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### **10.10.02 Purpose**

The policies and standards set forth in this chapter shall apply to all employees whether or not represented by a bargaining unit, unless and only to the extent that the memorandum of understanding provides otherwise.

### **10.10.04 Layoffs**

#### A. General.

1. Reason for Layoff. A layoff may become necessary because of any shortage in work, lack of funds, material change in organization or for other valid reasons.
2. Layoff by Classification Within a Department. The determination of which employees shall be laid off first shall be made within each department on a classification by classification basis. The County shall designate the classifications to be affected. The County shall consider seniority in determining layoff. Probationary employees shall be laid off first.
3. Notice of Layoff. The County shall give an employee a written layoff notice at least fourteen (14) calendar days prior to layoff. Such notice shall include a notice of right to appeal.
4. Appeal. Although the decision to effect layoffs and the decision as to which classification will be effected by layoffs is not appealable, an employee may appeal to the Board of Supervisors the decision to lay him or her off if the procedure set forth herein has been grossly ignored. A written notice of appeal shall be given to the Personnel Director within 15 days after the employee is given the notice of layoff. The Personnel Director shall place the matter before the Board of Supervisors in a closed hearing. The decision of the Board of Supervisors shall be final.
5. Re-employment. Employees laid off shall be given first consideration for rehire to their former classification, even if already rehired in another class, in their department for a period up to one year from the date of layoff. The county by first class mail, addressed to the employees last known address, will notify laid off employees of such county vacancies.

#### B. Layoff By Seniority. The county shall effect layoffs by seniority. The requirements set forth in this section shall be followed.

1. Determining Length of Seniority. In determining length of classification seniority, all time spent in said classification and any higher classification shall be counted as classification seniority, including all time spent (full-time equivalency) as a probationary, or regular part-time employee. In computing classification seniority, if the employee separated from the county service and has subsequently returned to the county service, then any and all service prior to the separation shall not be counted in determining classification seniority. If the previous classification of an employee has been abolished all such time spent in

that classification shall count towards the classification seniority of the present classification. If an employee has been temporarily promoted his or her classification seniority shall be computed based on his or her regular classification and shall include all time spent in the higher classification. In determining continuous county service seniority, all uninterrupted employment with the county including all time served as probationary, or regular part time employee shall be counted as continuous county service seniority. A separation from county service shall be the only cause for interrupting employment with the county. An employee on authorized leave of absence shall retain his or her seniority but time spent on leave shall not count towards seniority.

2. Order of Layoff. The order of layoff shall be in reverse order of the employee's classification seniority. If two (2) or more employees have identical classification seniority status, then such employees shall be laid off in reverse order of their countywide seniority status.
3. Bumping and Demotion in Lieu of Layoff. A regular or probationary employee who is to be laid off shall have the right to bump an employee of lesser seniority in a class in which he or she previously held regular status within the department. If there are two or more employees to be laid off and they opt to exercise this right and request to bump to the same position, then the employee with the greatest classification seniority shall have the right to fill such position. If the classification seniority of these employees is equal, then the employee with the greatest continuous county service seniority shall have the right to fill such vacancy.
4. Promotion to Former Classification. Employees demoted by bumping shall receive first consideration for promotion when a vacancy occurs within their department at their former classification.

### **10.10.06 Political Activity**

#### **1. Overview:**

The political activities of County employees are restricted by both state and federal law.

The political activity of county officers and employees shall be governed by Chapter 9.5 (commencing with Section 3201) of Division 4 of Title 1 of the Government Code, entitled "Political Activities of Public Employees". Violation of these provisions shall make the employee subject to dismissal. The political activity of peace officers shall also be governed by Section 3302 of the Government Code as part of the "Public Safety Officers Procedural Bill of Rights Act."

A limited number of County officers and employees who are paid with federal grant money or loans, or whose principal employment is in connection with an activity or program which is financed in whole or in part by grants or loans made by the U.S. or a federal agency are also subject to the political restrictions of the Federal Hatch Act (5 U.S.C. ' 7301 et seq.). For example, most Department of Social Services employees are governed by the Hatch Act as well as by state law.

It is the County's intent to maintain a workplace that is free of political distraction, the County establishes the following guidelines regarding permitted political activities. Employees are encouraged to participate in political activities before the commencement of, or at the end of any standard or overtime hour, during lunch and/or breaks, or during paid/unpaid leave. This Policy does not apply to political activities related to employee unions.

#### **2. Permitted Activities:**

An employer cannot lawfully prohibit workplace conversations about political subjects, unless it similarly prohibits all other non-work-related conversations (what they did over the weekend, TV shows they watch, etc.). That law also allows employees to discuss employment-related issues while at work.

Because a campaign may determine who will run specific departments, conversations about a campaign could be considered employment-related.

Employees may wear campaign buttons or other campaign attire, providing they do not have direct contact with the public or clientele they manage or serve. Employees may display political messages such as bumper stickers on their private vehicles, which may be parked on County property. Employees may attend political events on their own time.

### **3. Prohibited Activities:**

The following activities are prohibited in all County workplaces, including working in the field or attending meetings on behalf of the County:

- Soliciting campaign contributions
- Debates about candidates
- Circulating petitions
- Distributing campaign materials
- Displaying campaign materials (other than as described in Permitted Activities above)
- Working on campaigns during work time or in work areas
- Using County resources for a campaign
- Disrupting operations or productivity

**4. Maintain a Culture of Respect:** It is every employee's responsibility to maintain a culture of respect throughout the political process. While employees may have strong, opposing political views, the County will not tolerate discrimination, harassment, or retaliation. Employees should be considerate of coworkers, the public, and clients.

#### HISTORY

Amended by Res. [2023-068](#) on 8/1/2023

### **10.10.08 Electronic Systems Policy**

#### 1. Electronic Systems Use—General.

Glenn County electronic equipment, software, and all information created sent or received via the equipment are the sole property of the County and/or the State of California.

Glenn County does or has the capability to and reserves the right to monitor, log and/or recover all network and PC activity with or without notice, including, but not limited to network, internet and e-mail activity and usage. Therefore users should have no expectation of privacy in their use of these resources.

Use of these systems is intended for official County business. However, some limited incidental personal use is allowed. Discretion must be exercised to ensure that personal use does not result in a direct cost to the County or hinder staff productivity. Inappropriate use could result in misuse of an employee's work time and therefore productivity, as well as an abuse of Glenn County computing resources, and may result in disciplinary action as determined by the employee's department head.

All users granted the privilege of accessing the County computing and information resources must read and sign statement acknowledging receipt and understanding of this policy. All users are expected to act in a responsible manner by complying with all policies, relevant laws and contractual agreements related to computers, networks, software, other intellectual property, and computer information.

Unauthorized use of these systems is strictly forbidden and subject to discipline under the County personnel rules (Title 10 Glenn County Administrative Code/Glenn County General Unit MOU/Glenn County Mid-Managers Association MOU/Glenn County Peace Officer Association MOU/ Glenn County Deputy Sheriff's Association MOU).

Unauthorized use includes but is not limited to:

- a. Operation or use of any system for personal, financial, or political gain.
- b. Solicitation of County employees.
- c. Operating any system in an unsafe or reckless manner.
- d. Unapproved movement or disconnection of equipment.
- e. Illegal copying or altering of software.
- f. Unauthorized deleting installed programs or data.
- g. Loading any software that is not authorized by the department head or his/her designee.
- h. Removing equipment, software, or data from department/agency premises without prior authorization.
- i. Knowingly accessing, creating or transmitting any discriminatory, offensive or unprofessional information or messages.
- j. Knowingly disseminating false information.
- k. Publishing information on the Internet unless expressly approved by the department head or his/her designee.
- l. Purchasing commercial Internet services such as America Online or Web pages designed without the approval of the department head or his/her designee.
- m. Operation or use of any system to conduct or engage in any illegal or prohibited activities, in violation of State, Federal or local laws, regulations, rules, county regulations, policies or directives.
- n. Assume another person's identity or use another person's name, unless expressly authorized by the department head or his/her designee.
- o. Distribution of protected passwords without the authorization of the department head or his/her designee.
- p. Encrypting data files without the authorization of the department head or his/her designee.
- q. Copying another employee's electronic messages, voice mail, e-mail, or other personal communication without the permission of the employee for whom the message was intended. This covers unauthorized copying by an employee, and does not in any way prohibit Glenn County management access to, or right to copy, pursuant to Section 1 of this policy.
- r. Any form of harassment.
- s. Knowingly introducing malicious programs into Glenn County's networks or servers (e.g. viruses, worms, Trojan Horses, e-mail bombs, etc.)

Glenn County will not be responsible for any damages that employees may suffer from or related to their use of any County electronic information resources, including, but not limited to loss of data resulting from delays or service interruptions. Users must recognize that the use of such electronic information resources is for work-related purposes.

As information stored on portable computers (e.g. laptops and Personal Digital Assistants) is especially vulnerable and more susceptible to issues such as theft and loss, users should exercise special care in the handling, storage, and transportation of this equipment.

## 2. Electronic Systems and Information Assets Defined.

The following is a non-inclusive list of electronic systems, it includes, but is not limited to:

- Cellular telephones
- Copy machines
- Data processing systems
- Electronic mail (e-mail)
- Electronic tablets
- Facsimile machines (fax)

- Internet facilities or other modem accesses
- Laptops
- Pagers
- Personal computers
- Personal Digital Assistants (PDAs)
- Printers
- Scanners
- Servers
- Shredders
- Social media (e.g.: Facebook, Twitter, Instagram, etc.)
- Software
- Telephone system
- Voice mail systems

Information assets include all data and software, whether internally developed or acquired from outside Glenn County. Information may be represented in a variety of formats, including, but not limited to:

- CD Rom
- Hard copy
- Microfiche
- Magnetic tape
- Microfilm
- Diskettes
- Other methods of storage or transmission
- Terminal display

### 3. Electronic Systems—Internet and Electronic Mail Communications

Glenn County electronic mail (e-mail) is provided for the purpose of conducting the business of the County. However, as previously mentioned, limited incidental personal use is allowed. Discretion must be exercised to ensure that personal use does not result in a direct cost to the County and does not hinder staff productivity. Personal e-mail communications should be limited similar to personal phone calls, which will be discussed in the next section.

Staff shall not knowingly distribute any offensive, discriminatory, obscene or unprofessional material through the County network. Staff shall not knowingly disseminate any false or fraudulent information.

County e-mail messages are not private communications. Glenn County management reserves the right to retrieve and read any e-mail message composed, sent, or received on agency equipment, without prior notice to the employee.

E-mail is subject to the policies concerning other forms of communication, as well as all other applicable policies including, but not limited to, confidentiality, conflict of interest, general conduct and sexual harassment.

Unless a specific legal exemption applies (confidentiality), all e-mail messages, even those that have been erased, may be considered public records subject to disclosure under the Public Records Act. It is possible that persons involved in litigation with the County might also access those messages.

E-mail messages that are pertinent to departmental operations and functions must be maintained in accordance with applicable federal, state and local requirements governing the operations of the department, the same as hard copy records are maintained.

All department/agency employees and other team members should be aware that even when a message has been erased, it might still be possible to recreate the message.

External personal e-mail accounts such as Yahoo, AOL, MSN, etc. should not be accessed from Glenn

County networks, without department head authorization on a case by case basis.

#### 4. Electronic Systems—Telephones and Voice Mail

Personal calls shall be discouraged and strictly limited to those necessary to maintain the health, safety, and well being of the employee's family unit. Personal calls should not be of a social nature, only of necessity. To the extent feasible, personal calls made from the office should be undertaken during break or lunchtime. Only under exceptional circumstances should calls by employees be made when they are not on break. All long distance telephone calls must be charged to the employee's personal credit card or home telephone. Excessive incoming personal phone calls are to be discouraged.

Employees traveling on agency business are allowed one personal phone call at County expense for every twenty-four hours they are assigned to be out of the County. Said call(s) shall be reasonable in duration. The employee may be liable for payment of phone calls that exceed the above-mentioned limit or are excessive in duration. This policy does not apply to hotel access charges. The County shall consider these charges, if not excessive, to be a legitimate business expense.

Cellular phones may be assigned to Glenn County department/agency team members who have a clear business need. Cellular phones are to be used for County business only, when necessary in the performance of job duties. County employees may privately purchase a second line for the County cellular phone for personal use.

Glenn County department heads have the authority and responsibility to limit inappropriate or excessive personal use of telephones.

Voice mail messages should be limited to County business. Voice mail should not be used for conducting outside business pursuits. However, messages which are necessary to maintain the health, safety, and well being of an employee and their family are acceptable.

#### 5. Social Media

Social Media websites, e.g.: Facebook, Twitter, Youtube, etc., have become a part of our everyday lives. To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Glenn County departments may consider participating in social media to reach a broader audience. Glenn County supports the use of social media to further the goals of the County and the missions of its departments where appropriate.

Glenn County endorses the secure use of social media tools to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity improvements. However, their application must not compromise data confidentiality and integrity. This policy establishes guidelines for the use of social media.

##### A. Purpose:

This policy establishes consistent standards for, and ensures appropriate use of, Social Media administered by employees and agents representing the County of Glenn. For the purpose of this policy, the term "Social Media" refers to media that allow users to collaborate and share information with a network of other users or the community as a whole, including but not limited to Facebook, Twitter, and Youtube, and text messaging.

##### B. Scope:

This policy applies to all Glenn County sponsored social media sites, and social media use by County employees. This policy is not intended to regulate the personal activities of Glenn County employees or contractors with respect to the use of social media. A Glenn County sponsored social media site is one designed and administered by a Department to represent the Department in an official capacity.

##### C. Policy:

(1) All official Glenn County presences on social media sites are considered an extension of the

County's network and subject to all related administrative policies, including but not limited to policies on computer use.

(2) Only authorized individuals shall have permission to create, publish or comment on behalf of the County of Glenn on County sponsored Social Media sites.

(3) The official websites for County of Glenn remains the County's primary and predominant Internet presence.

(4) Content on County of Glenn-Sponsored Social Media sites shall not be offered in lieu of official information on the County's official website, except when immediate and temporary disclosure of information is appropriate.

(5) County of Glenn-Sponsored Social Media sites shall contain a link back to the County's official websites, where the announcement, press release, form(s), document(s), online services and/or other information relevant to the matter shall be posted.

(6) County of Glenn-Sponsored Social Media site posts are a public record subject to disclosure under the California Public Records Act (Government Code §§ 6250 to 6270). Therefore, all Social Media content must be archived and managed in accordance with the applicable records retention schedule.

#### D. Public Comments:

(1) Employees and contractors maintaining County of Glenn-Sponsored Social Media sites that permit public comment shall inform visitors of the intended purpose of the site and provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion and notified that inappropriate posts are subject to removal, including but not limited to the following types of postings, regardless of format (text, video, images, links, documents, etc.):

- a. Comments not topically related;
- b. Profane language or content;
- c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation;
- d. Sexual content or links to sexual content;
- e. Solicitations of commerce;
- f. Conduct or encouragement of illegal activity;
- g. Information that may tend to compromise the safety or security of the public or public systems; or content that violates a legal ownership interest of any other party.

(2) Employees and contractors maintaining County of Glenn-Sponsored Social Media sites that permit public comment shall prominently display, or provide a link to, the below Comment Policy on each online page that displays discussion content.

#### E. Content of Posts:

(1) Employees and contractors using Social Media to communicate on behalf of a County of Glenn on a County of Glenn-Sponsored Social Media site should be mindful that statements posted represent the County of Glenn, including its elected officials. Therefore, employees and contractors should use discretion before posting.

(2) Posts should be designed to increase the public's knowledge, trust, and use of County services.

(3) Posts should always relate to matters within the scope of the County of Glenn's function and should be consistent with the County's public service mission.

(4) To help distinguish County of Glenn-Sponsored Social Media sites from non-official (or personal) uses of these tools, County sponsored Social Media sites must state that they are maintained by the County and that they are subject to the County's Social Media Policy.

(5) County of Glenn-Sponsored Social Media sites must identify the department responsible for the information displayed, including all descriptions, logos, images, etc. representing County of Glenn services.

(6) Confidential or non-public information must not be shared.

(7) Postings must respect copyright laws and reference or cite sources appropriately.

(8) Only information authorized under this Policy shall be posted.

(9) Employees and contractors must not use County sponsored Social Media sites for political purposes or to conduct private commercial activities, except as such uses are specifically permitted by the Glenn County Board of Supervisors. For this reason, links to political or commercial websites are prohibited, unless the Glenn County Board of Supervisors specifically permits such links.

F. Responsibilities

(1) County of Glenn Department Heads and designees are responsible for:

(2) Managing the department or County's site(s) in a manner consistent with this Policy, including content monitoring;

(3) Granting authority to specific individuals to post content on the department or County's Social Media site(s) while ensuring that posts aren't made by unauthorized representatives;

(4) Maintaining a list of Social Media sites hosted by the department or County, active account logins and passwords;

(5) Changing passwords periodically and when an individual is removed as an administrator; and

(6) Ensuring that all authorized representatives read the Policy for Official Use of Social Media Sites and sign the acknowledgment form signifying that they agree to follow the Policy and all related standards and guidelines

(7) A County of Glenn department may develop a supplement to append to this Policy that includes policies or procedures unique to systems or services specific to that department, provided that such supplements shall not be less restrictive than this Policy. All such supplements must be reviewed and approved by the County Information Services Committee for consistency with applicable technical policies and standards.

## 6. Electronic Systems--Information Safeguards

All information maintained by Glenn County departments/agencies is considered an asset of the County and shall be protected from damage, loss, misuse, or inappropriate disclosure. Management is responsible for administering adequate controls to ensure the security, confidentiality, and integrity of information. Glenn County employees are required to maintain proper levels of protection for information assets.

Managers and supervisors are responsible for those Glenn County information assets that are held within their department. Individual managers and/or employees may be assigned custodial responsibility at the department or application system level to ensure accuracy, integrity, security, adequate controls, and confidentiality of agency information assets.

Where proprietary software or property has been provided to the County under confidentiality agreements, it is the responsibility of the department/agency to ensure compliance with the terms of such agreements.

Employees or other department/agency team members who disclose, alter, or willfully destroy information that adversely impacts County services, or who violate copyright laws will be subject to applicable federal, state, and local criminal laws, as well as to disciplinary action pursuant to County policies and procedures.

Each Department is responsible for designating an individual who will be responsible for approving staff access to County networks, internet, e-mail, etc. Including but not limited to:

a. Approving and revoking access to County networks, internet, and e-mail, when appropriate. The level of access granted will be determined by the employee's immediate supervisor or manager. This should be accomplished and documented through the use of a system access form.

b. Determining appropriate activities of staff on the County network and internet.

c. Investigate suspected non-compliance with this policy and determining what corrective actions should be taken.

All computers connected to the County network must continually execute approved virus-scanning software with a current virus database.



## 7. Passwords

### a. Overview

Passwords are essential to system security. Passwords provide one layer of security for access to data residing in the Glenn County information systems infrastructure. Passwords must meet a minimum standard of complexity to ensure Glenn County information systems and resources are protected from exploitation.

### b. Purpose

The guidelines listed below are the minimum standard required by all information systems under Glenn County. This policy is not intended for departments that must conform to HIPAA, PII, or HITECH. Individual departments under the constraints of HIPAA, PII, or HITECH must have an internal policy to meet these standards.

### c. Scope

This policy pertains to all personnel that have or are responsible for an account (or any form of access that supports or requires a password) for any system that resides at any County facility, has access to the County network, or stores any non-public County hosted/stored information.

### d. Policy

#### General Guidelines

(1) All system-level password (Service Accounts, System Accounts, Any account not logged into by a user) must meet the minimum password standard as follows:

(a) 12 characters in length (minimum)

(b) Two out of three (minimum): Special Character (Include, but are not limited to: !@#\$%^&\*()\_-=+?.,",';:<>[]{}|), Uppercase Letter, Number

(c) Must be changed upon the termination of any employee with Domain Administrator access to the information systems infrastructure.

(2) All Domain Administrator level accounts (IT Administrators, Contracted IT staff) must meet the minimum password standard as follows:

(a) 10 characters in length (minimum)

(b) Two out of three (minimum): Special Character<sup>1</sup>, Uppercase Letter, Number

(c) Must be changed every 45 days

(3) All User accounts (accounts with system access) must meet the minimum password standard as follows:

(a) 8 characters in length (minimum)

(b) Two out of three (minimum): Special Character<sup>1</sup>, Uppercase Letter, Number

(c) Must be changed every 90 days

(d) Must be unique to the end user and not a password assigned by IT staff

(4) All endpoint devices that have access to Glenn County information systems (Mobile Phones, Tablets, etc) must meet the minimum password standard as follows:

(a) 4 characters in length

(b) May contain numbers or letters

(5) All passwords must be different than the previous 6 passwords.

(a) This guideline is enforced by IT Administration

(6) All system passwords must be changed from their default password

(7) County system passwords should not be used for external accounts. For example:

(a) DSL Accounts

(b) Web based email accounts

(8) All passwords, if written down or stored

(a) Must be stored in a secure location:

Locked file cabinet

On your person

Secured network location (Is any location on the network that only that individual has access and it

must require a password to get to the location)

- (b) Do not share your County passwords with co-workers.
- (c) Here is a list of things to avoid:
  - Talking about a password in front of others.
  - Hinting at the format of a password (e.g., "my family name").
  - Writing in your password on questionnaires or security forms.
  - Sharing your password with family members.
  - Telling your co-workers your passwords while on vacation.
- Never use the "Remember Password" feature of applications (e.g., Internet Explorer, FireFox).
- (9) If a password is suspected to be compromised
  - (a) Password must be changed immediately
  - (b) Incident must be reported to IT personnel or security officer
  - (c) An investigation of activities may be performed on the account in question
- (10) Staff Termination
- (11) Accounts must be disabled immediately

Violators of this policy may be subject to disciplinary action up to and including employment termination, termination of agreements, denial of service, and/or legal penalties, both criminal and civil.

## 8. Confidential Information

Communication on the internet is not secure and should be used accordingly. Users are warned that any confidential information sent through the Internet or e-mail could be intercepted, modified, misdirected or destroyed by unauthorized persons if adequate access controls are not in place.

When sending confidential information through e-mail users should:

- a. Have a compelling reason for sending confidential information and take every precaution to ensure the security of the information.
- b. Prior to sending confidential information, users should also confirm the correct e-mail addresses of the intended recipients.
- c. Include the word CONFIDENTIAL in the subject line of the message.
- d. Never include any confidential or sensitive information in the subject line of the e-mail.
- e. Include a disclaimer such as the following in the body of the e-mail message:

"This electronic message may contain information that is confidential and/or legally privileged. It is intended only for the use of the individual(s) and entity named as recipients in the message. If you are not an intended recipient of the message, please notify the sender immediately and delete the material from any computer. Do not deliver, distribute, or copy this message, and do not disclose its contents or take action in reliance on the information it contains. Thank you."

Encryption of e-mail is appropriate in some instances to secure the contents of an e-mail message. Each user should be cognizant of the sensitivity of information contained in e-mail.

## 9. Copyrighted Material

Users may download copyrighted material, but its use must strictly be within the limitations posed by the author or current copyright law. The Federal Copyright Act at 17 U.S.C. 101 et seq. protects "intellectual property" rights and prohibits misuse of all original works of authorship in any tangible medium of expression.

It is against County policy to download any information in violation of copyright laws. This includes, but is not limited to music, movies, pictures, etc.

## 10. Public Domain Material

Any user may download public domain images, documents, etc. for County business use, but does so with the knowledge that by doing so, the employee assumes all risks regarding whether or not the material was in the public domain.

## 11. Downloading

Users are reminded of the potential dangers associated with downloading information from the Internet, such as the possibility of exposing the County network to Viruses, Worms, Trojan Horses, Spyware, etc. which may be spread through downloaded software and files.

Users shall consult their Department's policies and procedures prior to downloading information from the internet. Users should download information from trusted sites, when possible.

The downloading of any executable software is prohibited unless done with case by case knowledge and approval of the department head or his/her designee.

## 12. Electronic Systems – Policy Violation Notification

An employee or team member learning of violations of this policy should notify his/her manager or supervisor as soon as possible.

### **10.10.10 Alternate Work Week**

Notwithstanding any other provisions of the Administrative Manual of the County of Glenn; Department Heads shall have the authority to establish an alternate work week for employees who work a flexible work schedule, provided that Section 12.02.04 "Hours of Operation" is complied with. The Personnel Department and the Department of Finance shall establish a county wide procedure for the implementation of alternate work weeks.

### **10.10.12 Nepotism**

#### PURPOSE:

The purpose of the Nepotism Policy is to establish guidelines in dealing with the issue of employing, supervising or promoting persons who are related to County employees or elected officials. These guidelines shall ensure that hiring and supervision within the County are conducted in a manner which enhances public confidence in the County and prevents situations that have the potential for adverse impact on the County or give the appearance of preferential treatment, improper influence, or conflict of interest.

#### DEFINITIONS:

- A. For purposes of this Policy, "employee" is defined as person who receives wages from the County for services rendered to the County on a full-time basis, part-time basis, or as a Public Service Employee.
- B. For purposes of the Policy, "relative" means, with respect to the County employee, an individual who is related to the County employee such as spouse, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

#### POLICY:

It is the intent of the County of Glenn not to discriminate in its employment and personnel actions with respect to its employees, prospective employees, or applicants on the basis of familial or marital status.

An applicant shall not be denied the right to file an application and to be considered for employment

because a family member is an employee of Glenn County. However, the County retains the right to refuse to hire or place a person under the direct supervision of a family member or in the same department in which a family member is employed if such action has the reasonable potential for creating an adverse impact on supervision, safety, security, or morale, or which involves reasonably potential conflicts of interest.

No employee shall appoint or participate in a hiring decision involving any person within his/her immediate family, nor use his/her position to influence another County employee to hire a member of his/her immediate family. County employees shall not directly or indirectly supervise a "relative". Relatives shall not be employed in the supervisory-subordinate relationship even if it results from marriage after the employment relation was formed. The supervisor-subordinate relationship shall be interpreted to include all levels of supervisors within the chain of command, not just the immediate supervisor.

In the event a marriage, after employment, creates a relative relationship within the chain of command one of the effective employees will be transferred to a different chain of command as soon as possible. In the interim, these relatives shall have no influence to hire, promote, reclassify, supervise, direct, evaluate, or make a salary recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment for the family member and will recuse self from influencing any employment related decision.

As of the effective date of this Policy, County employees who are related (as defined herein) and work in the same department, may continue in their respective positions as long as their mutual employment does not create an adverse impact on supervision, safety, security, or morale.

In determining rules and regulations governing the employment of County employees who become related, as defined herein, after commencement of County employment, the County is guided by the principles enunciated in the California Fair Employment and Housing Act (FEHA) which prohibits discrimination on the grounds of marital status. However, FEHA and its regulations defining the same do authorize restrictions being placed upon married County employees (or upon people deemed related as a result of marriage [i.e., in-laws]) where for business reasons of supervision, safety, security or morale, the employer may refuse to place one spouse or other relative under the direct supervision of another spouse or other relative and refuse to place both spouses or other relatives in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for married couples or other relatives than for other persons.

#### **10.10.14 Telecommuting Policy**

##### **A. PURPOSE:**

To provide guidance to Department Heads and employees regarding Glenn County (County) employees to work from a remote location, away from the employee's normal work location, in light of the recent COVID-19 Pandemic. Telecommuting is the cooperative and mutually agreed arrangement between employees and employing departments. The determination of which employees may be allowed to telecommute will be made on a case by case basis. This policy is intended to be temporary and may be modified, suspended, or revoked, due to changing circumstances, by the County Administrative Officer after consultation with the unions.

##### **B. DEFINITION:**

Teleworking - an arrangement by which an employee (teleworker) works at home or another location rather than the employee's regular worksite.

##### **C. POLICY:**

Public health agencies have encouraged employers to allow remote work arrangements to prevent further infection due to the potential effects of the COVID-19 virus. While it is likely not feasible to provide remote work options to all employees due to specific job duties and operational needs, Department Heads should take the following considerations into account to determine if work from home may be possible:

Operational requirements;  
Security of work data;  
Technological capabilities and equipment necessary to perform job duties

Telecommuting is a privilege, not a right. All County employees who telecommute must have an approved telecommuting agreement under this policy. A County department/agency may have additional telecommuting requirements, guidelines, or procedures, provided they are consistent with the intent of this policy.

Telecommuting does not change the duties, obligations, responsibilities, or terms and conditions of County employment. Telecommuting employees must comply with all County and department/agency policies, practices, and instructions.

A telecommuting employee must perform work during scheduled telecommuting hours. For timekeeping and payroll purposes, scheduled work days/hours are the same as when the employee is at his/her usual County work site.

A telecommuting employee shall designate a specific workspace in their home (primary residence) as the teleworking site. The employee is solely responsible for ensuring that the workspace is maintained in a safe condition, free from hazards and other dangers to the employee and equipment. A telecommuting employee is protected by the County's workers' compensation insurance during the agreed upon work hours, and are required to immediately report any injuries that occur while working.

Any variations to the work schedule and/or overtime requests must be pre-approved by the employee's Department Head or designee.

Telecommuting employees who become ill must report the hours actually worked, and use sick leave for hours not worked.

Employees may not engage in activities while telecommuting that would not be permitted at the regular worksite. Telecommuting employees may take care of personal business during unpaid lunch periods, or breaks, as they would at the regular worksite.

The Telecommuting Policy is intended to be cost neutral. The County is not required to provide telecommuting employees with materials or supplies needed to establish an alternate worksite (desk, chair, computer, software, cell phone, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternate worksite (telephone or internet services, etc.).

Employees are expected to maintain a satisfactory standard and rate of productivity, whether working from the office, from home or from an alternate site.

Employees who telecommute must adhere to all County and departmental policies including, but not limited to, policies regarding confidentiality of information, work schedules and work hours, reporting of absences and work safety.

#### D. SECURITY OF CONFIDENTIAL INFORMATION:

All files, records, papers, or other materials created while telecommuting are County property. Telecommuting employees and their Department Head/designee shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. A department/agency may require employees to work in private locations when handling confidential or sensitive material. Departments may prohibit employees from printing confidential information in telecommuting locations to avoid breaches of confidentiality. Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to County networks or databases to anyone who is not authorized to have access.

### **10.10.16 Outside Employment / Activity Policy**

#### **A. Overview**

All County employees employed in a paid status in off-duty work of self-employment, serving in membership in outside governing boards, advisory boards, steering or planning committees, and similar bodies, related to or compatible with their County employment, must have the approval of their Department Head prior to accepting outside activities, as provided in the Government Code Sections 1126 and 1127.

The intent of this policy is not to prevent the employment or activities elsewhere of a public employee provided the person to be employed has the approval of their Department Head.

Pursuant to Government Code Section 1126, "a local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is consistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities or his or her appointing power or the agency by which he or she is employed. The officer or employee shall not perform any work, service, or counsel for compensation outside of his or her local agency employment where any part of his or her efforts will be subject to approval by any other officer, employee, board or commission of his or her employing body."

In order that a fair and consistent approach is exercised in deciding whether the outside activity is incompatible, inconsistent, hostile to or in conflict with the employee's County employment, the following guidelines will apply. Generally, activities outside the employing County department may be considered incompatible, inconsistent, hostile to or in conflict, if they include, but are not limited to, the following:

- 1) Involve the use for private gain or advantage of the employing County department's time, facilities, equipment and/or supplies; or the badge, uniform, prestige or influence of the County employee's office.
- 2) Involve receipt of acceptance by the employee of any money, in-kind remuneration, or other consideration from anyone other than the employing County department for the performance of any act which the employee, if not performing such act, would be required or expected to render in the regular course of hours of his/her County employment or as a part of his/her duties as a County employee (e.g., Providing services for pay, such as counseling, to persons currently receiving some services from the employing County Department; Retention of a fee for testimony prepared and/or presented on paid County time during the course of regular County employment).
- 3) Involve the performance of an act in other than his/her capacity as a County employee, which act may later be subject, directly or indirectly, to the control, inspection, review, audit or enforcement of any other employee of the County department in which he/she is involved (e.g., Serving on steering committees/boards of public or private foundation/organizations which are funded, contracted, or administered by the employing County department).

- 4) Involve such time demands as would render performance of his/her duties as a County employee less efficient.
- 5) Involve the direct or indirect use of confidential County information.
- 6) Involve any outside employment, self-employment, activity, or enterprise, if it involves the performance of an act which is currently, or if the employee has reason to believe that in the future may be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by the employee or any other officer or employee of the County of Glenn.

## **B. Procedure**

Any employee who participates in outside employment or self-employment or activity and who fails to file an Outside Employment/Activity Request may be subject to discipline. Outside Employment/Activity Requests will be retained in the employee's personnel file. Employees shall resubmit an Outside Employment Request at any time the conditions of the outside employment activities change from that as described on the initial request, and in January of each year.

The Department Head is responsible for approval or denial of the Outside Employment/Activity Request. If an employee disagrees with the denial of an outside employment/activity the employee may grieve the decision in accordance with the County Grievance Procedure.

### HISTORY

Adopted by Res. [2022-081](#) on 8/16/2022

## **10.10.17 Whistleblower Policy**

The County of Glenn has a strong commitment to support legal and ethical behavior in the workplace, provide a safe environment for employees and members of the community to report actions that may be potentially illegal or unethical, and to investigate any allegations of retaliatory behavior for the reporting of potentially illegal or unethical behavior. This Whistleblower Policy establishes procedures, for County employees to report alleged illegal, fraudulent, or improper activity by County officials and/or County employees to assure that such reports will not result in retaliation by the County.

We encourage employees to notify an appropriate government or law enforcement agency, person with authority over the employee, or another employee with authority to investigate, discover, or correct the violation or noncompliance, and to provide information to and testify before a public body conducting an investigation, hearing or inquiry, when they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a local, state or federal rule or regulation.

It is critical that the County maintain a workplace with a high legal and ethical standard of conduct in all activities and operate its business in a fair, effective, efficient, and transparent manner. Further, the County must protect its assets and resources from fraudulent, illegal, and dishonest activities by maintaining effective internal controls and by identifying and investigating any possibility of fraud or other improper activities.

### **A. DEFINITION:**

A whistleblower is an employee of the County who reports an activity that he/she has reasonable cause to believe is a violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

## **B. POLICY:**

This policy establishes a complaint procedure that employees may use to report potentially illegal or unethical behavior. Community members, County officers, County contractors, elected officials and County employees are encouraged to report good faith suspicions of misconduct by County officials and/or County employees and any misuse of County property or resources.

If you have knowledge of or a concern that County activity is in violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations, follow the procedures for filing a whistleblower complaint as outlined in the Prohibited Activities Section of the policy. Any County employee who makes such a good faith report is protected against adverse employment actions by the County or any person acting on behalf of the County for raising such allegations, and shall not suffer any reprisals or retaliation by the County or person acting on behalf of the County for making the report, whether or not the allegations are sustained.

## **C. PROHIBITED ACTIVITIES:**

Persons should report information related to any violation of state or federal laws, or a violation or noncompliance with local, state or federal rules or regulations. Examples of potential violations may include, but are not limited to:

- Violation of any law, regulation, or ordinance
- Conflict of interest
- Fraud, waste or misuse of County property
- Theft, misuse of, or misappropriation of County resources, property, information, assets or funds, or an attempt to do any of the same
- Intentional falsification of records (including failure to disclose material facts or making of false or misleading entries or statements with the intent to deceive on any County document or other official document, report, or form, including but not limited to County financial records and environmental regulatory reporting), or the willful and unauthorized destruction or mutilation of any County document or other official document, report, or form, including financial documents
- Intentionally submitting false claims for payment or reimbursement
- Knowingly submitting or signing a timesheet that contains false information
- Forgery or intentional unauthorized alteration of a County document or other official document, application, report, or form, including but not limited to, County financial documents
- Improprieties in the handling or reporting of financial transactions involving the County
- Authorizing or receiving payment by the County for goods not received or services not performed
- Computer-related activity involving unauthorized alteration, destruction of data, forgery, or manipulation of data or misappropriation of County-owned software

## **D. PROTECTION FROM RETALIATION:**

Whistleblower protections are provided in two important areas: confidentiality of the report and protection against retaliation. The confidentiality of the whistleblower will be maintained to the extent possible in order to investigate the report and to address the alleged violation. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, or to provide any accused individuals their legal rights of defense.

No County officer, or employee, or any person acting on behalf of the County, shall influence, restrain, or prevent any employee or member of the community from disclosing information that the employee or



member of the community has reasonable cause to believe relates to or is evidence of misconduct. Any employee acting in good faith and upon a reasonable belief as a whistleblower that misconduct has occurred, or who believes that the County has disclosed or may disclose such information will be protected from threats or retaliation, including, but not limited to, discharge, demotion, suspension, harassment, reduced compensation, changes in the terms and conditions of employment, or other forms of discrimination. Additionally, no employee may be adversely affected because the employee refused to carry out a directive that would result in a violation of state or federal statute or a violation of or noncompliance with local, state, or federal rule or regulation. Whistleblower protection from retaliation also includes the following circumstances:

- When a whistleblower complaint is filed against a person who has authority over the complainant or filed against a person who has authority to investigate, discover or correct the alleged violation or noncompliance.
- When whistleblowers provide information to or testify before any public body which is investigating, hearing, or inquiring into an employer's violation of or noncompliance with local, state or federal rules or regulations.

## **E. PROCEDURES FOR FILING A WHISTLEBLOWER COMPLAINT WITH THE COUNTY:**

### **1. When to Report**

A complaint filed under this Policy should be filed within thirty (30) days of the date of the act or event which is the subject of the complaint.

### **2. How to Report**

When making an allegation, it is important to provide as much of the following information as possible for each allegation being made.

**Who?** Who are the employees (subjects) responsible for the improper activity? Who is each employee's supervisor? If non-County employees are involved, who are they? Who else knows anything about this?

**What?** What is the improper activity? Why is it improper? What laws or policies make the activity improper? What documents are there that will verify the improper activity occurred? Can you provide copies of the documents?

**Where?** Where did the activity occur (the department and location, including address)? Where can an investigator locate the persons who were involved or have information about the activity? Where can an investigator find documents or other evidence related to the activity?

**When?** When did the activity occur? When did you discover the activity?

**Why?** Why did the activity occur? Did it provide some benefit to those involved? How? How was the activity able to occur? Were there no controls in place to prevent the activity? If there were controls in place, how were they circumvented?

Please email the completed form to [gcpersonnel@countyofglenn.net](mailto:gcpersonnel@countyofglenn.net), or mail to:

County of Glenn

Attention: Personnel Department Whistleblower Program

525 W. Sycamore Street

Willows, CA 95988

**F. COMPLIANCE WITH STATE AND FEDERAL LAWS:**

The County's Whistleblower Policy is intended to describe the County's policies and procedures for reporting prohibited activities and protecting whistleblowers. This policy is in addition to and does not supplant whistleblower protections and procedures provided under state and federal laws.

**G. INVESTIGATION OF COMPLAINTS:**

Depending on the nature of the complaint, the Personnel Director/Designee, County Administrative Officer/Designee or an Outside Investigator may investigate the complaint to determine if misconduct or violation of this policy has occurred. To the extent permitted by personal privacy laws, the person investigating the alleged activity may meet with the complainant to discuss the findings of the investigation and will use best efforts to ensure timely resolution of the matter.

## HISTORY

Adopted by Res. [2023-058](#) on 6/27/2023

- [10.12.02 Purpose](#)
- [10.12.04 Overtime](#)
- [10.12.06 Standby Pay On Call Pay](#)
- [10.12.08 Call Back Pay](#)
- [10.12.10 Working In Higher Classification](#)
- [10.12.12 Vacation](#)
- [10.12.14 Holidays \(Effective January 1, 2021\)](#)
- [10.12.16 Sick Leave](#)
- [10.12.18 Salary Increase For Longevity](#)
- [10.12.19 Uniform Allowance](#)
- [10.12.20 Short Term Disability Insurance](#)
- [10.12.22 Group Insurance Coverage](#)
- [10.12.23 Annual Leave](#)
- [10.12.24 Bereavement Leave](#)
- [10.12.25 Emergency Aid Volunteer Leave](#)
- [10.12.26 Grievances](#)
- [10.12.28 Disciplinary Action](#)

### **10.12.02 Purpose**

The policies and regulations set forth in this chapter shall apply to all employees not governed by a current memorandum of understanding.

### **10.12.04 Overtime**

- A. No overtime shall be worked by an employee without specific authorization from the department head. Overtime shall be paid to employees working in excess of eight (8) paid hours a day when assigned to a five-day (5) work schedule out of the seven-day (7) work period and in excess of ten (10) paid hours when assigned to a four-day (4) work schedule. Employees shall also receive payment for overtime in excess of forty (40) paid hours within the seven (7) day work period. Paid hours include hours actually worked by the employee, vacation days if scheduled at least two (2) weeks in advance, and callback pay. Paid hours do not include on-call pay, holiday pay, sick leave, other leaves of absence, or any other condition of compensation not included above.
- B. Overtime hours shall be compensated at 1-1/2 times the employee's regular rate of pay. Department heads may allow employees to accumulate no more than 60 hours of compensatory time off in lieu of paid overtime. Once accrued compensatory time off may not be converted to cash except as follows:
  - 1. At separation; or,
  - 2. Upon transfer of the employee to another county department; or
  - 3. During the last quarter of the fiscal year if directed by the department head and there is sufficient funds in the department's budget to pay for the conversion to cash.
- C. Elected officials, department heads, and employees occupying positions specifically designated as exempt from the provisions of this section by the Board of Supervisors shall not be eligible for paid overtime.

### **10.12.06 Standby Pay On Call Pay**

- A. When an employee is assigned standby pay he/she shall be informed of the dates and inclusive hours of such arrangement. The employee shall be compensated at the rate of two dollars

(\$2.00) per hour of standby duty. Standby duty requires the employee so assigned to (1) be ready to respond to calls, (2) be reachable by telephone or pager, (3) be able to be at the employee's work station within 45 minutes, and (4) refrain from activities which might impair the employee's ability to perform the employee's assigned duties. An employee shall not receive standby pay and call back pay simultaneously.

B. This section shall not apply to department heads.

### **10.12.08 Call Back Pay**

A. When an employee is called out to work or an employee returns to work because of a departmental request made after the employee has completed the employee's normal work shift and left the premises, the employee shall be credited for a minimum of two (2) hours work plus any time worked in excess of two (2) hours at time and one-half (1-1/2). An employee shall not receive standby pay and call back pay simultaneously.

B. This section shall not apply to department heads.

### **10.12.10 Working In Higher Classification**

Pay for Work in Higher Classification. An employee assigned duties of a higher job classification shall be paid the rate of pay equivalent to the first step "A" or at least 5% more than the employee's regular assignment while working in the higher classification after said employee has performed the duties five days. This section shall not apply to employees performing any or all duties of the department head.

### **10.12.12 Vacation**

A. Effective January 18, 2005, the County shall provide accrued vacation credit for those regular full-time County Department Heads who have completed any combination of years of employment with the State of California or California Local (City or County) Government.

Accrual Schedule. Regular employees, except elected County Officers, shall accrue vacation credit according to the following schedule:

0-2 full years: .0424 hours per scheduled hour in a paid status, not to exceed regularly scheduled hours (up to 88 hours per year, approximately 2 weeks).

3-12 full years: .0616 hours per scheduled hour in a paid status, not to exceed regularly scheduled hours (up to 128 hours per year, approximately 3 weeks).

After 12 full years: .0808 hours per scheduled hour in a paid status, not to exceed regularly scheduled hours (up to 168 hours per year, approximately 4 weeks).

After 19 full years: .1 hours per scheduled hour in a paid status, not to exceed regularly scheduled hours (up to 208 hours per year, approximately 5 weeks).

B. Maximum Accruals. Each regular employee shall be permitted to accumulate the unused portion of vacation time to his or her credit, provided, that it shall be the responsibility of department heads to see that an employee does not accumulate credit for vacation in excess of two times the annual accrual rate.

C. Compensation for Excess Accruals. An employee who is unable to take his or her scheduled vacation due to unusual and extenuating departmental needs shall, upon request, or determination by the department head, be compensated for all vacation hours accrued each pay period in excess of the accrual limitation.

- D. Minimum Usage. A department head may require an employee to use up to one half of the vacation hours the employee accrued in that year.
- E. Compensation Upon Termination. Upon termination of his or her service or employment, an employee shall be entitled to a lump sum payment for any unused or accumulated vacation time to his or her credit as of the date of termination.
- F. Scheduling. Vacations shall be scheduled by request of the employee and approval of the department head. Consideration shall be given to effectuating the wishes of those employees requesting specific vacation periods. As between those employees requesting specific vacation periods, employees with the most general seniority shall receive preference with respect to vacation scheduling; provided, however, that the request is made on or before the earlier of January 31st of that calendar year or 90 days prior to the scheduled vacation; no scheduled vacation shall be canceled by the County except in cases of emergency.
- G. Vacation Leave Cash Out. By no later than December 15th of each year, unrepresented employees and Non-Elected Department Heads may make an irrevocable decision to cash out up to 50 hours of vacation that will be accrued during the next year. Cash Out requests must be made on the form to be provided by the County and shall include the number of hours the employee wishes to cash out and the date, after July 1, in the following year on which the employee wishes to receive the payment. The payment will occur in the pay period immediately following the date selected.

HISTORY

Amended by Res. [2021-073](#) on 11/2/2021

**10.12.14 Holidays (Effective January 1, 2021)**

- A. The following holidays are recognized by Glenn County:
  - 1. January 1 known as New Year's Day.
  - 2. Third Monday in January known as Martin Luther King's Birthday.
  - 3. Third Monday in February known as President's Day.
  - 4. March 31 known as Cesar Chavez Day.
  - 5. Last Monday in May known as Memorial Day.
  - 6. July 4 known as Independence Day.
  - 7. First Monday in September known as Labor Day.
  - 8. November 11 known as Veteran's Day.
  - 9. Last Thursday in November known as Thanksgiving Day.
  - 10. Last Friday in November known as the Friday after Thanksgiving Day.
  - 11. December 24 known as Christmas Eve.
  - 12. December 25 known as Christmas.
  - 13. December 31 known as New Year's Eve.
- B. These enumerated holidays are vested so that no matter which day of the week they may occur, employees will be paid for them, or receive compensable time off. Holiday pay shall be paid at the straight time rate.

- C. Employees in regular part-time positions who are classified as no less than half-time (.5 FTE), shall accrue and be eligible for holiday benefits as such part-time classification bears to regular full-time service.
- D. Employees shall be allowed to take compensatory time off for accrued holiday time. Such use normally shall be at a date determined by the employee with due consideration given to the efficient operation of the department, however, the department head shall have final authority on such use. Use shall not be unreasonably denied by the department head. An employee is expected to use compensatory time off but when unable to use his or her accumulated time due to unusual and extenuating departmental needs shall, upon request or determination by the department, be paid for all days accrued and unused.
- E. An employee must be employed the last working day before, and the first working day after, the holiday in order to receive holiday compensation. Employees on leave without pay shall not accrue holiday benefits on leave.
- F. Holiday Leave for Unrepresented Employees and Department Heads. Effective the first full pay period in December 2019, the County add twenty-four (24) hours of “holiday leave” to each Unrepresented Employee and Department Head’s accrual bank to be used during the period of seven working days before December 24th through seven working days after January 1st. Any unused holiday leave shall be exhausted prior to December 1st of the following year, or unused leave will otherwise be forfeited, without compensation.
- G. Many County employees work a Monday through Friday schedule. For these employees, when a holiday falls on a non-workday – Saturday or Sunday – the holiday usually is observed on Friday (if the holiday falls on Saturday) or Monday (if the holiday falls on Sunday). The Board of Supervisors shall adopt the Annual Holiday Schedule the first meeting in December of each year.

HISTORY

Amended by Res. [2021-073](#) on 11/2/2021

**10.12.16 Sick Leave**

- A. Regular employees shall accrue .0462 hours of sick leave with pay for each scheduled hour in a paid status, not to exceed regularly scheduled hours. Sick leave shall be credited at the end of each pay period worked. All unused sick leave may be carried forward into each ensuing year.
- B. Effective July 1, 2015, Temporary employees shall accrue 0.0333 hours of sick leave with pay for each scheduled hour in a paid status, not to exceed six (6) days of maximum accrual. Sick leave shall be credited at the end of each pay period worked. All unused sick leave may be carried forward into each ensuing year, not to exceed six (6) days per year. Temporary employees are limited to using a maximum of three (3) days of sick leave in any given calendar year, and must take sick leave in increments of greater than two (2) hours.
- C. Sick leave may be used for:
  - 1. Diagnosis, care, or treatment of an existing health condition of, or preventative care for, the employee.
  - 2. Diagnosis, care, or treatment of an existing health condition of, or preventative care for, the employee’s family member.
  - 3. Certain purposes related to the health and safety of an employee who is a victim of domestic violence, sexual assault, or stalking.
- D. A “Family Member” is defined as:

1. Child: biological, adopted, foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis regardless of the child's age or dependency status.
  2. Parent: biological, adopted, foster parent, stepparent, legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
  3. Spouse or Registered Domestic Partner. Grandparent or Grandchild.
  4. Sibling.
- E. Sick leave shall only be granted upon approval of the department head. It is requested that requests be made in writing in advance, when possible. All employees may be required to submit evidence in the form of a physician's certificate if such absence exceeds three (3) working days or when the department head deems necessary. When an employee is absent from work in each of four (4) successive months or who utilizes sick leave immediately preceding or following weekends, schedule days off, or holidays, the department head may require evidence in the form of a physician's certificate for the most recent illness.
- F. Sick leave may be used for medical and dental office appointments when absence during work hours for this purpose is authorized by the department head. Employees are requested to secure medical and dental appointments on their own time, but where this is not possible, appointments shall be secured to reduce to a minimum the time away from work.
- G. A regular employee who is on a regularly scheduled vacation and becomes ill may use sick leave for the period of disability provided a physician certified as to the disability. An employee shall notify his or her department head immediately of such illness.
- H. No payment for accumulated sick leave shall be made upon termination of employment.
- I. If, in the opinion of the department head, an employee is unable to satisfactorily perform the employee's duties because of injury or illness, the department head may require such an employee to be examined by a physician designated and paid by the County to determine if the employee can properly and safely perform the employee's job.

#### **10.12.18 Salary Increase For Longevity**

- A. The County shall provide a Longevity differential of 5% above the employee's base rate of pay for those regular full-time employees who have completed ten (10) years of employment with the County.
- B. The County shall provide a Longevity differential of 7% above the employee's base rate of pay for those regular full-time employees who have completed fifteen (15) years of employment with the County. The total Longevity differential shall not exceed 7%.
- C. The County shall provide a Longevity differential of 9% above the employee's base rate of pay for those regular full-time employees who have completed twenty (20) years of employment with the County. The total Longevity differential shall not exceed 9%.
- D. The County shall provide a Longevity differential of 11% above the employee's base rate of pay for those regular full-time employees who have completed twenty-five (25) years of employment with the County. The total Longevity differential shall not exceed 11%.
- E. The County shall provide a Longevity differential of 13% above the employee's base rate of pay for those regular full-time employees who have completed thirty (30) years of employment with the County. The total Longevity differential shall not exceed 13%.

- F. The County shall provide a Longevity differential of 5% above the employee's base rate of pay for those regular full-time County Department Heads who have completed any combination of ten (10) years employment with the State of California or California Local (City or County) Government.
- G. The County shall provide a Longevity differential of 7% above the employee's base rate of pay for those regular full-time County Department Heads who have completed any combination of fifteen (15) years employment with the State of California Local (City or County) Government.
- H. The County shall provide a Longevity differential of 9% above the employee's base rate of pay for those regular full-time County Department Heads who have completed any combination of twenty (20) years employment with the State of California or California Local (City or County) Government.
- I. The County shall provide a Longevity differential of 11% above the employee's base rate of pay for those regular full-time County Department Heads who have completed any combination of twenty-five (25) years of employment with the State of California or California Local (City or County) Government.
- J. The County shall provide a Longevity differential of 13% above the employee's base rate of pay for those regular full-time County Department Heads who have completed any combination of thirty (30) years of employment with the State of California or California Local (City or County) Government. The total Longevity differential shall not exceed 13%.

#### HISTORY

Amended by Res. [2020-106](#) on 12/22/2020

Amended by Res. [2021-073](#) on 11/2/2021

Amended by Res. [2023-018](#) on 3/21/2023

Amended by Res. [2023-080](#) on 8/29/2023

#### **10.12.19 Uniform Allowance**

Persons in the classifications of Animal Control Officer, Undersheriff, and Sheriff's Lieutenant shall be paid an allowance of \$20.80 per biweekly pay period provided the following conditions are met:

- A. They are a regular employee of the County.
- B. They are required by the Department head to wear a uniform on a regular basis.

#### **10.12.20 Short Term Disability Insurance**

1. The County has made available to regular County employees a short-term disability program via California State Disability Insurance (DI) and Paid Family Leave (PFL) administered by the California Employment Development Department. DI and PFL are wage replacement benefits provided to eligible workers who need time off work. DI and PFL are funded by employees through State Disability Insurance deductions from their paychecks. the County is required to collect these contributions, send them to the California Employment Development Department, and respond to claims.

a. A disability is an illness or injury, either physical or mental, which prevents an employee from performing their regular and customary work. Disability also includes elective surgery, pregnancy, childbirth, or other related medical conditions. (Although work-related disabilities are covered by workers' compensation laws, DI benefits may also be paid for work-related illness or injuries under certain circumstances).

b. An employee may be eligible for DI if he/she is unable to work due to a non-work-related illness or injury, pregnancy, or childbirth. Disability Insurance will pay up to 52 weeks; up to \$1,620/week.



c. If eligible, an employee can receive about 60 to 70 percent (depending on income) of wages earned 5 to 18 months before claim start date. An employee can be paid benefits for a maximum of 52 weeks.

To receive benefits, an employee must:

- File a claim for DI benefits using SDI Online or by mail.
- Complete a seven-day, unpaid waiting period.
- Have earned at least \$300 in wages that are subject to SDI deductions ("CASDI") on your paystubs during the 12-month period of their claim.
- Their physician/practitioner must certify to his/her disability by completing the Physician/Practitioner Certification.

2. An employee may be eligible for PFL to:

- a. Care for a seriously ill family member
- b. Bond with a new child
- c. Participate in a qualifying event because of a family member's military deployment to a foreign country
- d. PFL: 8 weeks in a 12-month period, up to \$1,620/week
- e. Payments are about 60 to 70 percent of his/her weekly wages earned 5 to 18 months before the claim start date.

#### HISTORY

Amended by Res. [2023-072](#) on 8/1/2023

### **10.12.22 Group Insurance Coverage**

- A. The County will make available for regular employees and their dependents a Group Insurance Program consisting of Health, Dental, Vision, Life, and Accidental Death and Dismemberment Insurance Plans.
- B. An employee must be a regular employee or deemed full time under the Affordable Care Act of the County to be eligible for coverage.
- C. The term of enrollment, termination, and continuation of each plan is contained in the Plan Document for the plan.
- D. Health Plan Monthly Premium Contributions.
  1. For regular employees the County shall contribute towards the employee health insurance premium as follows:

Effective for the premium payment for January 1, 2008, the County shall contribute towards the employee health insurance payment as follows:

Employee only 90% of the premium for Blue Shield Access + HMO plan

Employee + 1 The previous years contribution plus the dollar amount added to the employee only rate

Employee + 2 The previous years contribution plus the dollar amount added to the employee only rate

2. Employees shall be responsible for the payment of the premium amount in excess of the County Contribution Rate.
3. Employees hired prior to July 2, 2017 who opt out of the County's Health Plans shall receive an additional \$500.00 per month effective the first full pay period following ratification of the MOU. To qualify for this payment the employee must provide the Personnel Department with proof of other health insurance coverage annually. Employees hired on or after May 1, 2017 or current employees who are not currently signed up for cash in lieu shall not be entitled to receive payment in lieu of health insurance.

Effective 26 pay periods following ratification, employees hired prior to July 2, 2017 who opt out of the County's Health Plans shall receive an additional \$400.00 per month. To qualify for this payment the employee must provide the Personnel Department with proof of other health insurance coverage annually. Employees hired on or after May 1, 2017 or current employees who are not currently signed up for cash in lieu shall not be entitled to receive payment in lieu of health insurance.

Effective 52 pay periods following ratification, employees hired prior to July 2, 2017 who opt out of the County's Health Plans shall receive an additional \$300.00 per month. To qualify for this payment the employee must provide the Personnel Department with proof of other health insurance coverage annually. Employees hired on or after May 1, 2017 or current employees who are not currently signed up for cash in lieu shall not be entitled to receive payment in lieu of health insurance.

Employees who are eligible to Opt Out of the County sponsored health insurance will receive a net cash payment minus all required employer contributions and employee deductions for payroll taxes, retirement and insurance premiums that are directly tied to compensation.

- E. For covered employees hired prior to November 1, 2017 who are vested and retire from active County service the retiree medical premium will be paid as follows:
1. The County will continue to pay the statutory minimum contribution amount prescribed by Government Code Section 22892 directly to CalPERS.
  2. CalPERS will deduct the balance of the medical premium from the retiree's monthly PERS pension payment.
  3. Concurrent the same day an employee receives their monthly PERS pension payment, the County will reimburse the retiree by EFT to the employee's bank account. If the employee does not provide the County with their bank account information for EFT reimbursement, the County will mail a paper check to the employee on the 1st day of each month based upon the agreed County's contribution amount stated in Article 7.1.4: The County will pay 90% of the employee only premium for the Blue Shield HMO. The County contribution for Employee + 1; and Employee + 2 shall be increased by the dollar amount of the Employee only increase. The employee will pay the amount of the premium that exceeds the County's contribution. Should the Blue Shield HMO no longer be available the parties agree to meet and confer on the base premium rate.
  4. No retiree will be adversely affected by this change in how the County's retiree medical benefit is administered as the County's reimbursement payment will arrive the same day as the PERS pension payment. If an employee is adversely affected by error or other unforeseen consequence of this change the County agrees to "make whole" the employee.

5. The County will notify all current retirees of this change in retiree medical benefit administration in writing no later than October 1, 2017.

For covered employees hired on or after November 1, 2017 who are vested and retire from active County service; the retiree medical premium will be paid as follows:

1. The County will continue to pay the statutory minimum contribution amount prescribed by Government Code Section 22892 directly to CalPERS.
2. CalPERS will deduct the balance of the medical premium from the retiree's retirement payment.

F. The County shall make available a Dental Plan for all regular County employees and their dependents.

1. The County shall pay 100% of the employee's premium.
2. The employee shall pay 100% of the dependent premium. Should the dependent premium contain the employee premium as a component of a composite premium, the County shall pay the amount equal to the employee-only premium.

G. The County shall make available a Vision Plan for all regular County employees and their dependents.

1. The County shall pay 100% of the employee's premium.
2. The employee shall pay 100% of dependent premium. Should the dependent premium contain the employee premium as a component of a composite premium, the County shall pay the amount equal to the employee-only premium.

H. The County shall provide a Group-term Life Insurance Policy for all regular County employees and their dependents.

1. The policy value is:

\$50,000 for Department Heads;  
\$50,000 for regular County employees;  
\$1,000 for covered spouse of the regular County employee;  
\$100 for covered children ages 14 days to less than 6 months;  
\$1,000 for covered children ages 6 months to less than 19 years (25 years if a full-time student)

2. The County shall pay the requisite premium for this policy.

I. The County shall make available to regular county employees an Internal Revenue Code (IRC) Section 125 plan for the purpose of allowing employees to pay their insurance premiums with pre-tax dollars.

J. The payment of the employee's contribution towards the required premiums shall be made through payroll deduction.

### **10.12.23 Annual Leave**

A. Effective January 1, 2001 and on each January 1 thereafter, each salaried (FLSA Exempt) regular employee shall be credited with eighty (80) hours of Annual Leave. This leave may be taken at any time, with the approval of the Department head, as a reward for working extended hours. Annual Leave shall not be reasonably denied. Annual Leave does not accrue from year

to year. Annual Leave not used by the end of the calendar year shall be forfeited. A salaried employee hired after January 1 of a given year shall be credited with a pro rata share of Annual Leave on their date of hire.

- B. Effective December 2001, and every December thereafter, each Department Head shall be allowed to cash out up to 40 hours of annual leave in December of each year with payment to be made in the first pay check in the following January.
- C. Sections 10.12.23 A. and 10.12.23 B. shall not be applicable to Elected Officials who are also Department Heads. In lieu of Annual Leave Elected Department Heads shall, effective in the first pay check in January 2002, and every January thereafter, be paid the equivalent of 40 hours base pay.

#### **10.12.24 Bereavement Leave**

Bereavement leave with pay because of death in the employee's immediate family shall be granted not to exceed forty (40) hours for each instance. However, a department head may authorize more than forty hours leave based on extenuating circumstances, but all such leave in excess of forty (40) hours shall be charged to the employee's regular accumulated sick leave. Immediate family shall mean spouse, child, parent, grandparent, sibling, and those family relationships recognized by law such as in-law, half, step, adopted, and foster family members. This section shall not apply to elected officials.

#### **10.12.25 Emergency Aid Volunteer Leave**

- A. Emergency Aid Volunteer Leave is hereby established as policy and shall be granted to County employees should any disaster require many days and/or hours of volunteer help.
- B. In addition, the Board of Supervisors must declare that volunteerism in the time of disaster is a matter of public interest and therefore not an improper use of government finances.
- C. This policy is effective for all disasters declared after 8/15/2005. To be eligible for re-instatement of part of the time used, the employee and/or disaster would have to conform to the following criteria:
  - 1. A disaster must be declared by either a State Governor or a Federal government agency prior to starting leave to facilitate becoming a volunteer.
  - 2. The employee must volunteer with a Federal Emergency Management Agency recognized organization.
  - 3. The employee must gain permission from his/her supervisor and approval of the Department Head.
  - 4. The employee must use vacation time or compensatory time off for this volunteer service.
  - 5. The Employee must provide written proof of valid service to a disaster area within 30 days of return for restoration of time.
- D. The County shall restore half ( $\frac{1}{2}$ ) of the time used. Amount restored shall not exceed two (2) weeks or eighty (80) hours.
- E. The volunteer work is not a County directed activity and any expenses related to the volunteer service are the responsibility of the employee.

#### **10.12.26 Grievances**

A. Definition. A "grievance" shall be defined as a violation of any law, directive, rule, regulation or section of this policy. This section shall not apply to County rights specified in Section 10.04.08 or to disciplinary actions pursuant to Section 10.12.28. There shall be an earnest effort on the part of all parties to settle a grievance promptly through the steps listed below.

B. Appeal Procedure.

1. Step I - Supervisor. An employee's grievance must be submitted orally or in writing to his or her first line supervisor or management representative immediately in charge of the aggrieved employee within fourteen (14) calendar days after the event giving rise to the grievance or after the employee would be reasonably expected to have knowledge of the event having taken place. The supervisor or management representative will give his or her answer to the employee by the end of the seventh (7th) calendar day following the presentation of the grievance. Such answer will terminate Step I.
2. Step II - Department Head. If the grievance is not settled in Step I, the grievance shall be reduced to writing by the employee, on the County grievance form approved by the Personnel Department, fully stating the facts surrounding the grievance, setting forth the law, directive, rule, regulation or section of this Policy which has been violated and detailing the remedy sought. The grievance shall be signed and dated, and presented to the department head or his or her designated representative with a copy to the Personnel Department, within fourteen (14) calendar days after receipt of the required answer in Step I. A meeting with the employee, employee representative and department head, or their designees, will be arranged at a mutually agreeable location and time to review and discuss the grievance. Such meeting shall take place within seven (7) calendar days from the date the grievance is presented to the department head or his or her designee. The department head or his or her designee shall give a written reply to the grievance by the end of the seventh (7th) calendar day following the date of the meeting. Such written reply will terminate Step II. Time limits as set forth above may be extended by mutual agreement between the parties, but neither party may be required to so agree. If the County, or any management representative of the County, fails to respond within the time periods contained above, the grievant may automatically, proceed to the next step of the grievance procedure. If the grievant fails to meet the time requirements, the matter is considered to be abandoned.
3. Step III Personnel Director Review. Within fourteen (14) calendar days of the department head's decision, the employee may apply to the Personnel Director for review. The Personnel Director shall within seven (7) calendar days meet with the employee, department head, and other persons as are deemed necessary in an attempt to resolve the grievance. The Personnel Director shall resolve the grievance and shall send a response in writing to the grievant and shall advise the grievant of the right to appeal further. If the Personnel Director declares the matter not subject to the grievance procedure, each party shall present evidence to an arbitrator who shall decide whether or not the matter is arbitrable before proceeding to Step IV of the grievance procedure.
4. Step IV - Arbitration. Within ten (10) calendar days of the Personnel Director's review and decision, the employee may request in writing to the Personnel Director a desire to submit the matter to advisory arbitration.

As soon as possible, and in any event, no later than five (5) calendar days after the Personnel Director receives the written notice of the desire to arbitrate, the parties shall attempt to agree upon an arbitrator. If no agreement is reached within said five (5) calendar days, an arbitrator shall be selected from a list of five (5) arbitrators submitted by the American Arbitration Association or California State Mediation and Conciliation Service by alternately striking names until one name remains. The party to strike the first name shall be selected by lot.

Either the County or the aggrieved employee may call employees as witnesses and the County agrees to release said employees from work if on duty. The aggrieved employee shall not call an excessive number of employee witnesses who are on duty.

The arbitrator shall have no power to alter, amend, change, add to, or subtract from any of the terms and conditions of this policy nor any other rules, policies or procedures except where State or Federal laws, rules, and/or regulations prevail. The decision of the arbitrator shall be based upon the evidence and arguments presented to him or her by the respective parties in the presence of each other.

The decision of the arbitrator is advisory to the Board of Supervisors whose decision shall be final and binding on both parties. Each party shall bear the expense of the presentation of the party's own case.

All fees and expenses of the arbitration shall be shared equally by the parties. If the employee elects to proceed to arbitration, the employee will pay half of the arbitration fee in advance. In no event will the County pay more than half the expenses.

5. Step V - Board of Supervisors Appeal. The Board of Supervisors may consider the decision of the arbitrator, hear the grievance de novo or by resolution or minute order refer it to such persons or body as it deems necessary for hearing. The Board of Supervisors shall further determine whether or not the decision reached by such other person or body shall be final and binding or advisory in nature. Any costs related to proceedings before the Board of Supervisors or proceedings before another person or body referred by it shall be shared equally by the parties.

The employee may elect to bypass Step IV of the grievance procedure and request a review and hearing before the Board of Supervisors in closed session. All decisions under Step V by the Board of Supervisors in the matter shall be final and binding on all parties.

C. Employee Exclusions. This grievance procedure shall not pertain to County department heads.

### **10.12.28 Disciplinary Action**

A. Disciplinary Action - General. Disciplinary action may be taken against any employee who has regular status by the appointing authority for cause. This section shall not apply to employees dismissed while on probation. As used in this section "disciplinary action" means dismissal, demotion, reduction in pay or suspension for not to exceed thirty (30) calendar days. As used in this section, "appointing authority" means the Board of Supervisors or the appropriate elected official or department head exercising supervisory authority over the employee against whom disciplinary action is taken.

B. Causes for Disciplinary Action.

1. Falsifying personnel records or county records or providing false information concerning employment qualifications.
2. In competency.
3. Inefficiency.
4. Inexcusable neglect of duty.
5. Willfully disobeying a reasonable order or refusal to perform job as assigned.

6. In possession of or under the influence of or trafficking in habit forming drugs or narcotics while at work or on county property.
7. In possession of or under influence of alcoholic beverages while at work or on county property.
8. Intemperance.
9. Unauthorized absence without leave.
10. Conviction of a felony or misdemeanor related to the performance of duties of the job. A plea of guilty or nolo contendere to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction within the meaning of this section.
11. Indecent conduct which has an adverse effect on the county image.
12. Discourteous treatment of the public or other employees.
13. Improper political activity as defined in the Government Code or county regulations.
14. Misuse of county property or damage to public or private property resulting from misuse or negligence.
15. Violation of Conflict of Interest Code.
16. Abuse or misuse or excessive use of sick leave, vacation or other employee benefits.
17. Gambling on county premises.
18. Failure to properly report absenteeism.
19. Excessive tardiness.
20. Refusal to take and subscribe to any oath or affirmation which is required by law in connection with employment.
21. Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to his or her department or to the county.

C. Notice of Disciplinary Action. The appointing authority may initiate disciplinary action against an employee for just cause by serving upon the employee a written notice of disciplinary action. The notice shall be served upon the employee personally or by mail and shall include:

1. A statement of the nature of the disciplinary action.
2. A statement of the causes therefor.
3. A statement in ordinary and concise language of the acts or omissions which the causes are based.
4. Copies of all documents and materials upon which the action is based.
5. A statement advising the employee of his or her right to respond to notice before disciplinary action is taken or before seven (7) calendar days after the date of service orally, or in writing, or both,
6. A statement advising the employee that if disciplinary action is imposed, he may appeal such action to a qualified arbitrator as provided in Paragraph D, below, by filing a written request to the Personnel Director for arbitration within thirty (30) calendar days of service of this notice.

D. Appeal to Arbitration. If a request for arbitration is filed, in all cases an attempt shall be made to mutually agree upon a joint written submission of the issues to be submitted to the arbitrator. If

no such joint submission is reached, each party shall submit to the arbitrator its own statement of the issues. The basic issues to be submitted to the arbitrator are as follows: Was the employee given disciplinary action for reasonable cause? If not, to what remedy is the employee entitled under the provisions of this Title?

- E. Arbitration Hearing. The arbitration hearing shall be private unless the appealing employee requests a public hearing. Each party shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses, subpoena evidence and witnesses, and to rebut evidence against him or her. Oral evidence shall be taken only under oath or affirmation. The hearing need not be conducted according to technical rules relating to evidence or witnesses. Any relevant evidence may be admitted if it is the sort of evidence responsible persons are accustomed to rely on in the conduct of serious affairs.
- F. Decision of Arbitrator. Following the hearing, the arbitrator shall consider the evidence presented, shall make findings regarding the existence of cause. Should the arbitrator find that the discharge, demotion, suspension or reduction was without reasonable cause, the arbitrator shall make a written decision as to the appropriate action to be taken. Copies of the decision and recommendation shall be sent to the employee and the department head and one copy shall be sent to the Personnel Director to be filed in the employee's permanent personnel record.
- G. Implementing Arbitration Decision. If it is the arbitrator's decision that the department's order should be modified, the employee shall be restored to a position in his or her former class, subject to forfeiture of pay and fringe benefits for all or a portion of the period of time he or she was removed from duty by the department head, as determined by the arbitrator. Should the arbitrator find that the department's order of dismissal should be rescinded, the employee shall be reinstated to a position in his or her former class and shall receive pay and fringe benefits for all of the period of time he or she was removed from duty by the department.
- H. Appeal to the Board of Supervisors. The decision of the arbitrator may be appealed by either party to the Board of Supervisors who shall retain the authority to make the final and binding decision. Any such appeal must be presented within thirty (30) calendar days.
- I. Other Procedures. At all steps of the appeal process, the employee may represent himself or herself or he or she may be represented by a representative of his or her choosing. The expense of the arbitrator, including reporter's expense if one is used, shall be borne equally by the County and the employee.
- J. This section does not apply to department heads or to persons in the class of Undersheriff.