



Employee Handbook

Gunnison County, Colorado

Effective March 4, 2025



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IMPORTANT NOTICE

A. GENERAL

THE GUNNISON COUNTY EMPLOYEE HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH EMPLOYMENT BY GUNNISON COUNTY. THESE POLICIES ARE NOT ALL INCLUSIVE, BUT RATHER ARE INTENDED AS A SUMMARY. THIS MARCH 4, 2025 EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS OF THE GUNNISON COUNTY EMPLOYEE HANDBOOK AND THE GUNNISON COUNTY PERSONNEL POLICIES AND ANY INCONSISTENT VERBAL OR WRITTEN POLICY STATEMENTS ISSUED PRIOR TO THIS HANDBOOK

B. EMPLOYMENT AT-WILL

EMPLOYMENT BY GUNNISON COUNTY IS AT-WILL. EMPLOYMENT OF AN EMPLOYEE WITHOUT A WRITTEN CONTRACT FOR A SPECIFIED DURATION MAY BE TERMINATED BY EITHER GUNNISON COUNTY OR THE EMPLOYEE WITHOUT CAUSE AND WITHOUT NOTICE.

C. THE EMPLOYEE HANDBOOK DOES NOT CREATE A CONTRACT

THE GUIDELINES IN THIS EMPLOYEE HANDBOOK, AND ANY WRITTEN OR ORAL STATEMENT BY SUPERVISORY PERSONNEL, DO NOT CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.

D. AUTHORITY TO ENTER INTO CONTRACTS OF EMPLOYMENT

NO REPRESENTATIVE OF GUNNISON COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS (FOR THE COUNTY MANAGER AND THE COUNTY ATTORNEY) AND THE COUNTY MANAGER (FOR DEPARTMENT DIRECTORS AND OTHER CONTRACTED EMPLOYEES), HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD; SUCH AN AGREEMENT MUST BE IN WRITING.

E. INTERPRETATION AND MODIFICATION

THE PERSONNEL POLICIES WITHIN THIS HANDBOOK ARE NOT INTENDED TO ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. EXCEPT FOR THE "AT-WILL" NATURE OF THE EMPLOYMENT, GUNNISON COUNTY RESERVES THE RIGHT TO INTERPRET AND MODIFY THESE PERSONNEL POLICIES WITHOUT PRIOR NOTICE WHEN DEEMED NECESSARY BY THE COUNTY IN THE COUNTY'S SOLE DISCRETION IN ORDER TO FULLY PROTECT THE COUNTY'S INTERESTS, THE INTEREST OF THE PUBLIC, AND TO MORE FULLY PROTECT THE SAFETY OF THE PUBLIC, INCLUDING EMPLOYEES GOVERNED BY THIS POLICY.

F. BUDGET

NOTHING CONTAINED IN THIS EMPLOYEE HANDBOOK SHALL BE CONSTRUED TO AUTHORIZE DEPARTMENTS TO EXCEED THEIR APPROPRIATED BUDGETS.

1. GENERAL WORKPLACE CONDITIONS

1-1 Equal Employment Opportunity (EEO). Gunnison County is dedicated to the principles of equal employment opportunity. Gunnison County prohibits unlawful discrimination against applicants or employees nor does it permit harassment or inappropriate conduct on the basis of age 40 and over, race (including traits historically associated with race, such as hair texture and length), sex, pregnancy, color, religion, national origin, disability, genetic information, marital status, sexual orientation, gender identity, gender expression, military status, or any other status protected by Federal, State or local law.

1-2 Unlawful Harassment. Gunnison County strives to maintain a work environment free of unlawful harassment. Unlawful harassment includes any unwelcome verbal, physical, written, pictorial, or visual communication directed at an individual (or group) because of that individual's (or group's) membership in, or perceived membership in, a protected class, that is subjectively offensive to the individual alleging harassment and is objectively offensive to a reasonable individual who is a member of the same protected class. Harassment does not need to be in person and can occur over electronic media or other electronic platforms.

Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, emails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or blocking an individual's movements.

1-3 Sexual EEO Harassment. Gunnison County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment and inappropriate sexual conduct can include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made, explicitly or implicitly, a term or condition of employment;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Such conduct includes communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, email, text messages, social media or other forms of electronic communications.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for social engagement.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

This policy applies to all employees, as well as non-employees such as volunteers, customers, clients, vendors, consultants, etc., when performing County business, except that the County expressly disclaims any liability for the behavior of such persons who are beyond the County's control.

Complaint Procedure IMPORTANT: If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint procedure. The County has established a program designed to prevent harassment, deter future harassers, and protect employees from harassment. The County takes prompt action to investigate and/or address alleged discriminatory or unfair employment practices. The County also takes prompt remedial actions, when warranted, in response to complaints of discriminatory or unfair employment practices. The County therefore expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may be in violation of this policy.

Report the incident to either the appropriate Assistant County Manager, elected official, or department director or the Human Resources Director who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of those individuals with your complaint, you should report the incident through the Ethical Advocate for Gunnison County at 855-443-0787, or online at <https://gunnisoncounty.ethicaladvocate.com/>.

The County prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the County determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

1-4 Workplace Violence. Gunnison County strives to maintain a work environment that is free from violent behavior. The County will not tolerate violent behavior or the threat of violent behavior involving an employee or a member of the public at any County place of business or against any County property. Such behavior will result in disciplinary action and potential criminal charges.

Violent behavior is defined as the infliction or threat of any bodily injury, harmful psychological contact or the destruction or abuse of property. This includes but is not limited to intimidating, threatening or hostile behaviors; jokes or offensive comments which are veiled, conditional, direct, written or verbal; physical abuse; vandalism; arson; sabotage; and/or the use or carrying of weapons of any kind without authorization.

An employee who feels that they have been subjected to any behavior prohibited by this policy or have observed or have knowledge of a violation of this policy, should immediately report it to Human Resources, any member of management, or the proper authorities. If an employee feels that an imminent threat exists, they should immediately report to Human Resources, any member of management, or the proper authorities. All complaints will be taken seriously and investigated, and appropriate action will be taken.

1-5 Workplace Accommodations for Nursing Mothers. Gunnison County will make reasonable efforts to accommodate the following:

- Reasonable break time will be allowed for employees to express breast milk. The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, Human Resources and the employee will agree upon a schedule that might include the employee using unpaid leave (if non-exempt), annual leave/vacation time, arriving at work earlier, or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break.
- Appropriate private accommodations (other than a restroom) within close proximity to the employee's workstation for up to two years after the child's birth.
- The space must have access to an electrical outlet, a chair, and table, and follow privacy protocols such as a locking door or signage.
- Mothers are responsible for their own breastfeeding equipment and supplies.
- A clean water source will be in close proximity to the lactation space for employees to wash hands and to clean any breast pump equipment.
- The County will provide a welcoming atmosphere of support and tolerance for breastfeeding employees.

1-6 Pregnancy Accommodation. Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests accommodation, the County will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the County's business operations.

The County may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

The County will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

1-7 Disabilities and Religious Accommodations. The County will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety. The County will make reasonable accommodation for qualified individuals requesting religious accommodation unless doing so would result in an undue hardship to the County. The County will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the County.

1-8 Complaint Resolution Process. Employees who have a work-related problem or concern should follow these steps:

1. Notify and discuss the matter with their immediate supervisor in a timely manner so that the supervisor has the opportunity to resolve any concerns or misunderstandings. Normally, this discussion should be held within three to five business days of the incident or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns.
2. If the employee believes that the solution offered by the supervisor is not satisfactory, or if the employee

believes that addressing the issue with the supervisor is inappropriate, because, for example, the supervisor is involved in the problem or issue, then the employee may notify and discuss the matter with their Assistant County Manager, elected official or department director.

3. If the employee believes that the solution offered by the Assistant County Manager, elected official or department director, is not satisfactory, then the employee may discuss the matter with Human Resources.
4. If the employee believes that the matter remains unresolved to their satisfaction, the employee may submit a written complaint to the County Manager for review and final decision. The County Manager or their designee may occasionally be asked to perform an investigation. If the County Manager is the direct supervisor, the employee should instead contact the County Attorney.

To request assistance with these and other types of issues, employees may access the Employee Assistance Program (see Section #4-3(d) for more information) at any time. Supervisors may also contact Human Resources for assistance with coordinating counseling for an employee via the Employee Assistance Program.

1-9 Anti-Retaliation Policy. Gunnison County prohibits retaliation against an employee for filing a complaint under the Complaint Resolution Process or for assisting in a complaint investigation. If an employee perceives retaliation for making a complaint or for participating in an investigation of a complaint, the employee should follow the Complaint Resolution Process outlined above. The situation will be promptly investigated and appropriate action taken, which could include disciplinary action against the retaliating employee, up to and including termination. Employees cannot shield themselves from the potential consequences of their own misconduct by reporting an issue. If it is determined by the County that an employee has made false accusations against another employee as part of this process, appropriate action will be taken against such employee, which could include disciplinary action, up to and including termination.

1-10 Duty-Related Court Notices and Appearances. Any County employee who, in their official capacity, receives a summons, subpoena or other official court papers, shall notify the County Attorney's Office and shall provide to the County Attorney's Office, as soon as is possible, copies of all such papers. With the exception of the Sheriff and their deputies, no County employee is permitted to appear in any court proceeding in their official capacity without first notifying the County Attorney's Office in advance of such proceedings.

1-11 Safety and Emergency Policies.

- National Incident Management System (NIMS) / Incident Command System (ICS) – employees will maintain the appropriate level of competence.
- Continuity of Operations Plans (COOPs) – employees will work with their Assistant County Manager, elected official or department director to help ensure appropriate orientation and training regarding an employee's roles and responsibilities outlined in their respective department's COOP.
- Response and Recovery Trainings – employees will participate in trainings and exercises as assigned by their respective Assistant County Manager, elected official or department director
- Safety Officers – any employee who has been designated by their Assistant County Manager, elected official or department director to serve as the Safety Officer for their department/suite shall orient and help train fellow employees with regard to established preparedness and safety procedures.
- Employee ID badges serve as key cards for accessing County facilities. Employees must maintain possession and control of their badge at all times. In the event a badge is lost, employees are required to notify the Facilities and Grounds Department immediately. Using another employee's badge to gain access to locked buildings or doors is prohibited.

1-12 Pets in the Workplace. The County strives to provide a safe and healthy work environment for employees. Animals are generally prohibited from all County facilities and premises with the exception of approved service animals permitted as a reasonable accommodation to an individual with a disability under the Americans with Disabilities Act (ADA) and/or similar state law. Animals that are required for official job duties are permitted. See policy 5.2.3: Allowances, Restrictions and Responsibilities Regarding Animals in County Facilities and on County Grounds.

2. ORGANIZATION AND ADMINISTRATION

2-1 Covered Entities. The policies in this handbook apply to all County employees, unless otherwise expressly stated within this handbook. These policies also apply to contracted employees, unless a contract with the contracted employee expressly states otherwise. Where this policy conflicts with a written contract with a contracted employee, the written contract shall prevail.

2-2 Personnel Actions and Employee Records.

- (a) **Personnel Records.** Human Resources maintains the official personnel file for each employee, with the exception of certain documents maintained by the Sheriff's Office that are related to Sheriff's Office employees that are governed by the Colorado Criminal Justice Records Act (CCJRA) and all Department of Transportation required drug/alcohol testing records that are maintained by the department that ordered the required testing. It contains formal documentation on employees' employment and salary history. If you wish to

review your official personnel file, contact Human Resources and allow three (3) business days for a response to your request. It is important for you to provide Human Resources with current information regarding name, address, telephone, insurance changes, tax exemptions, emergency contacts, and other relevant information. Failure to keep personnel information updated may result in a loss of benefits by an employee. The Human Resources Department follows the applicable Gunnison County Records Retention Policy.

- (b) **Time and Leave Records.** Employees are responsible for submitting completed and accurate time records to their supervisors.

3. EMPLOYMENT AND CLASSIFICATION SYSTEM

3-1 Recruitment.

- (a) **Public Notices.** All open positions must be listed on the County website for the duration of their application-acceptance periods, which are established by the applicable hiring supervisors. Additional noticing (i.e., newspaper and online advertisements, use of a recruitment firm, etc.) may also be accomplished, if applicable and requested for any specific vacancy.
- (b) **Internal.** Internal vacancies or promotions must be posted. Any current employee who wishes to apply for any open position is encouraged to apply for the position and follow the established procedure (see Section 3-5(b)).
- (c) **Prior Applicant Pool.** Gunnison County may fill the position from a prior applicant pool provided that position is posted as pursuant to the foregoing paragraph.

3-2 Hiring Relatives. No employee shall be a relative, a person who is related by blood or marriage, of an employee for whom: 1) They have supervisory and/or managerial responsibilities; 2) They have audit or financial approval authority; 3) They have access to confidential information, including payroll or personnel records; or 4) The relationship presents a potential or real conflict with the County's interests. If conflicting circumstances arise through a change in family status or living arrangement, the Assistant County Manager, elected official, or department director should consider management alternatives in consultation with and final approval of the County Manager.

3-3 Reemployment. Any employee seeking re-employment with the County after resignation may do so by applying for an open position. Re-employment is based on the same County needs and qualifications as are considered in the employment of any other applicant. If rehired, the individual must meet the minimum qualifications for the position. If rehired, previous periods of benefit-eligible County employment will be included for the purpose of earning longevity-based County benefits for up to 10 years prior to the date of rehire unless otherwise denied by a benefit plan document or by operation of law. Any person involuntarily terminated from the County will not be considered for reemployment unless the reason for the termination was outside of the control of the employee, such as reorganization or reduction in force, unless otherwise determined by the County Manager.

3-4 Employee Classifications. Employees of the County are classified as either exempt or nonexempt under Federal and State wage and hour laws, and are further classified for administrative purposes, such as the administration of fringe benefits like paid vacation or holidays. These classifications do not determine eligibility for participation in the County's group health plan. Eligibility for participation in the County's group health plan is governed by the terms of the plan documents as well as applicable law. To obtain a copy of the Summary Plan Description or to discuss whether you are eligible to participate in the County's group health plan, please contact hr@gunnisoncounty.org. The following classifications are used throughout this Handbook.

- (a) **Definitions.**

- (1) **Exempt Employees.** Exempt employees are employees whose job assignments meet specific standards established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and/or overtime pay requirements in addition to other FLSA rules.
- (2) **Non-Exempt Employees.** Non-exempt employees are employees whose job positions do not meet FLSA or applicable state exemption standards and who are not exempt from minimum wage and/or overtime pay requirements. Nonexempt employees shall be paid time and one-half of their regular rate of pay or accrue compensatory time at the rate of time and one-half for any work in excess of 40 hours per workweek. Also see Section 4-2 Overtime/Compensatory Time.

- (b) **Regular Status.** Either the employee or Gunnison County may end the employment relationship at any time.

- (1) **Full-Time Status.** Full-time status is designated for an employee who is employed to work from 30 to 40 hours per week. Any employee working at least 30 hours per week or at least 1,560 hours per year in a regular position is currently eligible for the fringe benefits that the County then

currently offers. Compensation for absences due to vacation, sick leave, and holidays will be calculated on a prorated basis according to the number of hours worked per year.

- (2) **Part-Time Status.** Part-time status is designated to an employee who is employed to work 20-29 hours per week that shall consist of at least 1,040 hours annually but fewer than 1,560 hours annually. Employees assigned this status are currently eligible for the retirement benefits that the County then currently offers. Compensation for absences due to vacation, sick leave, and holidays will be calculated on a prorated basis according to the number of hours worked per year.
 - (3) **(Non-Benefit) Part-Time Status.** (Non-benefit) part-time status is designated to an employee who is regularly scheduled to work less than 20 hours per week and fewer than 1040 hours per year. Employees assigned this status are not eligible for most County fringe benefits. Employees with this status are eligible for paid sick leave accrued at the rate of 1 hour for each 30 hours worked under the Healthy Families and Workplaces Act. The employee is currently eligible to contribute to the 457(b) deferred retirement plan, but will not receive the County match.
- (c) **Grant Funded Employees.** These employees are compensated through grant funding, and their continued employment is dependent on the availability of those funds. While grant-funded positions are generally tied to specific funding sources, employees may be eligible to transition into other roles within the organization, subject to position availability and qualifications.
 - (d) **Temporary Employees.** Temporary employees are those who are employed for short-term assignments. Temporary employees are generally hired to temporarily supplement the workforce or assist in the completion of a specific project. These temporary employment assignments are of limited duration. Temporary employees may be classified as exempt or nonexempt on the basis of job duties and compensation.
 - (e) **Seasonal Employees.** Seasonal employees are those who are typically employed in their position for six months or less and for which the period of employment begins each calendar year in approximately the same part of the year, such as summer or winter. These seasonal employment assignments are of limited duration.
 - (f) **Interns.** A student or recent graduate who works, with or without pay, at a trade or occupation in order to gain work experience.
 - (g) **Auxiliary.** In auxiliary programs such as, work study, internships and others, where compensation may be paid, participants shall not be entitled to County benefits, unless approved as part of the specific auxiliary program by the Board of County Commissioners or County Manager and shall not be covered by the policies in this handbook.

3-5 Demotion, Transfer and Assignment of Temporary Duty.

- (a) **Demotion.** An employee may be demoted at any time for misconduct (see Section 6) and/or failure to perform position duties satisfactorily. When an employee is demoted to a lower position, the employee shall be paid at a rate within the approved range for the lower position. The rate of pay shall be recommended by the appropriate Assistant County Manager, elected official or department director, taking into consideration the circumstances surrounding and the reasons for the demotion. Final approval for the demotion and subsequent rate of pay shall be made by the County Manager. The review process, set forth in Section 6, shall be applicable to and govern demotions.
- (b) **Transfer.** Any current employee who applies for an open position may be transferred, subject to meeting the minimum qualifications for the new position. The County Manager shall make final approval for all transfers.
 - (1) **Department to Department.** An employee shall not be eligible for transfer to another department until they have at least two years of employment in their current department, unless both the appropriate Assistant County Manager, elected official, or department director and the County Manager agree that an early transfer would be in the best interest of the County. Whenever an employee transfers to another department, their performance review period is reset to the date of the transfer. Upon transferring to a new department, the employee's original hire date will remain unchanged, ensuring the retention of all accrued benefits. Any accumulated compensatory time must be used or paid out by the originating department prior to the transfer. The employee's original hire date shall remain unchanged, and the employee shall retain all accumulated benefits, provided that such benefits are available in the receiving department and align with the established criteria set forth in the then-current Personnel Policies. Arrangements for accumulated benefits as of the transfer date shall be set forth on a Personnel Action form and shall be approved by the

previous and appropriate Assistant County Manager, elected official, or department director and the new and appropriate Assistant County Manager, elected official, or department director.

- (2) **Within the Same Department.** An employee shall not be eligible for transfer to another jobs or district within the same department until at least two years of employment at their current jobs or district, unless the employee's Assistant County Manager, elected official or department director approves, in writing, an early transfer after determining whether it would be in the best interest of the department. Whenever an employee transfers to another position, their performance review period is reset to the date of the transfer. The employee's original hire date, however, shall not change, and the employee shall retain all accumulated benefits, provided they are within the established criteria set forth in the then current Personnel Policies.
- (3) **Assignment of Temporary Duty.** The County may require an employee to assume responsibilities in addition to or different from those defined in their job description as necessary on a temporary basis. In the event of an emergent situation, where an employee is assigned, responsibilities separate from their regular duties for more than 30 days, the employee shall be compensated at the appropriate pay grade and step after 30 days as recommended by the Human Resources Department and approved by the appropriate Assistant County Manager, elected official, or department director, the Finance Director and the County Manager.

4. COMPENSATION AND BENEFITS

4-1 Pay. Employees are paid once each month (one pay period) on the last regular working weekday of the month. If the regular payday occurs on a holiday, the payday is the last working day prior to the holiday. Gunnison County deposits paychecks into the bank account(s) designated by the employee.

- (a) **Hourly or Monthly Salary.** Gunnison County will determine which non-exempt positions' paychecks will be computed on an hourly rate and which exempt and non-exempt positions will be computed on a monthly salary rate. The Federal and State wage and hour laws and regulations shall control all determinations regarding exempt and non-exempt status for all County employees, regardless of the department in which they work.

Salaried exempt employees will regularly receive a predetermined amount of compensation each pay period. Salaried non-exempt employees will receive a predetermined amount of compensation each pay period, in addition to compensation (at 1.5 times their regular rate via compensatory time or pay) for any hours worked in excess of 40 per week during a pay period. The County is committed to complying with salary-basis requirements which allows properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to the Finance Department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

4-2 Overtime/Compensatory Time. For non-exempt employees, the County will pay overtime, or allow the accrual of compensatory time if applicable, for all hours worked over 40 hours in a workweek.

- (a) **General Workweek/Work Period.** A Fair Labor Standards Act (FLSA) workweek, Monday through Sunday is a fixed, regularly recurring period of 168 hours – that is, seven consecutive 24-hour periods. Law Enforcement employees may have a separate work period established under the FLSA's Section 7(k) exemption from 7 to 28 consecutive days. A typical work period will begin at 12:01 a.m. on Monday and continue to run for the then most currently established number of days (24-hour periods).
- (b) **Authorization to Work Overtime.** All non-exempt employees are required to get supervisor pre- approval for overtime. Unauthorized overtime work is not allowed, and repeated disregard of the rule requiring pre-approval for overtime hours may result in disciplinary action, up to and including termination.
- (c) **Calculations.**

- (1) **Non-Exempt Employees.** Gunnison County compensates non-exempt employees for overtime in compensatory time off on a 1-for-1.5 basis for all hours worked over 40 hours in a workweek up to a maximum accrual of 80 hours unless otherwise approved by the County Manager. A non-exempt employee, who has accrued compensatory time, must have authorization to use the compensatory time, but shall be permitted to use the time off within a reasonable period after making the request if it does not unduly disrupt County operations by more than a mere inconvenience. The County reserves the right to control compensatory time accumulation by requiring an employee to take

time off during designated periods defined by the appropriate Assistant County Manager, elected official, or department director.

(2) **Exempt Employees.** Exempt employees are classified as salaried and are expected to fulfill their job responsibilities without eligibility for overtime compensation, whether in cash or compensatory time for work more than 40 hours per week. Exempt employees are hired to perform specific duties, and the nature of the role may require working beyond 40 hours per week, attending evening meetings, or performing duties outside of standard office hours. While exempt employees have some flexibility in managing their schedules to meet workload demands, they are expected to maintain a full workweek and be regularly present during core business hours unless otherwise directed by their supervisor. Compensation for exempt employees remains fixed and does not vary based on the number of hours worked.

(3) **Law Enforcement.** Employees of the Sheriff's Office engaged in law enforcement may be compensated at one and one-half times the employee's regular hourly rate of pay for overtime calculated on a "work period" basis. A "work period" may be from 7-28 consecutive days in length. Law enforcement personnel must receive overtime after 171 hours worked during a 28-day period. For work periods of at least seven, but less than 28 days, overtime compensation is required when the number of hours worked exceeds the number of hours which bears the same relationship to 171 as the number of days in the work period bears to 28. It is at the County's discretion to determine whether overtime compensation is monetary or compensatory time.

(d) **Maximum Compensatory Time.** Gunnison County's policy is to limit the accumulation to 80 compensatory time hours (53-1/3 hours worked), therefore no employee shall earn or accumulate more than a total of 80 hours of compensatory time, unless approved in advance by the County Manager. Once an employee reaches 80 compensatory hours, the employee will be paid for overtime hours. Compensatory time accrued must be used prior to paid vacation time when voluntary leave is taken, unless otherwise approved by the County Manager.

(e) **Non-Inclusion of Paid Leave.** Paid leave hours (i.e., paid holidays, personal leave, vacation, sick, compensatory time, etc.) are not considered as hours worked for the purposes of computing overtime.

4-3 Fringe Benefits. Fringe benefits are monetary and non-monetary benefits provided to employees by the County including, but not limited to, medical, dental, vision, life insurance, health savings account, flexible spending accounts, holidays, sick leave, vacation leave, comp time program, personal leave, Norton LifeLock, discounted health club membership, employee assistance program, and a retirement program. These benefits and any future benefits are provided solely at the discretion of the County and may be modified, amended or revoked in whole or in part at any time.

(a) **Insurance.** The County offers a number of different insurance plans for eligible employees. Employment benefits vary according to the position and status of the employee. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The County complies with all applicable Federal and State laws regarding the provision of benefits including same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the County are defined in legal documents such as insurance contracts and summary plan descriptions. In the event information in this Handbook or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. Benefits described in this Handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the County's discretion as permitted by law. The County and its designated benefit plan administrators reserve the right to determine eligibility, interpretation, and administration of issues related to benefits offered by the County.

Employees will have an opportunity to make changes to their benefit selections during the County's annual open enrollment period. Employees who experience a qualifying life event, such as marriage, divorce, or the birth of a child, will also be allowed to make a change in their benefits selection when that event occurs, in accordance with the terms of the plan document.

In the event you take a personal or other leave of absence, please consult Human Resources to determine the impact the leave may have upon your benefits, including eligibility and/or making any required premium payments. The County currently offers these plans:

(1) **Health Coverage: Medical, Dental and Vision.** The County currently provides the opportunity for participation in group insurance to all eligible employees.

a. **Flexible Spending Account.** Flexible spending accounts are a benefit for employees

enrolled in the traditional medical plan or if on a high deductible health plan (HDHP) for a limited purpose. Eligible employees may setup a pre-tax monthly deduction, preloaded to a spending account, for medical-related expenses as well as child care expenses.

- b. **Health Savings Account.** Health savings accounts are a benefit for employees enrolled in the high deductible health plan (HDHP). Eligible employees may setup a pre-tax monthly deduction accumulated to a savings account for medically related expenses. Gunnison County will contribute quarterly to the employee account based on coverage tier.

(2) **Life.** The County currently offers basic life insurance and supplementary life insurance.

(3) **Unemployment Compensation.** The County is a reimbursable employer under the State Unemployment Insurance Program. Any employee interested in information regarding the benefits of this program should inquire at the Colorado Department of Labor, Division of Unemployment.

(4) **Workers' Compensation.** The total cost of each employee's Workers' Compensation insurance premium is paid solely by the County on behalf of the employee. See Section 4-3(k) for specific details related to Workers' Compensation Insurance.

(b) **Holidays.** Employees paid on an hourly basis and in full-time positions working a 40-hour workweek shall be compensated for eight hours' paid leave time for designated holidays. Eligible employees working less than a 40-hour work week shall be compensated for paid holidays on a prorated basis according to the number of hours budgeted per year. Employees in (non-benefit) part-time positions; seasonal, interns, or temporary positions shall not receive pay for holidays off.

(1) **Schedule.** The Board of County Commissioners annually adopts the schedule of compensated holidays. The Assistant County Manager, elected official, or department director shall have the discretion to provide an alternate holiday work schedule for employees consistent with departmental needs.

(2) **Computation.** Employees who are non-exempt or paid hourly, who are required to work on a holiday, shall be compensated at eight hours for the holiday (or a prorated amount for eligible employees working less than 40 hours per week), in addition to compensation for the hours worked. This may or may not result in overtime calculations for the workweek or work period (see Section 4-2).

Adopt the same rule for all alternative work schedules. As stated above and not in addition to, when a paid holiday falls on an employee's regularly scheduled workday, the employee earns 8 hours of holiday pay (or the prorated amount if the employee works less than full time). If that regularly scheduled workday is greater than 8 hours, employees have the option to elect to use either vacation/comp time to make up for the time in excess of the 8 hours that the employee was scheduled to work; or if possible and if approved in advance by the supervisor, the employee may work the additional hours during the same workweek as the holiday, in lieu of using accrued leave.

(c) **Retirement Program.**

(1) **Social Security Administration Contributions.**

The County pays all required Social Security and Medicare tax contributions.

(2) **Retirement Plan Contributions.**

Association. The County is currently a member of the Colorado Retirement Association. The bylaws of the Retirement Association shall govern eligibility for retirement benefits.

(d) **Employee Assistance Program.** County employees are offered a confidential counseling and referral service for the employee, their spouses and dependent children. This service includes a designated number of counseling sessions and financial planning or legal sessions annually, paid for by the County. For more information about these plans, please refer to the Summary Plan Description on the County website or contact Human Resources. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

(e) **Flex-Time Workweek.** Subject to Policy #1.2.9.3 (Standard Hours of Operation), an Assistant County Manager, elected official or department director may establish, upon final approval from the County Manager, a flex-time workweek for any of their employees. Any flex-time workweeks created will ensure that established office days and hours are maintained so that customer access is not impeded. In opting for such a schedule, the established flex-time workweek will be used for determination of overtime.

- (f) **Remote Work.** Remote work may be permitted at the discretion of the Assistant County Manager, elected official or department director and in accordance with operational needs. Employees approved for remote work must comply with all applicable policies, maintain productivity, and ensure data security. The appropriate Assistant County Manager, elected official, or department director reserves the right to modify or revoke remote work arrangements at any time.
- (g) **Meal Periods and Breaks.** The appropriate Assistant County Manager, elected official, or department director will determine departmental standards regarding length and scheduling of breaks and lunch times for their employees, with any office closure limited as outlined in Policy #1.2.9.3 (Standard Hours of Operation). However, if a break is intended to be less than 20 minutes, it is normally paid time and if a break is intended to be free from duties for 30 minutes or more, it is unpaid time.
- (h) **Training.** In addition to all required safety-related training, Gunnison County intends that its employees continue to train and develop in job-related skills. The County-paid training may consist of the following elements:
- Mandatory Training. Mandatory development as defined by laws, rules, statutes, or County policies.
 - General Training. General education developed to increase employee effectiveness.
 - Job-Skills Training. Special or technical education unique to a specific position or employee group.
 - Authorization. With advance approval by the appropriate Assistant County Manager, elected official or department director, the cost of above training types may be considered a County expense.
- (i) **Vacations.**
- (1) **Earning Rate.**
- a. Employees Working a 40-Hour Workweek. Employees in full-time positions working a 40-hour workweek earn vacation for each full month of continuous service as follows:
- | | |
|--|--------------------|
| Hire date through the end of year 4: | 8 hours per month |
| Start of year 5 through the end of year 8: | 9 hours per month |
| Start of year 9 through the end of year 15: | 10 hours per month |
| Start of year 16 through the end of year 20: | 12 hours per month |
| Start of year 21 through separation: | 14 hours per month |
- b. Employees Working Less Than a 40-Hour Workweek. Currently, eligible employees working fewer than 40 hours per workweek earn vacation on a prorated basis according to the number of hours worked per year. Employees in (non-benefit) part-time positions, seasonal or temporary positions shall not receive paid vacation.
- c. Elected Officials. Elected officials shall not be entitled to receive the benefit of paid vacation as outlined herein. Any County employee who becomes an elected official shall be paid for vacation accumulation while an employee, prior to taking office (see Section 7).
- (2) **Approval.** Vacation time must be earned before taken, and an employee must receive supervisor approval of their vacation request prior to use of the vacation time. Compensatory time accrued must be used prior to paid vacation time when voluntary leave is taken, unless otherwise approved by the County Manager.
- (3) **Scheduling.** An Assistant County Manager, elected official or department director may require an employee to use vacation time pursuant to a schedule or by a certain date for business needs of the department.
- (4) **Maximum Accrual.** Employees are not eligible to earn any additional vacation once they have reached their maximum accumulation. The allowable maximum vacation accumulation for eligible employees working less than a 40-hour workweek shall be prorated according to the number of hours worked monthly. Vacation does not accrue during any leave without pay or a suspension. The maximum vacation accumulation for full-time employees shall be:
- | | |
|---------------------------------|-------------------|
| 0 through the end of 4 years: | 160 hours maximum |
| 5 through the end of 8 years: | 196 hours maximum |
| 9 through the end of 15 years: | 240 hours maximum |
| 16 through the end of 20 years: | 288 hours maximum |
| 21 plus years: | 336 hours maximum |
- (j) **Sick Leave.**
- (1) **Credit.** Currently, employees in full-time positions working a 40-hour workweek are credited sick leave with pay at the rate of 8 hours for each full month of service. Eligible employees working less than a 40-hour workweek shall accumulate sick leave on a prorated basis according to the number of

hours worked per year. Employees in (non-benefit) part-time positions, seasonal, or temporary positions are eligible for one (1) hour of paid sick leave for every thirty (30) hours worked. Sick leave does not accumulate during any leave without pay or during a suspension. A County holiday shall not be counted as a day of sick leave.

- (2) **Use.** Paid sick leave may be used if an employee:
- has a mental or physical illness, injury, or health condition that inhibits them from working;
 - needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;
 - needs to care for a family member who has a mental or physical illness, injury, or health condition or who needs to get preventive medical care or to get a medical diagnosis, care, or treatment of any mental or physical illness, injury, or health condition;
 - the employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment and needing leave for related medical attention, mental health care, or other counseling, victim services (including legal services), or relocation;
 - is subjected to a public health emergency, a public official having closed either (A) the employee's place of business, or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child;
 - needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care; needs to grieve, attend funeral services or a memorial, or deal with financial and legal matters that arise after the death of a family member;
 - needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence, or
 - requests sick leave for personal reasons and has prior approval from the appropriate Assistant County Manager, elected official, or department director.
- (3) **Reporting.** Reporting must be done prior to the beginning of the employee's work schedule on the first day of their absence or as soon thereafter as reasonably possible. The employee must keep their supervisor informed of their expected date of return. The employee must furnish reasonable documentation regarding the use of more than four consecutive workdays, if requested to do so by their Assistant County Manager, an elected official or department director. Such documentation, if requested, must be provided within three workdays from the date of request.
- (4) **Accumulation.** There is no limit to the amount of sick leave an employee may accumulate. However, an employee may not use sick leave for purposes other than those set forth in this paragraph (i). Any misuse of sick leave will not be tolerated.
- (5) **Elected Officials.** Elected officials shall not be entitled to receive sick leave as outlined herein. Any County employee who becomes a County elected official shall be paid for sick leave accumulated while an employee prior to taking office pursuant to the limits outlined in Section 7.
- (6) **Insufficient Paid Sick Leave Balances.** In the event that an employee has an insufficient paid sick leave balance to cover any absence(s) from work due to illness as defined below, the time lost will be deducted from the employee's accrued compensatory time and then vacation leave balances or, if these balances are still not sufficient, deducted as leave without pay. If an employee expends or expects to expend all sick, vacation and compensatory time prior to the conclusion of the illness requiring absence from work, the employee may apply for a sick leave transfer, per the process outlined in paragraph (10) below. An employee must expend all accrued leave balances prior to the use of any hours authorized for transfer. In addition to a sick leave transfer request, the employee may submit a Medical Leave of Absence (non-FMLA) Leave Request Form (refer to Section (4-3(p)).
- (7) **Insufficient Paid Sick Leave Balances for Non-benefit Eligible Employees.** In the event that a non-benefit employee has an insufficient paid sick leave balance to cover absence(s) from work due to illness as defined in section 4-3 (i)(2), that time will be without pay. A non-benefit employee may not apply for a paid sick leave transfer.
- (8) **Declared emergencies.** In the case of a public health or other emergency declared by the County Public Health Director, the County Manager, and/or the Board of County Commissioners, the County reserves the ability to impose additional requirements related to leave in response to or because of such emergency.
- (9) **Employers cannot retaliate against employee for requesting or using paid sick leave.** Employees

have a right to file a complaint or bring a civil action if paid sick leave is denied or they are retaliated against for exercising their rights under the law.

(10) Sick Leave Transfers. The Internal Revenue Service (IRS) allows for donation of accrued sick leave without negative tax consequences to the donor in instances of a medical emergency, which the IRS defines as a “medical condition of the employee or a family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to exhaustion of all paid leave available, apart from the leave-sharing plan.”

Donor employees may not claim an expense, a tax deduction or a charitable contribution for any of the leave that they donated to the Sick Leave Bank.

- a. **Donations.** Human Resources may request donation of sick leave at any given time during the year from eligible employees. Upon separation, employees may donate any portion or all of their accumulated sick time to the Sick Leave Bank, up to the amount of hours the employee is eligible to cash out based on their years of service (see Section 7 for more information). Donors may not request transfer of their donated hours to specific employees, all donated hours are immediately transferred to the Sick Leave Bank, and donor employees forfeit their right to reclaim the hours for any reason.
- b. **Donation Limitations.** County employees should strive to maintain a sick leave balance capable of meeting the demands of expected absences (i.e., general illnesses, routine medical needs, vacations, pregnancy, etc.). Thus, only employees with sick leave balances of at least 160 hours (equivalent to 20 standard eight-hour shifts) and separating employees may donate to this program according to the below limitations:

<u>Donor Employee’s Accumulated Sick Leave Balance</u>	<u>Maximum Annual Allowed Donation</u>
159 or less hours	No donation possible
160-480 hours	32 hours
481+ hours	64 hours
N/A (separating employees only)	Limited to those hours that the employee would have otherwise been entitled to receive cash payment.

- c. **Application Procedure.** An employee desiring to receive a transfer should submit an application for additional sick leave to their supervisor at least 10 working days prior to the use of all of their available leave time, or as soon as reasonably possible. If an employee is unable to make such application, the application may be completed by a family member or an employee representative.
 - 1. Human Resources will then review the request and make a determination, regarding authorization of a sick leave transfer.
 - 2. Actual transfer of sick leave hours to an eligible employee may be less than the full amount authorized, if less is taken or if the Sick Leave Bank balance remains insufficient to cover authorized transfers after all donations are received. If the Sick Leave Bank is insufficient to cover authorized transfers, the receiving employee will need to take leave without pay for the duration of their absence.

(k) Workers’ Compensation.

(1) Eligibility. Employees who suffer job-related injuries or disease may be entitled to workers’ compensation benefits for medical expenses and lost wages, in accordance with State law.

Employees working remotely are responsible for maintaining a safe and ergonomically sound workspace. This includes ensuring the environment is free of hazards such as tripping risks, inadequate lighting, and excessive noise disturbances.

Workers' compensation and liability coverage may be subject to determination in unique working circumstances, such as working from locations other than the designated county workstation. Employees must obtain prior management approval before working from an alternate location to ensure compliance with coverage requirements.

(2) Reporting. If you are injured on the job an employee must report the injury or disease to their supervisor as soon as they are able and report in writing within 10 days after the injury. Alcohol and drug testing may be required if the employee’s own actions or omissions could possibly have caused the accident that led to injury. Failure to report the injury and to timely submit to testing, if required, could result in discipline or discharge.

- (3) **Treatment.** Gunnison County has the right to require that employees are treated by a treating physician selected from a list of physicians designated by employer. Failure to use a physician from the designated list may result in loss of medical benefits.
- (4) **Family and Medical Leave.** Family and Medical Leave will run concurrently with any eligible on-the-job Workers' Compensation leave.

(I) **Family Medical Leave Act and Military Family Leave.**

- (1) **Eligibility Requirements for FMLA Leave.** An employee who has been employed by the County for at least 12 months and for at least 1,250 hours during the preceding 12-month period is eligible for Family Medical Leave Act leave.
- (2) **Acceptable Uses of Family Medical Leave.** Eligible employees will be granted Family Medical Leave for a maximum of 12 weeks during a single 12-month period for the following reasons:
 - a. Incapacity due to pregnancy, prenatal medical care, childbirth;
 - b. To care for the employee's child after birth, or placement for adoption or foster care;
 - c. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
 - d. Serious health condition that makes the employee unable to perform the employee's essential job duties.
 - 1. **Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.
 - 2. **Continuing Treatment.** Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a healthcare provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.
- (3) **Military Family Leave.** Eligible employees with a spouse, child or parent on active duty or called to active-duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies:
 - a. **Qualifying Exigency Military Leave.** 12-weeks of leave in a single 12-month period to address certain qualifying exigencies. Qualifying exigencies may include:
 - 1. Attending certain military events;
 - 2. Arranging for alternative childcare;
 - 3. Addressing certain financial and legal arrangements;
 - 4. Attending certain counseling sessions;
 - 5. Attending post-deployment reintegration briefings.
 - b. **Military Caregiver Leave.** FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."

- (4) **Leave Granted.** Family Medical Leave and Military Qualifying Exigency Leave will use the same measurement for a single 12-month period. The maximum time allowed for FMLA leave is 12 weeks in the 12-month period as defined by the County. The 12-month period is measured backward from the last date an employee uses FMLA leave. There are exceptions: For a birth or placement of a child for adoption or foster care, the entitlement period will expire 12 months from the date of the birth or placement. For Military Caregiver leave, the 26-week period is measured forward from the first day of the leave.

FMLA leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies (e.g., emergencies) may also be taken on an intermittent basis. For birth or adoption, intermittent leave can only be taken if the employee and the appropriate Assistant County Manager, elected official, or department director agrees to such an arrangement. Employees taking intermittent or reduced-schedule leave based on planned medical treatment and those taking intermittent or reduced-schedule family leave with the Assistant County Manager, elected official or department director's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodate that type of leave.

When Gunnison County employs both spouses, they may only take 12 weeks between them for leave related to birth, foster placement, or adoption of a child, or to take care of a sick parent. However, each spouse is eligible for a separate entitlement of leave to care for each other, their children or themselves.

- (5) **Substitution of Paid Leave for Unpaid Leave.** While on Family Medical Leave or Military Family Leave, the County requires employees to use accrued paid leave, unless collecting Gunnison County Workers' Compensation benefits. Paid leave used at the same time as FMLA leave must be taken in compliance with the County's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the County's paid leave policies, the employee cannot use accrued paid leave but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted. Exception: Employees may request that up to 40 hours of paid leave benefits remain in their account when unpaid leave begins.
- (6) **Benefits and Protections.** During FMLA leave, the County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, vacation and sick leave will not accrue during any unpaid leave. Also when on unpaid leave, holidays, jury duty and personal leave are not granted and no contributions are made to the retirement plan. The employee will not receive accumulation of seniority or any other employment benefits during leave without pay.

- (7) **Employee Responsibilities.** Employees must provide 30 days advance notice to Human Resources of the need to take FMLA leave when the need is foreseeable. When a 30-day notice is not possible, the employee must provide notice as soon as practicable and generally at a minimum must comply with their supervisor's normal notification requirements for unexpected leave.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform Human Resources if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. Request for certification will be made by Human Resources if, in the opinion of management, it is necessary. The County may require second and third medical opinions at the County's expense. Documentation confirming family relationship, adoption or foster care may be required.

- (8) **Employer Responsibilities.** The County will provide up to 12 weeks or up to 26 weeks (for Military Family Leave) of job-protected leave to employees who meet the eligibility requirements above.

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and

responsibilities. If they are not eligible, the County will provide a reason for the ineligibility.

The County will inform employees taking leave if the leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave requested is not FMLA-protected, Human Resources will notify the employee.

- (9) **Return to Work Following Leave.** Before returning to work, an employee who has taken FMLA leave for a personal medical condition that made them unable to perform the essential functions of their position is required to obtain and present a certificate from their healthcare provider that they are able to return to work and perform the essential functions of their position. This should be done by presenting a "Return to Work Authorization" form or any equivalent, completed by the attending physician. Return to Work forms may be obtained from Human Resources. The Return to Work form must state that the employee can return to their regular work schedule and resume performance of all the essential duties required in the employee's position or can return to their position on a restricted or modified-duty basis, as defined by the attending physician, resuming performance of all the essential duties required in the employee's position with reasonable accommodation. Gunnison County reserves the right to deny modified or restricted duty. Employees on leave must contact Human Resources at least two business days before their planned return to work.
- (10) **Failure to Return from Leave.** The failure of an employee to return to work upon the expiration of an FMLA leave of absence may subject the employee to possible termination unless an ADA accommodation extension is granted. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave. An employee may also request additional sick leave (see Section 4-3(i)).
- (11) **Unlawful Acts.** FMLA makes it unlawful for the County to:
- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
 - Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.
- (12) **Enforcement.** An employee may file a complaint with the U.S. Department of Labor or may initiate private litigation. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

(m) **FAMLI Participation.** The County has opted out of participating in the FAMLI State-run family leave program due to having other leave policies in place. Nonetheless, some employees may elect to participate in FAMLI because of their circumstances. All employees of the County may participate in FAMLI on an individual basis. FAMLI provides partial income protection for eligible employees who are temporarily unable to work due to their or a family member's qualifying medical or legal reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. Partially paid leave is available for up to 12 weeks in a calendar year or up to 16 weeks under certain circumstances related to pregnancy and childbirth. Employees should notify Human Resources at least 30 days prior to using any such FAMLI leave or as soon as practicable. Employees must make a reasonable effort to schedule leave so as not to unduly disrupt the County's operations. Not all protections and benefits may be applicable to employees opting into FAMLI when employed by a public employer who has opted out. Please see Human Resources to obtain additional copies of the required notices to employees of local government employers who have opted out of FAMLI that are distributed upon hiring. In some circumstances, FAMLI benefits will run concurrently with FMLA, Short-Term Disability, AFLAC and/or a Medical Leaves of Absence. It is County policy to require employees to use their accrued paid leave (sick, vacation, comp time) while on paid FAMLI leave to get the employee to 100% of wages. Employees on FAMLI are not permitted to receive more than 100% of their average weekly wage.

(n) **Disability Leave.**

- (1) **Short-Term Disability.** Short-Term Disability (STD) benefits are made available for full-time benefited staff and provide partial income protection for eligible employees who are temporarily unable to work due to non-work-related injury or illness for up to 12 weeks in a calendar year. For more information regarding this important benefit, including required documentation and waiting periods, please contact Human Resources.
- (2) **Continuation of Benefits.** Employees who are on approved disability leave with pay will continue to be eligible for all County benefits that they normally receive when on regular status. On approved

unpaid leave, vacation and sick leave will not accrue, and holidays, jury duty and personal leave will not be granted. The County will not make any contribution during the leave without pay for retirement or group insurance programs. The employee may be entitled to continue participation in all group insurance programs during the leave provided that the employee deposits with the County the amounts necessary to cover the total cost of the premium(s). Information as to availability of continuing participation in group insurance programs may be obtained from Human Resources.

(3) **FAMLI Participation** For employees participating in FAMLI on an individual basis, STD will run concurrently with FAMLI. A FAMLI claim must be filed to access STD benefits. STD benefits may be offset by FAMLI benefits.

(4) **Failure to Return to Work.** An employee who fails to return to work at the end of authorized leave may be disciplined, which can include termination. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave.

(o) **Military Leave.** Employees granted a military leave of absence shall be reinstated and paid in accordance with the laws covering veteran's re-employment rights.

If you are a member of the U.S. Armed Forces Reserve or the National Guard or performing other protected uniformed service, you are granted a leave of absence when called for active or inactive duty training. The first three weeks of duty equivalent to three weeks of work on your regular work schedule are without loss of wages seniority, status, efficiency rating, vacation, sick leave, and other benefits of the service member for those days.

Under Federal law, in addition to the three weeks of paid leave provided by Colorado law, if you are a member of the U.S. Armed Forces Reserve or the National Guard, or you are performing other protected uniformed service, you are granted an unpaid leave of absence when called for active or inactive duty training. This time is granted in addition to earned vacation time. However, if you desire to use your vacation time for this purpose, you may voluntarily do so if you make a request in writing.

If you are called to serve in a branch of the U.S. Armed Forces for an extended period, you may be reinstated, in accordance with the provisions of the law, upon returning to the County after separation from military service.

The County prohibits retaliation against any employee for taking time off under this policy. If you believe there has been a violation of our retaliation standard, please contact the Human Resources Department.

(p) **Medical Leave (Not FMLA Eligible).**

Employees who have not worked 12 months or 1,250 hours are not eligible for FMLA. Those employees may be provided a medical leave of absence to be used in a block of time, in limited circumstances. Such a leave would include time off for an employee's illness, pregnancy, childbirth, or the physical recovery from childbirth, disability, or an employee's injury, whether on or off the job.

Unless Federal, State, or local law provides otherwise, for a medical leave to be granted, the following conditions must be met:

- The employee has completed 90 days of full-time employment with the County.
- The employee notifies the immediate supervisor as soon as possible of the need for medical leave.
- The employee submits to the supervisor a written statement from a medical provider outlining the reason for leave and the estimated time needed. (The County may require the employee to obtain an opinion from a medical provider selected by the County.)
- Approvals are obtained from the immediate supervisor and the Human Resources Department prior to the leave.
- All available sick leave, earned vacation, and comp time are used at the beginning of the leave of absence. Medical leave (non-FMLA) runs concurrently with the use of vacation, sick leave, short-term disability, and workers' compensation, whenever applicable. If not applicable or no time is available, all approved leave will be unpaid.

Medical leaves (non-FMLA), will generally be limited to no longer than six calendar weeks. An employee who is ready to return to work from leave should present a return to work authorization form indicating the ability to return to work. The County currently continues health insurance benefits for any employee on leave for a maximum of six weeks, as long as the employee continues to pay the employee's portion of the premium. If the employee is able but does not return to work after the expiration of the leave, the employee will be

required to reimburse the County for the employer's portion of the premiums paid during leave.

Vacation and sick leave will not accrue during a medical leave of absence and no contributions are made to the retirement plan. Holiday, bereavement leave, or jury duty will not be granted during the leave.

Employees who fail to return at the expiration of their authorized leave may be subject to discipline up to and including termination. If the employee's failure to return is due to pregnancy, childbirth, or the physical recovery from childbirth and/or a disability under the Americans with Disabilities Act or other similar laws, additional accommodations may be provided. Employees must supply sufficient information from their medical provider specifying the basis for the additional leave and when they can return to work with or without reasonable accommodation. Accommodations must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and the County.

Part-time employees are not eligible for leave under these guidelines except as required for a disability.

(q) Domestic Abuse Leave.

- (1) Eligibility.** Employees who have been employed by the County for more than 12 months, and who are victims of the following events: Domestic violence or abuse, stalking, sexual assault, or any other related crime are eligible for three working days off in any 12-month period. The 12-month period is measured backward from the last date an employee uses domestic abuse leave. Such leave is without pay, except to the extent accrued paid leave is available as set forth in paragraph (3) below.
- (2) Use of Leave.** The employee may use the leave for the following reasons: Seeking a civil protection order to prevent domestic abuse; as a result of domestic abuse, stalking, sexual assault or any other crime involving domestic violence; obtaining medical care or mental health counseling for themselves or their children to address physical or psychological injuries arising from the act or crime; making their home secure from the perpetrator or seeking new housing to escape the perpetrator; seeking legal assistance to address the issues and attending and preparing for court-related proceedings arising from the act or crime.
- (3) Paid Leave Substitution.** Gunnison County will require employees to use accrued paid leave before leave without pay will begin.
- (4) Notice Requirements.** Employees must provide written verification of the need for leave. Verification can be in the form of a police report, a court order, or documentation from a medical professional, domestic violence advocate, health care provider or counselor stating that the employee is in some way a victim of domestic violence unless it is a case of imminent danger to the health or safety of the employee, an employee seeking such leave from work must provide his or her employer with appropriate advance notice.

(r) Community Role/Leave for Volunteer or Public Purpose.

- (1) Effect on Employee's Job and County Interests.** Professional, charitable and civic organizations provide an excellent avenue for developing relationships with others and taking an active interest in the community is a practice of good citizenship. Employees are encouraged to participate in such activities, but participation in community affairs must not conflict with the employee's job duties or responsibilities to the County.
- (2) Participating in Professional, Charitable and/or Civic Activities.** Normally, time spent participating in professional, charitable and/or civic organizations and activities should be outside of the employee's working hours and is not considered hours worked for pay purposes. However, if an employee is serving in a volunteer capacity for a circumstance that requires the local volunteer fire department or a Gunnison County Sheriff's Reserve officer be present, the employee's time away from their regular duties will be considered hours worked for pay purposes, if approved by the employee's supervisor prior to the absence. Also, time spent during your regularly scheduled work day for charitable, public or similar purposes in the capacity of County representative, at the County's request or under its direction or control is considered hours worked for pay purposes. Under these circumstances, reasonable hours worked and expenses incurred may be reimbursed by the County under the same rules and regulations governing regular work situations. All voluntary employee participation in community affairs involving time away from the job is subject to prior written supervisor approval.
- (3) Political Activity.** See Section 5-9 for more information.

(s) **Jury Duty.**

The County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly.

Employees receive regular pay for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service to payroll with the timesheet.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of ten days (80 hours). Jury duty leave beyond this time is without pay from the County.

5. EMPLOYEE CONDUCT

5-1 Appearance and Attire. Gunnison County encourages a work environment where employees can dress appropriately and comfortably for work with good judgement. This includes being clean and neat, with attire that meets reasonable professional standards for the employee's position. Other appearance and safety attire requirements may be determined by the appropriate Assistant County Manager, elected official or department director. Certain employees shall follow uniform regulations pursuant to their position.

5-2 Electronic Communications and Public Records. Gunnison County has established policies with regard to access and disclosure of electronic communications created, sent or received by County employees using the County's electronic communications systems. This includes telephone, voicemail, email, internet, social media, or any other form of electronic communication, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval.

The electronic communications systems are purchased and maintained by the County and provided to employees to assist them in the conduct of County business. The electronic communications systems permit employees to communicate with each other internally and with outside individuals and agencies. The policies governing the use of the electronic communications systems are as follows:

(a) **County Property.** The electronic communications systems hardware and software are County property. Electronic communication systems include, but are not limited to, desktop computers, laptop computers, tablets, smart phones, facsimile machines, document scanning devices, and similar such equipment owned, operated or maintained by the County. Employees have no reasonable expectation of privacy in any communication sent or received through County electronic communications systems.

(b) **Records.** Record retention of public records applies to all records, including those that exist in electronic form. Pursuant to applicable open records laws, Gunnison County strives to assist the public in locating and reviewing any specific electronic records unless such records are specifically exempted from disclosure by law. Thus, all records, including those of elected officials, are potentially subject to public disclosure.

(c) **Use.** To ensure the appropriate use of electronic communications systems, all employees shall use the County's software, applications, and hardware for official, County-business related purposes only.

(1) **Software and Applications.** The County will allow only County-authorized software or applications to be stored or executed on its computers. Recognition is given to the unique needs of particular departments and programs; however, the software must be approved for compatibility by the IT Department prior to installation. Software installed with the intention of protecting devices and peripherals, such as anti-virus software, shall not be removed or disabled unless authorized by the IT Department. All software license agreements and copyright laws shall be adhered to and copies of license agreements shall be provided to the IT Department.

(2) **Email, Social Media and Internet Use.** Email, social media and internet access must be used in a manner that maintains public trust and confidence in the County. Email and internet access are provided for the County's official public business. Examples of appropriate use of email, social media and the internet are as follows:

- a. Facilitating Communications. Facilitating communications and transfers of documents between employees, citizens and others concerned with County business.
- b. Accessing Data. Accessing databases and files to obtain work-related reference material or to conduct work related research.
- c. Expediting Administrative Duties. Expediting administrative duties in direct support of

work-related functions.

- d. **Professional Development.** Communicating with individuals or professional organizations regarding professional and career development.

(d) **Use Violations.** No person shall use County communications systems to:

- Violate any Municipal, County, State or Federal law or regulation.
- Promote any commercial venture, political campaign, or personal purpose.
- Raise funds or engage in public-relations activities that are not directly related to County business.
- Intentionally disrupt network or system use by others, either by introducing worms or viruses or by other means.
- Engage in any activities that could cause congestion and disruption of networks and systems, such as sending or forwarding spam, joining news subscription services, streaming audio or video, and sending or receiving graphic or animation files not directly related to County business.
- Download, send, or receive copyrighted materials, trade secrets, proprietary financial information or similar materials without authorization and prior consent.
- Transmit, store, or receive with foreknowledge any pornographic, racist, sexist or harassing material.

(e) **Privacy and Security.** Employees should have no expectation of privacy regarding the use of electronic media through electronic communications systems hardware and software owned by the County. Any information or data contained in any electronic system owned by the County is available to the County at all times and may be subject to audit, intercept, access and disclosure for reasonable purposes, including discipline by the County. In addition, the County reserves the right to monitor, including monitoring in real time, any use of electronic media through electronic communications systems hardware and software owned by the County.

(1) **Public Record.** Correspondence of an employee in the form of email and/or social media may be a public record under applicable public records laws and County policies.

(2) **Access.** The County reserves the right to implement the use of electronic tools that monitor and/or restrict the transmission of email and the use of the internet. Further, the use of passwords for security does not guarantee confidentiality. No unauthorized password protection or encryption mechanism may be used without prior approval of the employee's supervisor or the IT Department. Notwithstanding the County's right to retrieve and read any electronic communication messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees may not retrieve or read any electronic communication messages that are not sent or copied to them unless authorized to do so. Employees shall not use a code or password, access a file or system, or retrieve any stored information of other users, unless the employee is authorized by their supervisor, the County Manager, or the County Attorney to do so.

(f) **Disciplinary Action.** Violation of these policies may result in discipline, up to and including termination.

(g) **Data Disposal Policy.** During the course of your employment, the County will collect certain information that is classified as "personal identifying information," under applicable laws. Such information may include, but is not limited to:

- Your first and last name or initials
- Username(s) and password(s)
- Social Security number
- Driver's license or other identification card number
- Medical documentation
- Biometric data

The County may keep these records in paper and/or electronic format. When such documentation is no longer needed, pursuant to records retention requirements and best practices, the County will either (a) destroy the records or (b) arrange for their destruction, e.g., by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

5-3 Smoking Prohibition – County Facilities and Vehicles In keeping with our County's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace. Smoking is prohibited on County grounds and in County vehicles. This prohibition includes the use of electronic smoking devices (for example, e-cigarettes, e-cigars, e-hookahs, vape pens, etc.). This restriction applies to all officials, employees, and visitors.

(1) **Cessation Assistance.** Gunnison County is committed to supporting employee efforts to quit smoking. Cessation resources and support are available to employees through the County website, the Human Resources office, and the Health and Human Services Department. Employees can also call the Colorado Quitline at 1-800-QUIT-NOW (1-800-784-8669).

5-4 Drug and Alcohol Policy. Gunnison County has adopted a drug-free workplace policy with the goal to foster a work environment free from the effects of illegally used or possessed drugs and/or alcoholic beverages. Abuse of drugs and/or alcohol impairs employee judgment resulting in increased safety risks, employee injuries and faulty decision-making.

Gunnison County supports treatment efforts related to drug and/or alcohol abuse. Among other treatment options personally sought by any employee desiring assistance or information, employees may receive consultation, advice and referrals via the Employee Assistance Program (EAP).

Important: Some Gunnison County departments may have additional procedures in order to comply with State or Federal rules/regulations/laws. For example, positions requiring the operation of a commercial motor vehicle or aircraft are subject to the most current drug/alcohol regulations and procedures established by the Department of Transportation. Those laws, regulations and procedures will prevail in any conflict with the policies outlined below.

- (a) **County Premises.** Except as expressly permitted in this Section 5-4, employees shall not manufacture, distribute, dispense, possess, use, sell, gift or transfer alcohol or controlled substances on any County premises or worksite at any time, or work after the use or apparent use of alcoholic beverages and/or controlled substances, except that an employee may possess or use non-prescription medications if they do so to address a medical need that requires treatment during working hours or on County property and in accordance with the manufacturer's or dispensing pharmacy's directions for use of such medication(s). Exception: Possession and consumption of alcohol are permitted on County premises during County-hosted events with prior approval by the County Manager, as outlined in Gunnison County Policy 5.2.5.
- (b) **Pre-Employment Testing.** Employees who are required to perform duties that involve the use of certain equipment or the following of procedures which may have the ability to negatively impact other persons' safety are subject to pre-employment and periodic drug and alcohol testing.
- (c) **Prescribed Drugs.** Excluded from the policy are prescribed drugs when used in the manner, combination and quantity either as directed by a prescribing health care provider or dispensing pharmacy, unless job performance could be affected such that the employee is unable to perform their job duties or poses an undue risk to fellow employees or the public. Employees who must use a non-prescription or prescription drug that may affect their ability to perform work in a safe and/or effective manner must notify their supervisor prior to starting work. The supervisor need not be told what the drug is or what it is being taken for, only how it may affect the employee's work performance. Employees must present a completed Medical Exception Form, available via the County website or Human Resources, to their supervisor when notification is made.
- (d) **Marijuana.** Marijuana, whether for recreational or medical purposes, is considered a prohibited controlled substance under these policies.
- (e) **Operation of Vehicles and Equipment.** At no time will an employee operate a County vehicle, a private vehicle used for County business, or County equipment if the employee is or is reasonably suspected of being impaired by drugs and/or alcohol, as determined by the employee's supervisor, appropriate Assistant County Manager, elected official, department director, or the County Manager.
- (f) **Drugs/Alcohol Influence and Violations.** All employees are expected to report to work in a fit mental and physical condition to perform their assigned duties. An employee shall not report for work or remain on duty while consuming, possessing or being under the influence of drugs and/or alcohol, except as expressly permitted by this Section 5-4.

If an employee appears to be affected by or under the apparent influence of drugs and/or alcohol while in the workplace, the employee may be required to submit to drug and/or alcohol testing. Refusal to submit to requested drug or alcohol testing will be cause for disciplinary action up to and including termination. Employees should also not consume any drugs/alcohol after being required to test and before testing is complete. Please contact the Human Resources Department for assistance with reasonable suspicion and testing procedures, and/or see Section 6.

Any employee who is accused and/or convicted of a criminal offense involving drugs and/or alcohol that prevents the employee from performing the essential functions of the job, occurs in the workplace, in a County vehicle, or during the performance of the employee's job duties, shall notify the appropriate Assistant County Manager, elected official, department director or the County Manager within one business day of being formally accused of an offense by a law enforcement authority, or such conviction or plea. If an employee is found in violation of this policy, if required testing confirms drug/alcohol use, or if an employee is convicted or pleads guilty or no contest to drug/alcohol related violations while in the workplace, they will be subject to disciplinary action up to and including termination.

If an employee has a reasonable basis to suspect that another employee is in violation of this policy, the employee shall report their suspicions to their supervisor. If the supervisor is not available, the employee shall report the concern to Human Resources. All such reports shall be held in confidence to the extent permitted by law. The supervisor or Human Resources shall take immediate steps to ensure compliance with this policy. Any employee who makes a false report to a supervisor under this paragraph may be subject to discipline, up to and including termination.

5-5 Use of County Property.

- (a) **Employee Responsibilities.** It is the duty of every County employee to protect and conserve County property. All employees shall use County-owned property and equipment for County-approved purposes only and within the bounds of all applicable laws. Gunnison County reserves the right from time to time to reasonably search and/or monitor any property owned by the County, with or without notice.

5-6 Outside Employment.

- (a) **Incompatibility.** No County employee shall engage in any outside employment or other activity that is a conflict of interest (see Section 5-7) with the proper discharge of the employee's County office or position. Employment outside the County may be reviewed by the appropriate Assistant County Manager, elected official, or department director and the employee may have to terminate their outside employment activities to maintain their employment with the County.
- (b) **Multiple County Positions.** No County employee shall hold more than one position concurrently within the Gunnison County personnel structure without prior approval of the appropriate Assistant County Manager, elected official or department director, Human Resources, the Finance Director and the County Manager.

5-7 Conflict of Interest.

- (a) **No Conflicts of Interest.** The County shall strive to promote public confidence in government by assuring the people of Gunnison County of the impartiality and integrity of County employees. As such, all employees will strive to ensure that their actions do not present a conflict of interest. The failure to avoid or to address conflicts of interests may be grounds for discipline, up to and including termination.
- (b) **Business Interests.** It shall be a conflict of interest for a County employee or a member of the employee's family to have a personal financial interest in any business transaction with or involving the County, unless such transaction is unrelated to the employee's position and job responsibilities and does not involve the department or office in which the employee works. In the event of such a conflict, the employee shall immediately disclose the financial interest to the appropriate Assistant County Manager, elected official, department director or to the County Manager and refrain from engaging in any conduct that could influence or be perceived to influence any County decisions regarding the transaction in which the employee or a member of the employee's family has a financial interest.
- (c) **Compensation and Gifts.** Pursuant to Colorado Constitution Article XXIX, no employee shall accept from any individual or vendor working with or appearing before the County:
 - (1) Money, forbearance, or forgiveness of indebtedness. For this ban, acceptance or receipt of any amount is a violation.
 - (2) Any item of value, including but not limited to gifts, loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, or special discounts

For this ban, solicitation, acceptance, or receipt of a thing of value having a fair market value or aggregate actual cost greater than \$75.00 currently (and adjusted for inflation) is a violation.

5-8 Handling Confidential Information. No County employee shall disclose confidential information entrusted to or acquired by the employee by virtue of their employment with the County. For purposes of this Handbook, "confidential information" is defined as all nonpublic information concerning or arising from Gunnison County's business and operation, including but not limited to, health information, financial assistance information, child, family and senior welfare information, personnel/employee information, and computer data and computer access code information. It may be in oral, written or electronically transmitted form.

5-9 Political Activity. County employees may not engage in political activity (including campaigning, fundraising and other partisan political activities) during on-duty hours involving the use of any County property (i.e., telephones, equipment, supplies, etc.), or that impairs their ability to carry out their duties as County employees. If time spent participating in a political activity requires time off work from the County, an employee must use paid vacation, earned compensatory time and/or leave without pay that has been pre-approved by the appropriate Assistant County Manager, elected official or department director. An employee cannot engage in partisan campaign or political activity while wearing

their County uniform or badge, or while possessing any other sign, insignia, or item that would suggest that the employee was engaging in political activity in their capacity as a representative of the County. Employees must obtain the prior approval of the County Manager before seeking or accepting appointment to public office that would require extended time off work from the County.

Covered employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office. In addition, they may not coerce, attempt to coerce, command, or advise other covered employees to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities. No employee of the County can directly or indirectly coerce or command any other employee to pay, lend, or contribute salary, compensation, service, or anything else of value to any political party, group, organization, or candidate.

No employee will be forced to pay any contributions to any political organization whatsoever. Employees will not be required to work for or participate in support of any political candidate during their off-duty hours.

All employees are responsible for complying with this policy and the provisions outlined in CRS 1-13-714.

5-10 Vehicles, Out-of-State Travel, and Personal Tool Usage. Any employee on County business must comply with the following rules:

- (a) **Seatbelts.** All operators and passengers of Gunnison County motorized equipment and vehicles, and all operators of personal vehicles used for Gunnison County business are required to use safety belts as equipped for that particular vehicle in accordance with State or Federal law.
- (b) **Valid Driver's License.** Drivers must have, on their person, a valid driver's license when operating a County vehicle and comply with any restrictions and/or conditions associated with the valid license. If a valid driver's license is an essential function of the job and an employee receives restrictions or loses the license it must be reported in writing to their supervisor timely, and prior to operating County equipment and may result in discipline up to and including termination.
- (c) **Observance of Traffic Laws.** Drivers and passengers must obey all traffic laws and operate vehicles in a defensive and reasonable manner.
- (d) **Loss of License or Insurance Coverage.** If a valid driver's license is an essential function of the job and an employee loses their driver's license or no longer has insurance coverage as required by law, it must be reported in writing to their supervisor immediately.
- (e) **Out-of-State Travel.** All out-of-state travel at the County's expense must be approved by the County Manager in advance of the planned travel (see Section 5-10(e)).
- (f) **Use of Motor Pool and Personal Vehicles.** Except as set forth in this Section 5-10, as well as in the Motor Pool and Personal Vehicle Policy (Policy #4.3.3) and the Travel Policy (Policy #4.3.6), employees are required to utilize motor pool vehicles for work-related travel. If an employee is operating a personal or private vehicle in the course of County business, that vehicle is required to be compliant with all state motor vehicle regulations and to have all insurance coverage required by law.
 - (1) **Valid License.** Proof of a valid driver's license may be required at the date of employment, prior to any travel, at the time of renewal, or if specifically requested at any time by Public Works or Human Resources.
 - (2) **Proof of Insurance.** Any employee who uses a personal vehicle in the conduct of County business will be required to provide to the Public Works Department proof of insurance at each renewal period in order for any travel to be eligible for mileage reimbursement.
 - (3) **Employee Responsibility.** The County is not responsible for any damages or expenses associated with a personally owned vehicle used in the conduct of County business involved in an accident. If an accident does occur, the County will file any employee medical expense claims with the County Workers' Compensation carrier, but the employee should also file a claim with the insurance carrier that covers the vehicle for any vehicle damage and/or expenses for others involved. Employees should inform their insurance agent of the use of their personal vehicle for County business.
 - (4) **Training.** County employees who operate motor pool and/or personal vehicles for County business must attend and complete all driver safety courses currently required by the Public Works Department, and they must have a valid training certificate issued no more than 48 months prior to travel. Additional training may be required for drivers involved in automobile accidents while

conducting County business.

- (g) **Expense Reimbursement.** The County will reimburse personal vehicle expenses as set forth in Section 5-11.
- (h) **County Equipment.** Some Gunnison County vehicles are assigned to employees who are authorized to keep the vehicles parked at their residences overnight. In compliance with IRS guidelines, if an employee uses a motor pool vehicle to commute to or from work, such use shall be treated and calculated as taxable income.
- (i) **Personal Tools.** Any person's tools, defined as those items necessary in the performance of the duties of any County employee and which are supplied by the employee and remain that employee's personal property, shall be covered by the County's insurance carrier against fire, theft, water damage, loss in vehicular accident, building collapse, or other reasonable damage while used and/or stored in or on County property, including County vehicles. The County shall pay any deductible portion of the insurance coverage, so long as the employee has met all other requirements of this Section 5-10.

The employee is required to exercise normal security in the use and storage of those items. The items must be stored in a locked box or locked storage area, and not left unsecured when not in use or when the shop or storage area, office, etc., is closed for business. When stored on or in a County vehicle, such items shall be kept in a locked container (such as a toolbox, briefcase, etc.) and kept out of sight as much as reasonably possible.

The employee must maintain a detailed written inventory of such items, including replacement values, and provide this inventory to their direct supervisor.

It is a prerequisite to any benefit under this policy for the employee to report to the Finance Department and County Sheriff any damage, theft or loss of a covered item within three working days of discovery of such damage, theft or loss. It shall remain the employee's right to limit the usage of personal items to any other employees of their choice. If an employee loans an item to another employee who loses or otherwise caused the item to be lost, the responsibility for replacement shall not be borne by the County except as otherwise provided in this Section 5-10.

5-11 Travel. The Travel Policy (Policy #4.3.6) outlines Gunnison County's policy related to official business travel. Gunnison County's policy is to utilize County-issued purchasing cards for meal, travel and lodging expenses incurred in the performance of official business. If a department has special circumstances not addressed in this policy, the appropriate Assistant County Manager, elected official or department director should submit a request for consideration of such circumstances in writing to the County Manager for approval. Failure to obtain any necessary approvals or inability to document expenditures by acceptable receipts may preclude reimbursement of the employee by the County.

5-12 Performance Evaluations. The County endeavors to conduct employee reviews. Please contact and advise your supervisor or Human Resources if more than one year has passed since receiving formal feedback. When evaluating employees, supervisors should develop goals for their subordinate employees based on their job descriptions and the department's Strategic Business Plan measures.

5-13 Safety. All Gunnison County employees are required to make safety a primary part of every work effort. Each person is equally responsible for following this policy and for carrying out their work in a safe and proper manner that will protect themselves and their coworkers. All employees should care for and conserve County resources including equipment, vehicles, building and supplies so that they remain in safe working condition. Further, each employee should inform their supervisor of any job condition or procedure which may be unsafe and a hazard to life, health and/or property.

5-14 Attendance and Punctuality. All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the County. Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift. Failure to call in when absent may result in discipline up to and including termination.

5-15 Honesty and Integrity in Communication. The responsibility for ethical behavior rests with the individuals who work for the County. Our County's reputation is built upon the acts of each employee. As a result, we expect our employees to be:

1. Accurate in their communications, never misrepresenting the facts or shading the truth to customers.
2. Honest in promising what can be delivered and dependable in following through on work commitments.
3. Cooperative when sharing business information with those who need to know it and diligent in ensuring that the communication takes place.
4. All County employees shall use appropriate volume, tone, and emotional control during verbal communication.
 - a. Employees shall refrain from using profane language, offensive gestures, racial slurs, sexist comments, harassing comments or threatening actions. These are inappropriate in the workplace, detrimental to

good order and will not be tolerated.

5. Written communication should always be reviewed for proper spelling, grammar, and syntax. This is a basic requirement for all written communication including email.
6. Care must be taken in the tone of an email. Employees should not write something in an email that is unprofessional or non-work related. Pause and reread the email before sending to ensure it is not offensive or confrontational.
 - a. Email is not a good medium for conflict resolution and should not be used as such.

5-16 Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of Gunnison County, each County employee shall respect and adhere to these fundamental principles of ethical service:

1. Public service is a public trust, requiring employees to place loyalty to the Colorado Constitution, the laws, and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic County information or allow the improper use of such information to further any private interest.
4. An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation (see Section 5-7(c) for more information), solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall make no unauthorized commitments or promises of any kind purporting to bind the County.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve County property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official County duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes that are imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all US citizens regardless of race, color, religion, sex, national origin, age, or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

6. DISCIPLINARY ACTION

When management finds an employee's performance to be unsatisfactory or an employee's conduct to be unacceptable, disciplinary action may be taken. Discipline may range from informal discussion with the employee to immediate discharge, depending on the County's opinion of the seriousness of the situation. Any action taken by management in an individual case should not be assumed to establish a precedent with regard to other employees or the same employee in other circumstances.

6-1 Reasons for Disciplinary Action. This list is meant for illustrative purposes and is not all inclusive. The County may take disciplinary or corrective action for any behavior or performance that does not meet County standards and expectations. This list is not intended to and does not create a property interest in employment.

- Violation of a policy within this handbook;
- Violation of a hiring-department rule, regulation or policy;
- Neglect of duty, (wasting time on the job, loafing, abuse of break privileges, etc.);
- Interference with department operations (interrupting the work of others, etc.);
- Failure to perform assigned duties in an efficient and effective manner;
- Failure to obtain and maintain any required licensing/certification;
- Insubordination (refusal to follow directions, abusive behavior, etc.);
- Discourtesy to the public or co-workers; including gossip;
- Illegal activity on the job or illegal activity that casts reasonable doubt on the employee's ability to perform the job effectively;
- Failure to comply with job privacy and confidentiality standards;
- Abuse of sick leave or other benefits granted by the County;
- Working unauthorized overtime;
- Falsification of County records including, but not limited to, employment applications, work records, timesheets, etc.;
- Repeated tardiness or absenteeism that exceeds the standard set for other employees under similar conditions;

- Damage to, misappropriation of, unnecessarily risk of, or failure to properly maintain or protect County property, equipment, tools, or materials;
- Stealing or negligent use of County money or property;
- Deliberate or careless conduct endangering the safety or wellbeing of self, coworkers or the public;
- Fighting or attempting to fight during working hours;
- Being under the influence of alcohol or drugs while on duty (see Section 5-4);
- Violation of County conflict of interest rules (see Section 5-7);
- Misrepresentation of one's authority to the public;
- Abusing one's authority to secure personal gain, benefits or favors;
- Behavior inappropriate to one's position;
- Covert acts intended to undermine established authority;
- Harassment of coworkers or members of the public;
- Dishonesty; and
- Absence from duty without authorization.

6-2 Examples of Disciplinary Action. The County does not adhere to a progressive disciplinary policy. Any form of discipline that in management's opinion is appropriate may be imposed singularly, successively or cumulatively at the discretion of the Assistant County Manager, elected official or department director. The County may use any corrective action that the County deems appropriate.

- (a) **Oral Reprimand, Warning, Counseling.** Any Assistant County Manager, elected official, department director, or designated representative may orally reprimand, give warning to and/or counsel a subordinate employee.
- (b) **Written Warning.** An appropriate Assistant County Manager, elected official, department director or designated representative may warn a subordinate employee in writing. A written warning should include the specific behavior(s) being addressed, the desired outcome, any timelines assigned for evaluation of performance improvement, and the potential consequences of the employee's failure to meet the stated performance improvement measures. The written warning will become part of the employee's permanent personnel file housed in Human Resources.
- (c) **Suspension.** Suspension for up to a maximum of 10 days is a disciplinary action for misconduct or other acts or behavior that can include, but are not limited to, the examples set forth in Section 6-1. During a suspension, an employee is not paid wages and does not accrue vacation, sick leave, holiday or other fringe benefits. An employee placed on suspension status will not lose previously accumulated vacation, compensatory time, holiday or sick leave balances, and may continue coverage on the group insurance program in which they were participating prior to suspension as long as the employee's share of the premiums is paid. Length of service credit will also continue through the period of suspension.

The appropriate Assistant County Manager, elected official, department director or designated representative may orally suspend an employee, thereby ordering them to leave the job site. At the appropriate time, the Assistant County Manager, elected official, department director or designated representative shall provide a written notice of a suspension to the suspended employee, stating the grounds on which the suspension is based. The employee who is placed on suspension shall not come to the work site, call the worksite, or use County property (including but not limited to County electronic mail) unless otherwise instructed by the Assistant County Manager, elected official, department director or designated representative. The employee may contact Human Resources regarding their employment.

- (d) **Performance Improvement Plan.** As a result of unacceptable conduct or unsatisfactory performance, an employee may be placed on a performance improvement plan and given the opportunity to improve or correct performance or conduct, except in circumstances where, in the opinion of the Assistant County Manager, elected official, department director or the County Manager, the type of misconduct involved requires immediate disciplinary action. Behavior that may require immediate disciplinary action includes, but is not limited to, conduct that threatens the public health, safety or welfare of a coworker or citizen; racial, religious or sexual harassment; or conduct which may materially harm the financial or policy interests of the County.

- (1) **Initial Notice.** Any appropriate Assistant County Manager, elected official, department director or designated representative may place an employee on a performance improvement plan, which the Assistant County Manager, elected official, department director or designee initiates. A copy should be provided to the employee and Human Resources.

The Performance Improvement Plan shall contain:

- The specific employee deficiencies;
- Substantiation of the deficiencies;
- Corrective action to be taken;
- Trainings that might be helpful;
- The deadline for correction of deficiencies; and

- The possible consequences of not making the corrections.
- (2) **Employee Responsibilities.** Once the review period begins, the employee must show immediate and continued improvement in order to avoid further disciplinary action.
 - (3) **Record of Performance Improvement Plan.** The initial notice of placement on Review Status, the Performance Improvement Plan, and all written progress reviews will be made a part of the employee's permanent personnel file housed in Human Resources.
 - (4) **Determination.** The placement of an employee on Review Status does not prevent Gunnison County from terminating the employee or taking any other appropriate disciplinary action at any time.

(e) Administrative Leave.

- (1) **Description.** Administrative leave is a term for temporary removal from a job assignment. The most common use of administrative leave occurs when an employee is the subject of allegations of misconduct while on the job. In such instances, administrative leave is used to remove the employee from the situation while investigating the allegations. The County may also place an employee on administrative leave pending the resolution of a criminal case, even when the case is not directly related to the job, or for other reasons at the discretion of the County. While on administrative leave with pay, an employee will receive the same wage as if they were actively at work during regular work hours. On administrative leave without pay, an employee may request that they be paid compensation by deducting leave time from their compensated absence balances (i.e. vacation, personal and/or compensatory time).
- (2) **Responsibilities of Employee.** The employee who is placed on administrative leave shall not come to the worksite, call the worksite or use County property, including but not limited to email, unless otherwise instructed by the appropriate Assistant County Manager, elected official, department director or designated representative(s). The employee will not use County property, engage in any County business, or engage in any work-related activities unless authorized by the County. The employee will remain available for questioning by County-appointed investigators.
- (3) **Continuation of Benefits.** Employees who are on administrative leave with pay will continue to be eligible for all County benefits that they normally receive when on regular status. On unpaid administrative leave, vacation and sick leave will not accrue, and holidays, and jury duty will not be granted. The County will not make any contribution during the leave without pay period for retirement or group insurance programs. The employee may be entitled to continue participation in all group insurance programs during the leave provided that the employee deposits with the County the amounts necessary to cover the total cost of the premium(s). Information as to availability of continuing participation in group insurance programs may be obtained from Human Resources.

- (f) **Unauthorized Leave.** A non-exempt employee who is absent from duty without approval shall receive no wages for the duration of the absence. An employee who is absent from duty without approval will be subject to disciplinary action up to and including termination.
- (g) **Demotion.** If any disciplinary action includes demotion, the County Manager will review the decision and make the final determination at the manager's sole discretion.
- (h) **Termination.** See Section 7 for all related definitions, rights, responsibilities and procedures associated with employment termination.

EXCEPTION: For disciplinary and due process procedures, Deputies of the Sheriff's Office shall comply with the disciplinary and due process procedure of the Sheriff's Policy and Procedure Manual, as adopted and amended from time to time by the Sheriff.

7. SEPARATION OF EMPLOYMENT

7-1 Voluntary and Involuntary
(a) Types.

- (1) **Resignation.** If an employee desires to end their employment relationship with the County, the County requests that the employee provides written notice including the reason(s) for leaving and then give the document to their supervisor. The County asks that the resigning employee provide at least two weeks of notice of the intended termination. Paid holidays cannot be used as an employee's final day(s) of employment. Such notice allows sufficient time to collect County property, process monies to which the employee may be entitled, convert insurance, and correctly

calculate a final paycheck.

- (2) **Retirement.** Employees may elect to retire in accordance with the provisions of the Retirement Plan. Payment of Retirement Plan benefits shall be governed by the Retirement Plan bylaws (see Section 4-3(c) for more information).
- (3) **Death.** Upon the death of a current employee and receipt of proof by affidavit of a claimant's relationship to the deceased employee, Gunnison County will pay wages and compensation due the deceased employee to the deceased employee's spouse if no personal representative of the employee's estate has been appointed. If there is no surviving spouse, Gunnison County may pay the deceased employee's next legal heir when requested by the heir. If a personal representative has been appointed to the deceased employee's estate and requests payment, Gunnison County will pay the representative. The request of the personal representative takes priority over payment to the surviving spouse or legal heir. Gunnison County will not make payment to a surviving spouse or legal heir if Gunnison County knows that a personal representative has been appointed.
- (4) **Permanent Disability.** Upon separation from employment by permanent disability, as determined by the Social Security Administration.
- (5) **Layoff Due to Reduction in Workforce or Elimination of a Position.** An employee may be subject to a non-disciplinary, involuntary termination through a reduction in workforce, reduction in service levels, or elimination of a position. Such terminations may be due to factors such as shortage of funds or lack of work. In such cases, affected employees shall be given as much notice as is practical. The order of reduction in workforce will primarily be determined by performance.

Any individual whose employment is terminated as a result of a reduction in workforce may apply for a position opening available within any hiring department of the County. The employee shall not be automatically entitled to any preference in hiring. If hired, the individual must meet the minimum qualifications for the position. If rehired, previous periods of benefit-eligible County employment, up to 10 years, will be included for the purpose of earning longevity-based County benefits unless otherwise denied by a benefit plan document.

a. Procedure.

- **Vacation.** Payment will be made for all accumulated vacation at the time of separation from the County at their then current rate of pay or the average hourly rate received by such employee during the last three years of employment, whichever is higher.

- (6) **Termination of Employment.** With the exception of certain employees of the Sheriff, County-initiated terminations may be for any reason (see Section 6), and no termination is final until approved by the County Manager. In some cases, and for the benefit of Gunnison County, other discipline may be used, prior to or instead of termination, to correct a performance problem. Prior to termination, the possibility of transfer or demotion may be explored by the County, but it is not required. However, at the discretion of the County a single incident of misconduct may result in termination.

a. Procedure.

- **Intent to Terminate.** The employee's Assistant County Manager, elected official, or department director will complete the Intent to terminate form (available in Human Resources) and then provide copies of the completed form to the employee, the County Manager, and Human Resources.
- **Review by County Manager.** The employee may present their perspective to the County Manager, without a right to question their supervisor or other employee(s) during that presentation, who will review all information provided by the employee, the supervisor and/or any other employees involved before making a final termination decision. The decision of the County Manager is final, and there is no appeal process involving any level of the County, including the Board of County Commissioners.
- **Sick Leave.** Upon termination, an employee will not receive any payment for accumulated sick leave. Terminated employees are not permitted to donate any portion or all of their accumulated sick leave hours to the Sick Leave Bank

- (b) **Final Paycheck.** Employees will be paid for all approved time worked during the current pay period, plus any additional amounts owed for accrued vacation, sick leave and compensatory time as set forth in this Section 7-1.

- (c) **Vacation.** All eligible employees shall be paid for all accumulated vacation at the time of separation from the County at their then current rate of pay. *Exception listed above in 7-1 (a) 5.

- (d) **Sick Leave.** All benefit eligible employees shall be paid their accumulated sick leave balance based on the following formulas *Exception listed above in 7-1 (a) 6:

- a. **Zero through the End of 15 Years of Employment.** Employees will be paid for all accumulated sick leave hours (up to 720) x 33-1/3% x their current hourly rate.
- b. **16 Plus Years of Continuous Service.** Employees will be paid for all accumulated sick leave hours (up to 720) x 50% x their current hourly rate.
- c. **Donations to the Sick Leave Bank.** Upon separation, an employee may voluntarily donate

any portion or all of their accumulated sick leave hours to the Sick Leave Bank provided that the employee would otherwise have been entitled to payment for those donated hours as outlined above.

- (e) **Compensatory Time.** Payment will be made for all non-exempt employee's accumulated compensatory time based upon the employee's current hourly rate at the time of resignation, or the average hourly rate received by such employee during the last three years of the employee's employment, whichever is higher.
- (f) **Holiday.** Employees in the Sheriff's Department may have accrued holiday leave. Payment will be made for all accumulated holiday leave at the time of resignation, termination, or end of employment.
- (g) **Retirement.** Retirement benefits are managed by the Colorado Retirement Association (CRA) and employees should contact CRA for related information. Any surviving beneficiaries should contact Human Resources for more information.
- (h) **Life Insurance.** Employees may convert their basic term and/or supplemental life insurance coverage to an individual policy when leaving their employment with the County, and the employee would assume responsibility for payment of all future premiums at that time.

7-2 Exit Checklist. All employees or their surviving family members shall complete check-out paperwork in Human Resources.

7-3 Return of County Property. An employee leaving County service, for any reason, is responsible for immediate return of all County property obtained or provided during the course of employment. The County may deduct from a non-exempt employee's check or final paycheck the amount of money or the value of property that was failed to properly be returned, when requested, whether that was damaged or lost by the employee. Within 10 days of the termination date, a notice may be mailed requesting the County property be returned within 14 days. If the property is received by the County within the given window, the County will provide a refund, if applicable. The County may also take all action deemed appropriate to recover or protect its property.

ACKNOWLEDGEMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED MARCH 4, 2025. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH GUNNISON COUNTY IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE ORGANIZATION, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE ORGANIZATION HAS THE SAME RIGHT.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF GUNNISON COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS (FOR THE COUNTY MANAGER AND THE COUNTY ATTORNEY) AND THE COUNTY MANAGER (FOR DEPARTMENT DIRECTORS AND OTHER CONTRACTED EMPLOYEES), HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD; SUCH AN AGREEMENT MUST BE IN WRITING. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE ORGANIZATION’S GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE ORGANIZATION THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- I RECOGNIZE THAT THE EXECUTION OF THIS ACKNOWLEDGEMENT IS NOT A BINDING AGREEMENT OF EMPLOYMENT.

Printed Employee Name

Employee Signature

Date