions directly related to the industrial injury or occupational *disease claim*.

### Reporting Provisions

**Every** work-related injury should be reported immediately to the injured employee's supervisor and Human Resources personnel.

### Benefits

Benefits for compensable injuries are governed by state law and include wages, medical, hospital and related services, and other compensation. Wage loss benefits begin after a 4-day waiting period. Employees may use accrued annual or sick leave benefits to cover wage loss during the 4-day waiting period.

### Fraud

Criminal proceedings may be initiated against a person who obtains or assists in obtaining workers' compensation benefits to which the person is not entitled.



<b>SUBJECT:</b>	Return to Work	<b>POLICY NUMBER:</b>	RC-6.006
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>	Grab & Go Kit	<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Return to Work Policy

Ravalli County is committed to providing Workers Compensation Coverage care and returning employees injured within the scope of their employment to full productive employment as soon as medically feasible. Ravalli County has developed a policy and process designed to help injured employees receive prompt medical attention and recovery assistance. The policy is called the Return to Work (RTW) program. It includes a team effort involving the injured worker, the treating health provider, insurance provider and internal County management.

When on the job incidents do occur, it is in everyone’s best interest that injuries are properly managed. All Departments in the County have Grab N Go Kits; these kits provide information for the employee and health provider regarding the workers compensation process and the various alternative work duties available. Ravalli County will make an effort to provide a temporary modified transitional work position for employees injured on the job until the employee is able to resume normal duties. All modified work assignments are temporary and intended to facilitate a return to regular work duties as soon as it is medically feasible. These positions may be offered at any location or department/shift at any County workplace location.

Failure to report for work at any of the designated times or places may affect the employee’s time loss compensation. This policy is not intended as a guarantee of continuity of benefits or rights.

A Medical Status Form is required to be returned by the injured employee immediately following all medical appointments. This form will help us determine the type of work the County has available within the restrictions set forth by the employees physician so that only those tasks approved are being done. If additional tasks are deemed to be within the restrictions set forth in the most recent Medical Status Form, these duties may be added to the employee’s temporary job. Once the employees physician releases the employee back to full duty, the employee is expected to return to same position prior to the time of injury.

This policy does not apply to employees who suffer injuries outside of their employment relationship. While Ravalli County may allow those employees to return to work with some restrictions the County’s Return to Work Policy is not applicable.

<b>SUBJECT:</b>	Workplace Safety Program	<b>POLICY NUMBER:</b>	RC-7.001
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

# SAFETY

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## Workplace Safety Program

The County has a workplace safety program established to maintain a safe and healthy work environment for County employees and the citizens they serve. The success of the safety program depends on the alertness and personal commitment of all. The department shall provide information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, Email, memos, or other written communications.

### **Contributing Suggestions and Reporting Concerns**

Excellent safety improvement ideas often come from employees, since they are the ones who are most familiar with their work environment. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, Department Head/Elected Official, safety supervisor, or Human Resources personnel (or someone designated by the County as a safety officer or member of an internal safety committee). Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal. Ravalli County has a safety committee that has expert safety consultants and has a vested interest in creating a safe working environment throughout the County.

### **Reporting Violations and Disciplinary Action**

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or (where appropriate) remedy such situations may be subject to disciplinary action, up to and including termination of employment. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefit procedures.

<b>SUBJECT:</b>	Workplace Violence Protection Policy	<b>POLICY NUMBER:</b>	RC-7.002
<b>REFERENCE:</b>		<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Workplace Violence Protection Policy

The County is committed to preventing workplace violence and to maintaining a safe work environment. The County has adopted guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. All County employees contribute to the type of environment in which they work, and it is therefore essential to follow these guidelines, treat fellow workers with dignity and respect, and immediately report a violations or untoward behavior.

### **Guidelines, Definitions and Reporting**

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, roughhousing, or any other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off duty periods, will not be tolerated. The prohibition includes all acts of harassment, including harassment that is based on an individual's race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, veteran's status or any other category protected by law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the immediate supervisor or any other member of management. The County shall promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities.

<b>SUBJECT:</b>	Use of Vehicles and Equipment	<b>POLICY NUMBER:</b>	RC-7.003
<b>REFERENCE:</b>	MCA 2-18-501	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

## Use of Vehicles and Equipment

Employees whose jobs require them to travel using County vehicles or equipment to perform their duties for the County are expected to treat such County property with the utmost degree of care and respect. The vehicles and equipment owned by the County are paid for by County citizens; and as public servants, employees' actions should reflect positively upon the County by doing everything possible to maintain well-functioning, carefully maintained, and clean vehicles and equipment to ensure longevity. This also includes safe operation according to all relevant laws. This policy also covers situations when an employee uses a personal vehicle to conduct County business. The following guidelines shall be observed.

### Vehicle Use Guidelines

1. Employees are to use County vehicles for business purposes. Only those individuals who are County employees or are conducting County business are allowed as passengers. Authorized drivers may use County vehicles to conduct business on behalf of the County and to respond to medical or other emergency situations. Using County vehicles or equipment for personal convenience is prohibited and will result in disciplinary action. Certain employees (emergency response, on-call, etc.) may be authorized by the Board of County Commissioners to take County vehicles home. Employees are not allowed to transport family members in County vehicles.
2. To use a County vehicle, an employee must have an acceptable County business use. Acceptable uses include conducting business on behalf of the County as stated above, getting food and lodging when in a travel status, and certain other activities that may be up to the Department Head/Elected Officials discretion. Employees can park a County vehicle at their home overnight if they must begin travel the next morning or if they are subject to other off-shift duty related to County employment.
3. County employees are expected to travel in an efficient and cost-effective manner. The rules of the road and established safety practices must be practiced at all times. Any abuse of County vehicles when in an employee's possession or violations of safety practices or traffic laws during work hours may result in disciplinary action.
4. Some job descriptions require employees to have a valid driver's license or a Commercial Driver's License. The ability to legally operate a vehicle is an essential job duty for some positions. Employees who, as part of their job, have to operate County vehicles are required to have an acceptable driving record. A copy of the employee's current, valid driver's license must be on file with the Human Resource department before they may operate a County vehicle.
5. Employees should use County vehicles for work-related travel whenever possible. With pre-approval, employees may use their personal vehicles for County business when the supervisor determines it is in the best interest of the County. Employees who are operating their personal

<b>SUBJECT:</b>	Use of Vehicles and Equipment	<b>POLICY NUMBER:</b>	RC-7.003
<b>REFERENCE:</b>	MCA 2-18-501	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

vehicles during the course of employment and receiving mileage reimbursement must have liability insurance and provide evidence of such to the County.

6. An employee who drives his own vehicle on authorized County business shall be reimbursed at the federal mileage rate. The federal mileage reimbursement rate is to cover auto expenses, which include personal auto insurance. The County's insurance does not cover any damage to the employee's vehicle if an accident occurs while used for business. Employees are also responsible for deductibles and co-insurance payments under their personal vehicle policies. If employees drive their personal vehicles for County business, they must maintain it according to the manufacturer's specifications and have current registration.
7. County employees who use vehicles in the course of their jobs shall maintain a current, valid licensure or certification (a Montana driver's license or CDL, as required by the job). Employees whose personal vehicles are used for County business are responsible for immediately notifying their supervisor of any change in the status of their driver's license, any convictions affecting their driving record, and any changes in personal vehicle liability coverage.
8. County employees are required to secure seat belts while driving or riding in County-owned vehicles or when using personal vehicles for County business.
9. Employees must operate vehicles in a careful and prudent manner at all times to avoid endangering other people and property. Employees are prohibited from operating a vehicle for County business if they are under the influence of alcohol, illegal drugs, improperly used prescription drugs, or a legally prescribed drug if that drug affects their ability to safely operate the vehicle. Employees taking prescription drugs are responsible for notifying their medical providers if they are required to operate a vehicle for County business, and they must notify their supervisor of any restrictions on operating a vehicle.
10. In compliance with the Montana Clean Indoor Air Act (MCIAA) and the County's [Smoke-Free Workplace Policy](#), which bans smoking statewide in all enclosed workplaces in Montana, smoking is prohibited in ALL County vehicles and in all County facilities.
11. Neither employees nor any passengers can have an alcoholic beverage container in the passenger compartment of a County-owned, leased, or loaned vehicle.
12. Employees are prohibited from using personal communication devices while driving a vehicle on County business. Texting is prohibited by the driver at all times while the employee driver is seated in the driver's seat. Use of a cell phone while driving is prohibited unless calls can be made using hands-free devices.
13. Employees must follow established County procedures regarding the care, maintenance, and cleaning of County vehicles. Employees must immediately report any problems or issues to their Department Head/Elected Official and/or the County Road Department to ensure that all

<b>SUBJECT:</b>	Use of Vehicles and Equipment	<b>POLICY NUMBER:</b>	RC-7.003
<b>REFERENCE:</b>	MCA 2-18-501	<b>EFFECTIVE DATE:</b>	7/1/2023
<b>FORMS:</b>		<b>PREVIOUS REVISION DATE:</b>	7/1/2016

problems are fixed promptly and vehicles safely operate at maximum efficiency for as long as possible.

**SUBJECT:** Weapons on County Property

**POLICY NUMBER:**

RC-7.004

**REFERENCE:**

**EFFECTIVE DATE:**

7/1/2023

**FORMS:**

**PREVIOUS REVISION DATE:**

7/1/2016

## Weapons on County Property

The County strives to provide a safe and healthy working environment for all employees. As part of this effort, the County has a policy limiting the possession and storage of dangerous weapons in County-owned buildings and vehicles.

### **Dangerous Weapons**

Possession of other dangerous weapons, explosives, large knives, swords, etc., and/or any other weapon deemed inappropriate by the County is prohibited on all County premises, in all County buildings and in County vehicles except if permitted by statute or necessary to perform County business and the employee has obtained authorization from the County Commission.

## APPENDICES

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### **IMPORTANT NOTE**

In addition to the Acknowledgement and Receipt of Handbook, which holds all employees responsible for complying with the terms and conditions of every policy contained in this Handbook, employee signatures are required on the forms provided in Appendices A through F.



# APPENDIX A: Employee Handbook Acknowledgment and Receipt

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## Ravalli County

### ***Acknowledgement and Receipt of Handbook of Personnel Policies and Procedures for Ravalli County***

I acknowledge electronic receipt of the Handbook of Personnel Policies and Procedures adopted by Ravalli County. I have had the opportunity to request a printed copy and I understand that I may request to have a printed copy in the future.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with Ravalli County. By distributing this handbook, the County expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that any and all policies and practices may be changed at any time by Ravalli County and the County reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Board of County Commissioners has the authority to adopt any revisions to the policies in this handbook.

**I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.**

I have had an opportunity to review this Handbook during duty hours and I understand that I will be responsible for complying with the terms and conditions contained in the Handbook.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

# APPENDIX B: Equipment Acknowledgement Form

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## Ravalli County

I acknowledge that while I am working for the County, I will take proper care of all County equipment with which I am entrusted. I shall abide by all the guidelines set forth in [Use of Vehicles and Equipment](#) in this Handbook including, but not limited to; using equipment lawfully, safely, and cost-effectively; for its designed purpose; for County business only; and according to the manufacturer's specifications.

I understand that, while County equipment is in my possession, any abuse, violations of safety practices, or disregard for the proper care and maintenance of such equipment may result in disciplinary action, up to and including termination.

I further understand that, upon separation of employment, I shall return all property of the County and that the property will be returned in proper working order. This agreement includes, but is not limited to, the following: laptops, cell phones, pagers, IT equipment, tools, personal protective gear, and any other equipment the County has provided for use with my job.

I understand that failure to return equipment shall be considered theft and will lead to criminal prosecution by the County.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

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Employee Name (please print)

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Employee Signature

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Date

# APPENDIX C: Ethics and Conflict of Interest Acknowledgement Form

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## Ravalli County

By my signature below, I acknowledge that I have received a copy of the [Ethics and Conflict of Interest Policy](#) in this handbook. I understand it is my obligation to read, understand, and comply with the stipulations, procedures, and provisions contained within this Policy. I understand that I am responsible for abiding by the County Code of Ethics contained in this Policy as I conduct my assigned duties during my term of employment.

I understand that if I am found to be in violation of the provisions set forth in the [Ethics and Conflict of Interest Policy](#), that I am subject to discipline, suspension, termination, and/or such other action as the County deems appropriate.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

# APPENDIX D: Drug and Alcohol Free Workplace Acknowledgement Form

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## Ravalli County

As an employee of the County, I certify that I shall not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while on County property or while conducting any activity involving the County.

By my signature below, I acknowledge that I have received a copy of the [Drug and Alcohol Free Policy](#) of the County. I understand that it is my obligation to read, understand, and comply with the procedures and provisions contained within this Policy.

I understand that if I am found to be in violation of the provisions set forth in the [Drug and Alcohol Free Workplace Policy](#) in this Handbook, I am subject to suspension, termination, participation in a drug rehabilitation program, and/or such other action as the County deems appropriate.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

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Employee Name (please print)

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Employee Signature

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Date

# APPENDIX E: Computers, Internet, and Email Policy Acknowledgement Form

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## Ravalli County

By my signature below, I acknowledge that I have received a copy of the [Computers, Internet, and Email Policy](#) in this handbook. I understand that it is my obligation to read, understand, and comply with the stipulations, procedures, and provisions contained within this policy.

Further, I understand that this policy governs my use of all County technology and, under certain circumstances, my own technology that I might bring into the County (See [Personal Telephone Calls and Personal Communication Devices](#)).

Additionally, I understand that if I violate the policy, I am subject to discipline from the County, including suspension, termination, and/or such other action as the County deems appropriate. I also understand that some violations of this policy could result in actions against me both civilly and criminally and in both federal and state courts. I also understand that I have no expectation of privacy in any of the technology referenced in the policy, due to the access and interception rights reserved by and granted to the County.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

# APPENDIX F: Discrimination Policy Acknowledgement Form

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## Ravalli County

By my signature below, I acknowledge that I have received a copy of the [Preventing Harassment and Discrimination Policy](#). I acknowledge that this policy was reviewed with me and I was given the opportunity to ask any questions I had regarding the policy. I understand that it is my obligation to comply with the stipulations, procedures, and provisions contained within this policy.

I understand that this policy provides employees with a work environment free of discrimination and harassment because of a person's race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, vaccination status, or veteran's status.

I understand that if I believe I have been the victim of harassment or discrimination, I should report the incident or action as soon as possible after the alleged incident occurs and the County will investigate my complaint.

I further understand that I shall cooperate with the Department Head/Elected Official, Human Resources personnel, or other designated management representative in investigating and verifying the report and that failure to do so may result in disciplinary action.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

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Employee Name (please print)

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Employee Signature

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Date