

Employee Policy Manual Changes

XVI. SPECIFIC BENTON COUNTY PERSONNEL AND SALARY ADMINISTRATION POLICIES AND GUIDELINES:

C. CLASSIFICATIONS OF EMPLOYEES:

1. **REGULAR FULL-TIME:** Employees who are regularly scheduled to work the county's full-time work schedule of 40 hours per week (~~36~~ **30** or more hours per week-benefits eligible), and who are not assigned to a temporary classification. Regular full-time employees are, in most cases, eligible for all Benton County benefit programs, subject to the terms, conditions, and limitations of each benefit program.
2. **PART-TIME EMPLOYEES- Benefits Eligible:** Employees who are regularly scheduled to work **LESS** than ~~36~~ **30** hours per week but more than 20 hours per week and who are not in a temporary classification. This classification are "benefits eligible" employees who receive all legally mandated benefits, such as Social Security, and worker's compensation insurance; as well as Arkansas Public Employees Retirement and part-time vacation accrual.

XVII. MEDICAL INSURANCE:

All ~~full-time~~ County employees, **who work and average of 30 hours a week or more per year**, are eligible to participate in a paid group health benefit plan. Participation becomes effective on the first of the month after completion of the initial ~~three-month~~ **two-month** benefit-waiting period. The county pays the insurance premium for the employee. Family coverage is available to eligible employees at the employee's expense. Part-time employees (**less than an average of 30 hours a week or more per year**), are not eligible to participate in the county's medical insurance program. The elected offices of Justice of the Peace, ~~Coroner~~, Surveyor, and Constables are not eligible for the health benefit plan paid by the county. Eligible employees electing not to participate in the paid health plan will not receive alternate insurance or a cash sum in lieu of the program and must sign documentation waiving their coverage choice. Justices of the Peace may participate in the health plan at their own expense. Current part-time employees who are promoted into a full-time position, Deputy Prosecuting Attorneys, and Deputy Public Defender Attorneys who transfer from state-funded positions to county-funded positions without any break in employment become eligible to participate in the group health benefit plan immediately. Insurance coverage will end on the last day of the month in which you last worked. Vacation leave, non-FMLA sick leave, and grievance pay does not apply in the calculation of last day of coverage. **Employees will be automatically be enrolled in the medical insurance plan if they do not "opt-out" of coverage at the conclusion of the two-month benefit waiting period.**

XIV. COMPENSATORY TIME:

O. Overtime for Exempt Employees

The Fair Labor Standards Act does not require the assignment of compensatory time for exempt employees. However, Benton County recognizes that in certain circumstances, an exempt employee may work significant hours beyond the scope of his/her job description. If a disaster is declared by the County Judge, requiring the exempt employee to work more than 50 hours in any one week, the exempt employee will be paid an hourly equivalent rate for each hour over the minimum threshold of 50 hours.

XXVIII. SMOKING:

~~Benton County prohibits smoking throughout the workplace. In compliance with Arkansas Act 8, The Arkansas Clean Indoor Air Act" smoking is prohibited in all county owned buildings and facilities and vehicles.~~

~~This policy applies equally to all employees, as well as to our customers and visitors. Smoking is only allowed in designated areas outside of the county buildings.~~

To protect and enhance our air quality and to contribute to the health and well-being of all employees, Benton County buildings and facilities shall be entirely tobacco free effective October 10, 2013. As of this date the use of all tobacco products, including chewing tobacco, is banned from the County workplace. Tobacco Free Workplace applies to all regular full-time and part-time employees, volunteers, visitors, and Jurors.

All tobacco use is prohibited in areas within the County worksites, without exception, this includes the use of electronic cigarettes. This policy involves common work areas; maintenance facilities, classrooms, conference and meeting rooms, private offices, hallways, the break rooms, stairs, restrooms, and employer owned or leased vehicles, county road equipment, and all other facilities. Specifically included is the main courthouse and both courthouse annexes, the Juvenile Justice Center, and the Road Departments.

No one may smoke along any path way or walk way leading to or from the entry ways of any county buildings, nor may employees smoke at the picnic tables nor outdoors in any of the grassy areas or the county owned parking lots. The county does not have jurisdiction of any city sidewalks or city owned parking lots, therefore use of tobacco in these area does not fall under this policy.

Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the (County) premises.

No additional breaks are allowed to any employee who smokes or uses tobacco. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.

Failure to comply with all of the components of this policy will result in disciplinary action that can lead up to and include employment termination.

This policy is effective October 10, 2013.

XXXIX ON-CALL PAY

On Call Time is defined as a required availability of an employee to be contacted for call-out purposes on an as needed basis. The employee is not required to remain on County premises, is not required to remain at home, and is not restricted in their movements away from their home. The employee has free personal use of the time while waiting for an assignment. However, if they are contacted they should respond to the call-out request within a reasonable amount of time. If an employee is on-call and is called to work, the employee shall be paid for all time spent in carrying out the job, including travel time to and from the job.

2. Non-exempt employees who are off duty but subject to being called will be paid twenty dollars per on-call day; their regular hourly rate for hours worked when they are called; and mileage, if required to drive his/her personal vehicle. Work time begins when the employee is contacted and must begin preparation for work-related activities. Mileage will be paid for non-exempt employees who are required to respond to a call out and use their personal vehicle.

3. Non-exempt employees will be paid for a minimum of two hours of work when called to Duty (includes prep, commute, and work time.) If the employee receives an additional call to conduct County business during the two-hour time frame, the subsequent call(s) do not constitute a call-out and will NOT entitle the employee to an additional two hours of pay.

4. An extension of regular work hours does not constitute a call back to the workplace.

XXXX CERTIFICATE PAY

1. When an employee achieves certain professional certifications, degrees, and/or technical certifications he/she brings more value to the County. If certifications/degrees are beneficial and necessary to the operations of an elected official, that elected official may develop a plan and submit the plan to the Quorum Court for funding consideration. Each plan should include the title of the certification/type of degree; how obtaining this certification/type of degree benefits the organization; and the amount of additional wages associated with obtaining the certification/ degree.

2. EDUCATION OR TRAINING COSTS:

~~Full-time County employees may be granted leave with pay for attendance at conferences, seminars or short courses of instruction designed to advance the technical or professional skills of the person attending.~~

The County may pay directly or reimburse employees for training where such training is required or beneficial for the employee's performance of his or her job responsibilities. To have such training paid, employees will be required to obtain advance approval of the training.

At the discretion of the elected official under whose authority an employee is employed, an employee may be required to enter into a reimbursement agreement prior to the County paying for training which will provide the employee new skills, abilities or certifications. Such agreements, which by nature will need to be individualized, will require the employee to fully or partially reimburse the County for such payments for training if they voluntarily leave the County's employment for a fixed time after the training. Such agreements are not appropriate for annual training to keep existing skills or certifications.

Changes to the Salary Administration Policy

H. SALARY ADMINISTRATION PROGRAM:

1. Salary adjustments for all county employees may be given as set out herein.
 - a. Types of Increases: All employees may receive a base salary increase through a market adjustment, merit, and/or promotion. A Salary Pay Range is approved by the QC at the annual budget process for the following year.
 - b. Payment within the Range: All employees shall be paid at an equitable level within the prescribed salary range for their classification, with each position having a prescribed salary grade, as adopted by the Quorum Court in the Annual Benton County Budget. No employee will receive a salary adjustment that causes the person's salary to exceed the salary range maximum without approval by the Quorum Court. The salary range established by the JESAP Committee will fully compensate for proven performance as related to the performance standards and goals for a respective position.
 - c. Hire-in Rate: A new hire may be assigned a wage rate at any level from the minimum of the grade range up to ~~90% of~~ the midpoint for the position's salary range, provided the new-hire has additional experience, education, etc. that added value to the position. Any additional money required must be approved by the Quorum Court.
 - d. Salary Increase after Six-Month Anniversary Date: A salary increase may be given within an employee's second six months on the job, at the discretion of the elected official, and only if the employee was hired below the ~~90% of~~ midpoint for the position's salary range. If funds are available in the current budget, the elected official may grant a new employee a salary increase in an amount not to exceed 3%. This increase may not result in a wage that exceeds ~~90% of~~ the **midpoint of the** salary grade range.

g. Increases and decreases in wage rates throughout the year.

Any changes in pay rates during the year caused by promotions, transfers, demotions, inequality of pay for employees with similar grades and length of employment, etc. (excluding merit increases) may be adjusted at the discretion of the elected official as long as the changes do not require a change in the amount budgeted. Any actions taken that would require the elected official to exceed his/her personnel budget will require the approval of the Quorum Court

- h. ~~Promotional Increase Eligibility:~~ An employee may be eligible for promotional increase at any given time during the year provided the individual's classification has been changed to a higher salary range due to assignment of additional duties and accountabilities as formulated through the county's job evaluation program or the employee is moved to a position with a higher grade level.
- i. ~~Limit of Promotion Increases:~~ The amount of a promotional increase may be assigned a new salary anywhere from the minimum up to ninety (90%) of the midpoint of the new grade range. Employees whose salaries already exceed 90% of the midpoint of the new grade's salary range may receive up to a 5% increase **or a rate in line with other similarly situated employees.** Any promotional increase that exceeds the above criteria requires approval of the Quorum Court. The individual's qualifications and performance shall determine the new salary. Promotional increases shall be in addition to, rather than instead of merit increases.
- j. ~~Salary Assignments for Lateral and Downward Transfers:~~ When an employee moves to a position with an equal or lesser grade, they are accepting a job that may have less responsibilities and accountabilities. It is their choice to take this position and is not associated with a punitive action, as in the case of demotions. When an employee takes a position at an equal or a lower salary grade they may be assigned a salary between the minimum and 90% of the midpoint of the salary grade. In the event their salary is above the midpoint of salary grade for their new position, the employee's wages will be reduced to a level equivalent to others within the department with the same grade and similar length of service and experience.
- k. ~~Salary Assignments for Demotions:~~ A demotion occurs as a result of poor performance and is punitive in nature. When an employee is not performing to expectations, the elected official may decide to demote the employee to a position with a lower salary grade. The new salary for the employee shall be between the minimum and 90% of the salary grade midpoint.