

OUR PERSONNEL POLICY IS A STATEMENT OF THE COUNTY'S POLICIES AND PROCEDURES, OUTLINING THE HANDLING OF HUMAN RESOURCE MATTERS. FROM TIME TO TIME, BUSINESS CIRCUMSTANCES MAY MAKE IT NECESSARY TO CHANGE THE MANNER IN WHICH WE HANDLE THESE MATTERS. CONSEQUENTLY, WE RESERVE THE RIGHT TO UPDATE AND/OR CHANGE OUR EMPLOYEE HANDBOOK WITH OR WITHOUT NOTICE, AS NEED REQUIRES. AS A RESULT, OUR PERSONNEL POLICY IS NOT A CONTRACT OF EMPLOYMENT AND DOES NOT CREATE ANY CONTRACTUAL RIGHTS.

UNLESS SPECIFIED IN A WRITTEN AGREEMENT, EMPLOYMENT IS AT-WILL. THAT MEANS EMPLOYEES ARE FREE TO TERMINATE THEIR EMPLOYMENT WITH THE COUNTY AT ANY TIME AND FOR ANY REASON, WITH OR WITHOUT NOTICE. LIKewise, THE COUNTY OF DARLINGTON RESERVES THE SAME RIGHT. THE ADMINISTRATOR IS THE ONLY OFFICIAL REPRESENTATIVE OF THE COUNTY AUTHORIZED TO ENTER INTO EMPLOYMENT CONTRACTS WITH ANY INDIVIDUAL. THAT MAY ONLY BE IN WRITING AND FOR A SPECIFIED LENGTH OF TIME, OUTLINED IN SAID CONTRACT.

THIS CONTRACT DISCLAIMER APPLIES TO PAST, CURRENT AND FUTURE PERSONNEL POLICIES AND PROCEDURES, UNLESS EXPRESSLY STATED TO THE CONTRARY. THIS POLICY, ISSUED ON OR AFTER **SEPTEMBER 25, 2016, SUPERSEDES ANY OTHER POLICIES PREVIOUSLY DISTRIBUTED.**

I ACKNOWLEDGE THAT I HAVE BEEN GIVEN ACCESS TO THE EMPLOYEE HANDBOOK INCLUDING THE SAFETY MANUAL. I UNDERSTAND THAT I MAY VISIT THE COUNTY WEBSITE AT **WWW.DARCOSC.COM TO FIND A COMPLETE COPY OF THE HANDBOOK AND THE SAFETY MANUAL. I CAN ALSO GET A HARD COPY OF THE HANDBOOK, INCLUDING THE SAFETY MANUAL, AT THE COUNTY'S HUMAN RESOURCES OFFICE. I UNDERSTAND THAT THIS HANDBOOK, INCLUDING THE SAFETY MANUAL, DOES NOT CONSTITUTE A CONTRACT BETWEEN MYSELF AND DARLINGTON COUNTY, AND THAT MY EMPLOYMENT IS AT-WILL.**

Employee Signature

Date

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THIS IS NOT A CONTRACT
EMPLOYMENT IS AT WILL

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I. GENERAL

ORGANIZATION

Darlington County operates under a Council-Administrator form of government. The County Council composes the legislative and executive branches of the County. It is the duty of the County Council to set the overall policy in matters concerning the operation of the County. Each member of the Council is elected to a term of four years. The Council meets on the first Monday of each month. The Council Chairman or a quorum of members may call special meetings of the Council at any time, providing a 24 hour notice is given.

The County Administrator, under the direction of the County Council, is primarily responsible for the overall administration of the County's Human Resource policies and procedures. However, each department director is responsible for ensuring that these policies and procedures are carried by their department on a daily basis.

The County Council approved this employee handbook; and all amendments and updates should be approved by the County Council.

HUMAN RESOURCE POLICIES

Unless specified through written agreement: **EMPLOYMENT IS AT WILL**. This means that all employees are free to terminate their employment with the County at any time and for any reason, with or without notice. Likewise, Darlington County may do the same. The Administrator is the only authorized County official that may enter into employment contracts with individuals, which must be done in writing and for a specified period of time.

ETHICS POLICY - Approved by Council 04/06/2015)

Purpose:

The Darlington County Ethics Policy Statement is intended to establish standards of conduct expected of those persons who act for, or on behalf of, the public, in the performance of all governmental duties and responsibilities. The standards established by this Statement are rules of reason, and not rules of law. They do not in themselves seek to impose duties or obligations not otherwise required of County employees. These standards seek to recognize the expectations inherent in government service through public opinion and perception and to define the special responsibilities that arise through the representation and authority of the government. Likewise, the Statement does not attempt to exhaust the moral and ethical values that must guide government actions, nor does it displace professional knowledge, skill or judgment.

No set of rules or standards can do so, and every person in government service must also be guided by personal conscience and the independent ideals of their profession, as well as the legal duties imposed upon them. These standards, therefore, should be interpreted with reference to the purposes of government service and the unique stature of public professionalism.

This Statement also serves to acknowledge the fact that all public employees, public officials and public members representing Darlington County are subject to the provisions of the State Ethics, Government Accountability, and Campaign Reform Act, as codified in Section 8-13-100 through 8-15-1520 of the 1976 South Carolina Code of Laws. Copies of this Act are available at the State Ethics Commission's website, www.ethics.sc.gov.

Government service and public sector employment is a public trust, and those who serve the public as part of its government must perform and discharge their duties consistent with the highest moral principles, always serving the best interests of the County and its citizens.

Representative government is based solely upon the consent of the governed, under a system whereby every citizen has a right to expect those who govern or serve in the government to act not for them, but for the governed as a whole. Since government can act only through its employees, it is ever incumbent upon them, therefore, to honor the public's trust to instill confidence in government by their own integrity and conduct in all official actions.

It is therefore, the purpose of this Ethics Policy Statement to:

1. Maintain high ethical standards in Darlington County Government;
2. Increase public confidence in the integrity of employees of Darlington County
 - a. Government;
3. Assist employees in determining the proper course of action when faced with uncertainty in ethical obligations; and
4. Support the actions of the Government and its employees in situations of unwarranted criticism.

Application:

This Ethics Policy Statement shall apply to the following representatives of Darlington County: (as defined by SC Code Section 8-13-100)

1. Public employees – persons employed by the State, a county, a municipality, or a political subdivision;
2. Public officials – elected or appointed officials of the State, a county, a municipality, or a political subdivision thereof, including candidates for office;
3. Public members – individuals appointed to a non-compensated part-time position on a board, commission, or council.

The ethical standards, considerations and rules of conduct shall apply and be observed during that persons entire term of service with the County.

Rules of Conduct:

All public employees, public officials, and public members shall adhere to the Rules of Conduct, as outlined in the State Ethics Reform Act. Those standards include, but are not limited to, the following:

1. A public official, public member, or public employee shall not knowingly use his office, membership, or employment to obtain an economic interest for himself/herself, his/her immediate family, or an individual or business with which he/she is associated.
2. A public official, member, or employee, shall not receive, directly or indirectly, anything of value from any individual with the intent of influencing the official responsibilities of that official, member, or employee.
3. A public official, member, or employee, shall not receive anything of value for speaking before a public or private group in his/her official capacity. Meals, which are incidental to engagement, may be accepted only where all participants of said engagement are entitled to the same meal.
4. A public official, member, or employee, shall not disclose confidential information gained as a result of his responsibility in order to obtain an economic interest for himself/herself, his/her immediate family, or an individual or business with which he/she is associated.
5. A public official, member, or employee, shall not serve as a member of a governmental regulatory agency that regulates any business with which he/she is associated.
6. A public official, member, or employee, shall not cause the employment, appointment, promotion, transfer, or advancement of a family member to a position in which the official, member, or employee supervises.
7. No person shall use government personnel, equipment, materials, or office space in an election campaign.

Additional Ethical Standards:

In addition to the Rules of Conduct outlined in State Ethics Reform Act, it shall be the duty of all public employees to observe the highest ethical principles in all official actions, whether specifically noted or mandated in this Statement, and to refrain from any course of conduct which might result in, or create the appearance of, a violation of the following ethical standards.

1. Management Responsibility:

All Department Directors and supervisors shall display and promote ethical behavior within their applicable departments.

2. Health and Safety:

Public employees shall comply with all County policies and procedures relating to safety in the workplace. Safety violations and concerns shall be reported on a timely basis to a supervisor, the County's Risk Manager, or by calling the County Administrator.

3. Respect and Fair Treatment:

Public employees shall treat all individuals fairly and with respect, regardless of their religion, national origin, culture, age, sex, disability, and/or any other factor.

4. Harassment:

Harassment in any form will not be tolerated and will be subject to disciplinary action.

5. Employee Privacy:

Darlington County respects the privacy of its employees. Employee records will be used only as necessary for business needs. Employee information shall only be shared for business reasons consistent with applicable law.

6. Responsible Use of County Assets:

All public employees shall protect County assets, such as equipment, supplies, cash, inventory and information against misuse and/or misappropriation.

7. Information Management:

All County information which is considered to be confidential or sensitive in nature shall be adequately secured and safeguarded. Such information would include documents, files, and databases that may be kept on paper, electronically, or on film. Retention and destruction of such information shall be done in accordance with guidelines set by Records Management and in compliance with state laws and regulations.

8. Use of E-mail, Internet, and County Intranet:

Darlington County has developed specific policies regarding employee use of County e-mail, the internet, and the County's Intranet while on County time or using County computer. All public employees shall comply with these policies. All data stored on County computers and networks, including email either received or sent is considered to be County property and is not private, unless required as such by law.

9. Compliance with applicable laws and regulations:

All public employees shall comply with all laws, regulations, and County policies that are applicable to their departments.

10. Environmental Issues:

All public employees shall be committed to acting responsibly with respect to environmental issues through involvement in County initiatives such as in-house recycling programs, county fuel consumption reduction programs, and energy consumption reduction efforts.

11. Other employment and business ownership:

A public employee shall not engage in any other employment unless such employment is approved by the County Administrator or his/her designee. Such employment shall not conflict with scheduled work hours (including overtime if required as part of the employees normal duties,) or the performance of County duties. Employees shall not use County time, supplies, property, information or other assets in the connection with other employment.

12. County Seal:

Unless expressly authorized by the County Administrator, a public employee shall not use the official County seal for any private use.

13. Personal Use:

A public employee shall not use public funds, County facilities, property, personnel, or work time for personal use or political campaign activities.

14. Special Treatment:

A public employee shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

15. Soliciting or accepting gifts:

A public employee shall not solicit or receive a gift or anything of value from any person or association, either directly or indirectly, in consideration of some action to be taken or not to be taken in the performance of the employee's duties. However, a public employee may solicit a gift from other County employees for charitable drives or events that have been approved by the County Administrator, when such solicitation has been made a part of that employee's duties. All proceeds from such gifts received shall be turned over to the applicable charitable organization.

This section does not apply to:

- a) Ceremonial awards, gifts, or honoraria under \$25 if the gift or award commemorates an employee's achievement;
- b) Items of personal property, excluding cash, with a value less than of \$10;
- c) Reasonable expenses for food, travel, lodging and scheduled entertainment given in return for an employee's participation as speaker at an event;
- d) Any item that is solely informational or advertising in nature, such as books, pamphlets, periodicals, etc., provided the value of such item is less than \$25.

Financial and Campaign Disclosure Requirements:

The State Ethics Reform Act requires the following representatives of Darlington County to file a Statement of Economic Interests.

1. Any person appointed to fill the unexpired term of an elected official.

2. Any public official.
3. Any candidate for public office
4. The County Administrator
5. The Chief Finance Official.
6. The Chief Purchasing Official.

The Statement of Economic Interests must be filed annually with the State Ethics Commission. Additional information regarding this disclosure can be found at www.ethics.sc.gov.

Reporting Process:

All public employees have the responsibility of reporting concerns about potential unethical behavior. Such concerns and/or questions on whether actions are considered unethical or a violation of the State Ethic Reform Act and/or this Ethics Policy Statement can be addressed by calling 843-616-1110.

No person, acting on behalf of the County shall:

- a) dismiss, or threaten to dismiss, any employee;
- b) discipline, suspend, or threaten to discipline or suspend an employee;
- c) impose any penalty upon an employee; or
- d) Intimidate or coerce an employee because the employee has acted in accordance with the requirements of this policy. It shall also be a violation of this policy for any informant to make a baseless allegation of unethical behavior that is made with reckless disregard for truth and that is intended to be disruptive or to cause harm to another individual. Any violation of this section will result in disciplinary action.

Investigative Procedure:

Allegations of violations of the State Ethics Reform Act and/or this Ethics Policy Statement shall be promptly investigated by a team of individuals designated by the County Administrator. The results of this team’s investigation shall be communicated in writing to the County Administrator and/or other appropriate designated personnel in instances where the investigation indicates possible violations of the State Ethics Commission.

II. EMPLOYMENT PRACTICES

EQUAL OPPORTUNITY

It is the policy of Darlington County to recruit, hire, train, and promote employees without regard to race, religion, color, disability, national origin, sex, or age, except as provided for under federal statutes and amendments.

This policy applies to all levels and phases of human resource administration, including recruitment, testing, hiring, training, promotion, demotion, transfer, termination, leave practice, rates of pay and other terms of compensation, selection of supervisory positions, and employee benefits programs. The County does not tolerate discrimination or discriminatory treatment of any nature, including that based on race, color, sex, national origin, religion, age, disability or veteran status.

ANTI - HARASSMENT

It is Darlington County's policy that all employees are allowed to work in an atmosphere and environment free from any unsolicited and unwelcome conduct of a discriminatory or retaliatory nature, including sexual harassment. Darlington County will not tolerate unlawful discrimination or harassment in any form by any of our employees (including supervisors and managers) or by any non-employee, including temporary workers, customers, vendors, visitors, or independent contractors.

Sexual harassment is defined as unwelcome verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her sex, or the sex of his/her relatives, friends, or associates. No employee - either male or female - should be subjected to unwelcome verbal or physical conduct that is either sexual in nature or that shows hostility to the employee due to that employee's gender, race, religion, national origin, age, and/or disability.

Examples of conduct that may constitute sexual harassment include, but are not limited to, the following:

1. **Verbal** -- (spoken, written, or through e-mail) -- sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits or sexual propositions;
2. **Nonverbal** -- making suggestive or insulting noises, leering, whistling, or making obscene gestures;
3. **Physical** -- touching, pinching, bruising the body, coercing sexual intercourse, or assault.

In addition, sexual harassment may result where employment decisions are based upon an employee's submission to or rejection of unwelcome sexual advances or requests.

If any employee believes the workplace environment has been compromised in any harassing way, he/she **SHOULD** immediately report the alleged conduct to his or her supervisor so that an investigation can be undertaken. If the employee is uncomfortable reporting to his or her supervisor, the conduct must be reported to the appropriate manager upward in the chain of command. The employee should always feel free to contact Human Resources at any time in this process. All complaints will be treated as confidentially as possible and will be investigated as discreetly, promptly, and thoroughly as possible.

Any individual found to have harassed another employee would be subject to appropriate disciplinary action up to and including termination. Retaliation or discrimination against an employee for reporting or complaining about harassment is prohibited. If there are any questions about this policy, employees should contact the Human Resource Manager.

RECRUITMENT

It is the practice of Darlington County to seek to employ the most qualified candidate available. In this effort the County conducts an active job information and recruitment program. The County will always attempt to fill any vacancies by promotion or transfer from within. However, the County reserves the right to consider outside candidates at any time during the hiring process. The Administrative procedure shall normally be as follows:

The department will notify the Human Resource Department of a current job opening. A job announcement will be prepared stating the position title, minimum training and experience requirements, salary range, and application procedures. All job vacancies must be posted throughout the County.

The Human Resource Department will advertise job vacancies outside of the County through local or regional newspapers, educational institutions, trade journals, publications or any other methods deemed necessary or requested by the department with the vacancy.

In most cases, employees from the County should be considered first, although the County may consider other candidates before making a final decision.

Active applications, less than 30 days old, may be reviewed to determine qualified candidates. Although applications are retained for one year, they will remain active for only 30 days.

SELECTION

All persons seeking employment with the County must fill out an application. In addition, depending on the nature of the job, applicants may be required to take performance tests, written examinations, oral interviews, drug test, background checks, reference checks and physicals. In selecting the most qualified candidate, consideration will be given to:

- Work experience – Work experience which is the same or similar to the job opening. Should also include demonstrated ability to perform those jobs as referenced by previous employers.
- Education – Number of grades or level of education attained as required by the job vacancy.
- Demonstrated Reliability – Punctuality and attendance in previous jobs.

- Honesty and Integrity – Based on references supplied by the applicant and previous employers. Also could include results from any testing, interviews and previous job references.

Employees offered positions in the public safety departments would be required to pass physicals and drug screens to continue their employment, which is therefore conditional.

EMPLOYMENT CLASSIFICATIONS

Regular Full-Time Employees: Regular full-time employees are employees who are scheduled to work at least 30 hours a week and who have successfully completed their 6-month introductory period.

Regular Part-Time Employees: Regular part-time employees are employees who are scheduled to work less than 30 hours a week and who have successfully completed the 6 month introductory period. Part-time employees are not eligible for the same level of benefits that are offered to full-time employees.

Temporary Employees: Temporary employees are employees hired for a predetermined period of time. Temporary employees are not eligible for any employee benefits. Employment of temporary employees should not exceed 6 months.

INTRODUCTORY PERIOD - Approved by Council 7/18/16

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Darlington County uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Darlington County may end the employment relationship **AT WILL** at any time during or after the introductory period with or without cause or advance notice.

All new employees work on an introductory basis for the first 6 months after their date of hire. If Darlington County determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and social security. Full-time employees are eligible for other benefits, such as State or Police Retirement from the date of hire.

A new employee in his original introductory period is not entitled to a hearing under the County's grievance procedure unless he/she has grounds for discrimination under Federal or State statutes.

NEPOTISM: HIRING OF RELATIVES - Approved by Council 4/6/2015

Two or more members of an immediate family shall not be employed on a full-time basis within the same County department. Full-time employment of close relatives may be permitted in strictly emergency situations for temporary periods of time, normally not to exceed thirty (30) calendar days, or for some longer period with the approval of the County Administrator in cases where other qualified applicants are not available for an essential task. Relatives are allowed to work in the same EMS department on a part-time basis, on the recommendation of the Department Director and the approval of the County Administrator.

In no case will it be permissible for someone to supervise a family member or influence any management considerations regarding a family member.

Immediate family for the purpose of this policy: Term immediate family shall include wife, husband, mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, stepdaughter. This term also includes relationships such as domestic partner, co-habitant or significant other.

The County retains the right to include relationships not specifically listed when, in its sole discretion; such relationship may cause a conflict of interest or give the appearance of a conflict of interest.

In the event employees become related (within the meaning of this policy) after becoming employed, the County reserves the right, in its sole discretion, to determine whether both employees can remain employed. In the event the County determines that both employees cannot remain employed, the employees may choose which will resign. If no decision is reached by the employees within ninety days of the date of the relationship, the employee with the (less total service/lower annual compensation) will be terminated.

Effective date – The policy shall be applied on the effective date of its adoption and is not retroactive. Where immediate families already are employed within the same department, efforts are to be made to comply with the policy through reassignments or other measures.

PROMOTIONS

A promotion occurs when an employee changes to a position with higher compensation. Promotion shall be based on job performance and only those employees who have had above average performance on the job shall be promoted.

Vacated or newly established positions shall be filled to the fullest extent possible, consistent with efficient and effective operations of the County, by the promotion of qualified employees with good records of past job performance.

An employee is promoted on a six (6) month probationary basis. If the employee's performance during this period measures up to the standards of the job, then the employee's promotion is finalized. If the employee does not meet the standards required of the position, then he/she may be entitled to re-employment rights to his/her former class, if the position is available.

All promotions must be recommended by the employee's Department Director and approved in advance by the County Administrator.

TRANSFERS

It is County policy to place employees on a job in which their interests and those of the Counties are best served. Every reasonable effort to place employees on a job of their preference is made if there is an opening and they have the necessary qualifications.

It is County policy that when operation of the County requires employees to be transferred from one job to another, such transfers will be made. When possible, an employee's wishes shall be respected.

It is County policy that when an employee's performance has been satisfactory, he/she will not be transferred involuntarily to a job in a lower salary range, except when necessary to avoid placing such an employee on layoff. Transfers shall be made only with the agreement of all Department Directors involved and the County Administrator.

DEMOTIONS

Demotion occurs when an employee, not on any probationary promotion status, is demoted by his supervisor because he/she is not performing his/her job adequately. The County Administrator must approve demotions. The supervisor must state in writing that he/she feels the employee should be able to handle the lower paying job with less responsibility. If past experience indicates that the employee cannot handle the lower paying job with less responsibility, then the employee may be dismissed.

LAYOFFS

If it becomes necessary to reduce the number of personnel in any department, the selection of employees to be retained shall be based on the efficiency and effectiveness in performing their jobs and on the skills needed by the department in maintaining essential operations and service. Employees of equal ability, skills and job performance will be retained according to seniority (number of year's continuous service in regular employment status). A plan for the reduction of personnel and maintenance of basic operations shall be prepared by the Department Director and approved by the County Administrator and County Council.

Employees who are released due to a reduction in force will be given first consideration for openings in other departments of the County for which they might qualify (these may be jobs in lower compensation range). No employee, however, shall be offered more than three (3) such positions. In the event he/she turns down three (3) such positions, the employee still retains rights under the policy statement below.

After release, the employee shall retain a status in, and right to, the position for a period of no longer than one (1) year, commencing from the date of separation. In the event that the abolished positions are reinstated during this time period, offers of re-employment shall be made to release employees based on previous job performance and seniority. A refusal of any offer by the former employee after reasonable notice by the County nullifies his/her right to any further consideration for a position with the County.

III. PUBLIC SERVICE

PUBLIC PURPOSE

Public employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their position, regardless of personal considerations, recognizing that their public and private affairs should be above reproach. Employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work.

DEDICATED SERVICE

Citizen relations are one of the most important aspects of employment with the County. It is expected that all County employees will, at all times, conduct themselves in such a manner as to reflect credit on them as well as on the County.

Employees of the County are regarded by friends and the general public as “The County”, both on and off the job. This means that employee actions directly affect how the public feels toward County government and the services rendered by the County. The County Administrator reserves the right to take appropriate action up to and including discharge of any employee whose conduct, whether on or off the job, would adversely affect the public’s perception of the County.

All employees of the County should be loyal to the objectives expressed by the electorate and the programs developed to obtain those objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

FAIR AND EQUAL TREATMENT

- **Principal 1: Proper use of Public Property** – no employee shall use, request, or permit the use of County owned vehicles, equipment, materials, or property for personal benefit.
- **Principal 2: Equal Treatment of all Citizens** – no employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

DUAL EMPLOYMENT

An Employee may engage in secondary employment (moonlighting), outside employment, or self-employment only with the prior written approval of the County Administrator (or the employee's Department Director). Approval may be given and so long as, in the County's opinion, the secondary employment or self-employment is not of a nature which results in a conflict of interest with the employee's County employment, does not give the appearance of a conflict, does not adversely reflect upon the County and does not affect the employee's performance of his/her duties with the County. Approval may be withdrawn at any time. Employees, who change secondary jobs, or the nature of secondary self-employment, must make written request for approval of such changes. In some situations, County employees who work part-time for the County view their County employment as secondary. These employees, like all other employees, must seek written approval for their other employment.

Note: Whenever the Sheriff approves secondary, security related, employment for sworn law enforcement officer, he is to obtain written acknowledgement from the secondary employer that the secondary employer is required to provide worker's compensation insurance coverage for the officer while he/she is performing the secondary employment.

POLITICAL ACTIVITY

Although County employees are encouraged to support the various governments in our political system, there are limits on employee political activity. Permitted activities include expressing opinions on political subjects or candidates, displaying stickers or posters on personal automobiles and in homes, making voluntary financial contributions to a political party or joining a civic partisan or political organization.

Other guidelines include:

- Any employee seeking elective office in the County will be terminated.
- County employees are prohibited from engaging in any political activity during working hours or while in uniform.

- County employees are prohibited from receiving money, gifts, or any other remuneration of any type in exchange for political activity.
- County employees are prohibited from using their official position or to knowingly allow it to be used to further a political party or candidate.
- County employees will not be required to contribute any money or anything of value to any political candidate, campaign, or political committee.

CONFLICT OF INTEREST

The County, being dedicated to its role of serving its citizens, has an obligation to ensure that public confidence exists in the integrity of County employees. Therefore, it is essential that the County establish appropriate ethical standards to guide its personnel in the performance of their duties, so that there shall not exist, nor appear to exist, a conflict between private interest and public responsibilities. Violations of one or more of the following rules shall be considered sufficient grounds for disciplinary action up to and dismissal.

The following rules shall guide County employees in the discharge of their responsibilities:

Gifts and Favors – No employee shall request or receive a gift, favor, or loan of anything of value for himself or another person in the performance of his/her official duties.

Confidential Information – No employee shall make use of or reveal confidential information acquired through his/her position with the County for his/her own private gain or for the private gain of any other persons or groups.

Acquiring an Interest – No employee shall acquire an interest in any contract at a time when he/she has reason to believe that his/her interest will be affected either by his/her own official actions or by the official actions of the County.

Disclosure and Disqualification – An employee who has a financial interest in a business or activity that he/she has reason to believe may be affected by his/her official actions or by the actions of the County, shall make disclosure of the exact nature and value of his/her interest in writing to the County Administrator, and ask his/her opinion regarding the priority of this interest. Any employee who has such an interest shall disqualify himself/herself from participating in any official action directly affecting this interest.

Contracts With Employees – The County shall not enter into any contract for services or property with any employee. The County also shall not enter into any contract with a business in which an employee has an interest if that interest might be, or might appear to be, affected by the contract. This section is not applicable under circumstances, which constitute an emergency situation, so long as the report detailing the circumstances is later prepared by the County Administrator and submitted to the County Council.

USE OF COUNTY VEHICLE

The purchase, use and maintenance of motor vehicles are essential in the delivery of services to the residents of Darlington County. Accidents involving these vehicles can significantly impair the resources of the county in terms of injury, suffering and property damage.

Add the cost of unnecessary repairs due to a lack of preventive maintenance and abuse, and the size of this cost becomes even larger. Motor vehicle accidents are preventable. Vehicle maintenance costs can be reduced through strict preventative maintenance and proper operational procedures.

All accidents, regardless of their severity, will be reported and investigated by the Department Director and Safety Committee as directed in Annex Q of the County Safety Policy. Employees that try to conceal accidents will be subject to disciplinary action.

It is Darlington County's policy that employees will comply with all elements of Vehicle Management Program. Vehicle operators are expected to use defensive driving techniques at all times.

VEHICLE USE AGREEMENT

- No county vehicles or equipment will be used for private business.
- County employees may only operate county vehicles or equipment assigned to and authorized by their department.
- County-owned vehicles will be used for official county business only.
- No passengers will be permitted unless they are County employees or citizens on County business. Exceptions to this rule are as follows:
 1. EMS: One family member of adult patients will be allowed to ride in the passenger seat in the front with the vehicle driver. Parents of pediatric patients will be allowed to ride in the patient compartment with the child at the discretion of the attendants. All "summer hires" or personnel riding "third" for training will also be allowed. The Medical Control Physician or personnel serving on the Darlington County Ambulance Commission may ride "third" at their discretion, with the approval of the EMS Director. All riders will be seated with the appropriate safety restraints in place.
 2. Sheriff's Department: The Sheriff may authorize riders in Sheriff's Department vehicles; however, the Sheriff should provide written authorization for riders in department vehicles.

- Personnel authorized to ride family members or other riders in their vehicles should have a copy of the written authorization in the vehicle with them at all times. The driver of the vehicle is responsible for insuring that all passenger safety restraints are used while the vehicle is in motion.
- Department Directors should clearly state their department rider policy in their policy/procedures manuals.
- Privately owned vehicles will not be used for County business unless:
 - Staff vehicles are not available, or
 - A schedule change to accommodate the next available staff vehicle would prove a serious impediment to the accomplishment of the staff member's responsibilities.
- When use of a personal vehicle is justified, an employee will be reimbursed at the current rate established by County Council on the date of the travel for mileage, which is consistent with highway mileage guides showing distance from point to point. Those employees who use a personal vehicle when a county vehicle is available will not be reimbursed, unless the employee receives prior approval from the Department Director.
- No county vehicle shall be used for transportation to or from an operator's residence if living outside of Darlington County. (If warranted for an unusual situation, or on a permanent routine basis, then the vehicle will be operated only with prior approval from County Council.)
- An employee's title or position will not be regarded as justification for taking a county vehicle home. Justification is based on the department's mission needs without regard to official capacity and the approval of County Council.

IV. Benefits

ANNUAL LEAVE

Every employee in the County's service holding a regular full - time position and having occupied such position for a period of one year, twelve (12) consecutive calendar months shall be allowed annual leave (vacation) with pay at a time agreeable with the County. Such annual leave shall be granted in the manner indicated:

Years of Continuous Service	Regular Full-Time Employees, Days Earned Per Year
1-3 years	5 days
4-10 years	10 days
11+ years	15 days

One day of annual leave shall equal to 9.6 hours for every twenty four (24) hour period. EMS employees will get eight (8) hours for those positions assigned to a 40-hour work cycle & 42 hour work cycle, 7.5 hours for positions assigned a 37.5 hour work cycle or six (6) hours for positions assigned a 30 hour work cycle. EMS will accrue 9.6 hours.

Annual leave shall be accounted for on an hourly basis, thirty days equaling 240 (288 for EMS, 225 for 37.5, or 180 for 30 hour work cycle employees) hours. Employees required to work on holidays shall accrue annual leave in lieu of the holiday as spelled out.

Up to 30 days of annual leave may be accrued and carried forward into the next year. No employee shall be permitted to forego his/her annual leave and receive pay in lieu thereof, except that an employee who voluntarily resigns with proper notice or is laid off because of a reduction in force before taking all of their accrued but unused annual leave, not to exceed compensation for 30 days. Such pay shall be paid at the employee's current regular rate of compensation for any unused annual leave accumulated in accordance with the provisions of this policy.

An employee shall earn annual leave while on sick leave, annual leave or other authorized paid leaves.

If a county-recognized holiday falls on a working day of an employee's approved annual leave, he/she will be paid for the holiday and granted an additional day of annual leave.

Employees shall not be credited with annual leave earnings for any month in which they are not in pay status for one-half of the workdays of the month (example: employee on FMLA or sick leave).

Employees who voluntarily quit without notice or who are discharged for cause will not receive any accrued, unused annual leave. They will however be entitled to any compensatory leave.

HOLIDAYS

The following shall be observed as official paid holidays for the employees of Darlington County:

New Years Day	Martin Luther King, Jr. Day	Good Friday
Memorial Day	Independence Day	Labor Day
Thanksgiving Day	Day after Thanksgiving	Christmas Eve
Christmas Day	Day after Christmas	

An official holiday is defined as the pay equivalent of 9.6 hours for EMS 24 hour employees, eight (8) hour work day for those regular full-time positions assigned a 40 hour work cycle & 84 hour bi-weekly cycle, or seven and one-half hours (7.5) hour work day for regular full-time positions assigned a 37.5 hour work cycle, or 6 hours for 30.0 hour work cycle.

Regular full-time employees who are scheduled (budgeted) to work at least 30 hours per week shall be paid proportionally for the holiday. Employees scheduled to work less than 30 hours per week shall not receive holiday pay.

To be eligible for holiday pay, an employee must meet the following requirements:

- Be a regular full-time employee of the County who works at least a scheduled (budgeted) 30 hours per week.
- Must have worked the last scheduled day before the holiday and the first scheduled day after the holiday. However, if the absence on the day before or after the holiday was due to the reasons listed below, the employee would receive holiday pay:
 1. The day of absence is during the employee's annual vacation period.
 2. The employee is absent because of sickness or accident and brings in a doctor's statement indicating medical attention has been received. An exception for the requirement of a doctor's statement may be granted with the approval of the Department Director.
 3. The employee is absent due to the death of a member of the immediate family.
 4. The employee is absent due to a current on-the-job injury.
 5. An employee who reports in on the scheduled work day prior to the holiday would be considered to have worked that day, even though he/she is unable, due to emergency or illness, to complete the normal eight-hour work day. The same will apply to the first scheduled workday after the holiday.
 6. The employee is absent due to jury duty.

Employees on leave of absence without pay (LWOP) or layoff are not eligible for holiday pay. An employee who is required to work on an official holiday shall be credited with annual leave hours equal to the amount of hours worked, up to a maximum of eight hours. The Department Director is responsible to work with the employee to make the best effort possible for such leave to be taken within 30 days of the holiday.

SICK LEAVE

It is the policy of Darlington County to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to personal illness or injury.

Sick leave with pay is not a right, which an employee may demand, but a privilege granted by the County. It is offered as a benefit to employees who may not be able to work due to illness or injury. Any unused but accrued sick leave will not be paid at termination.

All regular full-time employees shall earn credit for paid sick leave at the rate of one (1) day of paid leave per month of continuous service. Regular full-time employees who are scheduled to work at least 30 hours per workweek shall earn credits at a rate in proportion to the percentage of the regular workweek that they are scheduled to work. Employees scheduled to work less than 30 hours per week are not entitled to benefits.

The maximum accumulation of sick leave for full-time employees shall be 90 working days and the maximum accumulation of sick leave for all eligible full-time employees scheduled between 30 – 40 hours per week shall be based upon the pro-rated portion of the workweek that the employee is regularly scheduled.

A Department Director shall have the right to require a medical certificate to verify an illness that exceeds three (3) consecutive working days.

Use of Sick Leave:

- Sick leave will be charged in units of one half (1/4) hour.
- Sick leave may be paid when an employee is unable to work due to personal illness or injury, or when the employee's presence may endanger the health of fellow workers.
- Sick leave may be taken for medical and dental appointments.
- Normally, sick leave may not be used to cover absences made necessary by illness in an employee's family. Under unusual circumstances, sick leave may be paid for such absences with the written approval of the Department Director.
- When a paid holiday occurs during the period an employee is on sick leave, the employee shall receive only his/her regular holiday pay and that day shall not be charged against his/her sick leave earnings.
- Sick leave may be taken for an on-the-job injury to pay deductions for payroll benefits. Employees may also elect to take sick leave while out on a work related injury. Any reimbursement by Workers' Compensation for the payment of an employee's wages will be credited toward the employee's sick leave at rate of 2/3 the time paid, if employee is out seven days or more.

Payment of Sick Leave:

In order to be eligible for sick leave with pay, an employee must:

- Report to the supervisor within thirty (30) minutes of the scheduled starting time on the day of the absence. An employee who fails to notify the supervisor shall not be paid for the day(s) taken prior to notification.

- If the absence extends beyond three (3) consecutive workdays, the employee must keep the supervisor advised as to his/her condition, anticipated date of return, and submit a statement from the attending physician as to the nature and duration of the illness.

This by no means alleviates dismissal for abuse of sick leave.

Upon leaving County employment, for whatever reason, an employee will not be reimbursed for unused sick leave.

HARDSHIP SICK/LEAVE POLICY

It is the policy of Darlington County to provide an opportunity for employees to contribute accumulated annual leave to a sick leave pool maintained to assist employees whose sick leave has expired due to hardship. Access to a hardship pool of sick leave pay is not a right, which an employee may demand, but a privilege granted by the county under the procedures established by this section.

Any employee with a balance of annual leave in their account of at least two weeks may contribute up to two days annual leave per calendar year to the hardship sick leave pool during the month of February (only) each year.

To be eligible to receive a transfer of hours from the hardship sick leave pool to an employee's sick leave account, the following conditions must be met:

- a) The employee must be full-time and have worked for the county for at least a year and at least 1,250 hours over the previous 12 months and currently be employed in good standing by the county.
- b) The employee must have a hardship defined only as "a serious health condition which makes the employee unable to perform his/her job" and have exhausted all accrued compensatory time, annual leave and sick leave.
- c) The employee shall meet all other requirements related to eligibility under the sick leave and/or FMLA policy. The employee's total leave period could not have exceeded the 12 weeks of leave granted under the County's FMLA policy.
- d) The employee must submit a written request for hardship sick leave, which describes the reason for the request, and states an expected date of return to work provided by a physician. Employees who are not expected to return to work are not eligible for hardship sick leave benefits.

- e) The employee's letter should be directed to the Department Director. The Department Director must recommend approval prior to the request being forwarded to the County Administrator. Grounds for refusal to recommend approval include, but are not limited to:

Records of leave abuse, excessive sick leave use, or misuse of county time by the employee:

Excessive use means averaging more than 5 days per year sick leave taken over the employee's term of employment with the county, unless consideration is warranted for chronic or unusual conditions.

Records of violations of County policy by the employee within the last twelve months:

The letter of request and recommendation for approval must be submitted to Human Resources for review and confirmation of conformance with this policy.

After the Human Resource Manager's review and verification, the request shall be forwarded to the County Administrator who may approve the request if days are available in the pool and he/she agrees with the recommendation to grant the request.

The Finance Director shall administer the hardship sick leave pool at the direction of the County Administrator.

- No more than 2,800 hours may be in the pool at any one time.
- Employees may donate no more than two days (16 hours) annual leave time per calendar year.
- Approved Hardship Sick Leave pool hours will be added to an employee's sick leave account and paid out based on the submission of time cards, just like any other form of leave.
- Any unused hardship leave left in the recipient employee's sick leave account shall be returned to the pool when the employee returns to work on a regular normal work schedule or leaves county employment.
- Transferred leave is not a tax deduction to the donor, but its dollar value is taxable to the recipient when it is used.

FAMILY MEDICAL LEAVE ACT

Pursuant to the FMLA (Family Medical Leave Act) Darlington County is to allow "eligible" employees to take certain job protected unpaid leave (or substitute appropriate paid leave, if available) under specified circumstances. The maximum basic FMLA leave is 12 work weeks in a 12-month period measured backward from the date such FMLA leave begins. The maximum FMLA Service member family leave to care for a seriously injured or ill "covered service member" during any 12-month period is 26 weeks.

Eligibility Requirements:

FMLA defines an eligible employee as an employee who has been employed by a covered employer for at least one year, (exceptions for breaks in service may be covered) worked for 1,250 hours over the previous 12 months, and employed at a worksite with at least 50 employees within 75 miles. For example, if an employee used four weeks leave beginning February 1, 1994, four weeks of leave beginning June 1, 1994 and four weeks of leave beginning December 1, 1994, the employee would not be entitled to any additional leave until February 1, 1995. On February 1, 1995, the employee would be entitled to four weeks of leave and on June 1, the employee would be entitled to an additional four weeks, etc.

Types of FMLA Leave:

Under FMLA, the County provides up to 12 weeks of unpaid leave to eligible employees:

1. For incapacity due to pregnancy, prenatal medical care or birth of a child.
2. To care for an employee's child within the first 12 months after birth and the placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first 12 months after placement);
3. To care for immediate family member (employee's spouse, child or parent) who has a serious health condition.
4. For a serious health condition that makes the employee unable to perform the functions of his/her position; or

Military Leave:

- **Qualifying Exigency** – For eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation, may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare or schooling, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- **Military Caregiver leave** - FMLA also includes a special leave entitlement that permits eligible employees (spouse, son, daughter, parent or next of kin) of the service member to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Married Couples Who Work for Darlington County:

If an employee and his/her spouse both work for the County, they are both eligible for leave. The employee and their spouse may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period of the leave is taken for:

1. The birth, adoption, or foster placement of a child;
2. To care for and bond with such child who does not suffer from a serious health condition
3. To care for a parent with a serious health condition: or
4. A combination of the above

For military caregiver leave, the employee and employee spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leaves listed above in this paragraph.

Definition of Serious Health Condition:

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Employee Benefits and Protections:

The County will maintain health care benefits for the employee while on FMLA leave, but the employee is responsible for paying the normal monthly contribution.

If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the County for the cost of premiums paid for maintaining coverage during the leave period. All other benefits cease to accrue during the unpaid portion of the leave. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

Use of Leave/Intermittent/Reduced Leave:

When medically necessary, employees may take FMLA leave intermittently or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Qualifying exigency leave may also be taken intermittently or on a reduced leave schedule.

Leave because of the birth or adoption of a child may not be taken intermittently and must be completed within the 12-month period beginning on the date of birth or placement of the child.

Where intermittent or reduced leave is foreseeable based on a planned treatment or provided at County's discretion, the County reserves the right to temporarily transfer an employee requesting intermittent or reduced leave to a job with the equivalent pay and benefits that better accommodates the recurring need. As always, employees are to make reasonable efforts to schedule leave for planned medical treatments so as not to unduly disrupt the County's operations.

Medical and Other Certifications:

Employees will be required to provide a complete and sufficient medical certification if the leave request is:

- 1) For the employee's own serious health condition
- 2) To care for a family member's serious health condition
- 3) Military caregiver leave.

Failure to provide the requested certification in a timely manner (15 days from request) may result in denial of the leave until it is provided. If the medical certification provided by the employee is not sufficient the County will give the employee written notice of the required information needed. The employee will then have 7 calendar days to obtain the additional information. If an employee refuses to provide a complete and sufficient certification, his/ her leave request may be denied.

Darlington County, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, Human Resource may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

Fitness for Duty Certifications:

Because Darlington County wishes to ensure the well-being of all employees, any employee returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty (FFD) certification signed by his/her health care provider.

An employee who fails to provide an FFD certification will be prohibited from returning to work until it is provided. An employee who fails to provide an FFD certification may result in the employee no longer being entitled to reinstatement under the FMLA.

FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely. The County may request and expect an employee to obtain subsequent recertification to support continuing leave on a reasonable basis, at such frequency and on such occasions as allowed by law.

Substitution of Paid Leave for Unpaid Leave:

Employees must use any accumulated sick leave, vacation time, or compensation time to the extent available during FMLA leave unless such leave is covered under workers' compensation, in which case the employee may use accumulated leave time for the purpose of satisfying any waiting period and supplement 1/3 of salary not paid by workers' compensation. Absences in excess of these accumulated days will be treated as FMLA leave without pay. The use of paid leave during FMLA does NOT prevent leave that qualifies under FMLA from counting against employee's FMLA balance.

Employee Responsibilities:

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal call-in procedures. Notice of the need of leave may be given by the employee's adult spokesperson only if the employee is unable to personally do so.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.

Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave. Failure to comply may result in leave being delayed or denied.

County Responsibilities:

Upon an employee's expressing a need for leave that may qualify under the FMLA, the County provides a notice of eligibility and specific expectations and obligations associated with the leave (Notice of eligibility and Rights and Responsibilities) and informs the employee whether they are eligible under FMLA. If eligible, the "Notice of Eligibility and Rights and Responsibilities" specifies any additional information required to qualify for FMLA designated leave as well as the employee's rights and responsibilities. Employees are responsible for providing a complete and sufficient certification (and periodic recertification) supporting the need for leave.

For eligible employees, the County will provide a "Designation Notice" to inform employees that the leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. It will also notify the employee that any paid leave that is substituted runs concurrently with FMLA leave.

If they are not eligible, the County will provide a reason for the ineligibility. Remember, employees are to follow the County's notice and call-in guidelines for unforeseeable absences, whether or not they are covered by FMLA.

Return from Leave:

Upon return from leave, the employee will be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his/her position with the County. Employees who do not return to work at the end of their leave will be terminated unless they are entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

Unlawful Acts by Employers:

FLMA makes it unlawful for any employer to;

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Important Information and Questions:

Additional information, "Employee Rights and Responsibilities under the Family and Medical Leave Act" is posted on the county's bulletin board and incorporated by reference to the extent legally required, in this policy. Additional and important information may also be detailed in the FMLA forms provided you upon notice of your need for FMLA.

If you have any questions regarding the application of the County's FMLA policy, FMLA forms or other policies please contact Human Resource.

CIVIL LEAVE

Jury Duty – All regular county employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings.

When called for jury duty, official court attendance, or private litigation, the employee must show the summons to the supervisor prior to the date of service so that authorization and plans for the absence can be made. In addition, the employees must complete the Employee Request Form.

When released from jury duty for any day, the employee will be expected to return to work for that day. If released from jury duty before the regularly scheduled meal period, an employee is required to return to work.

Upon return to work (after having been released by the court), the employee must submit to the supervisor a statement from the Clerk of Court indicating the dates serving as juror. The supervisor will turn the statement over to the appropriate office.

Official Court Attendance – All regular county employees subpoenaed or ordered to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as his/her court attendance may require. Employee may retain any fees paid for such service.

Private Litigation – Absence of an employee to appear in private litigation in which he/she is a principal party shall be charged to annual leave or to leave without pay.

BEREAVEMENT

Funeral Leave benefits may be granted to allow the employee to attend to the funeral arrangements and funeral of spouse, father, mother, child, sister, brother, grandparents, grandchildren, mother/father in-laws, son/daughter in-laws, step parents or stepchildren.

- Bereavement amendment: brother/sister in-laws added per County Council (August 20, 2007) Employees may be granted up to three workdays. Days that qualify for bereavement pay will be the day before the funeral, the day of the funeral and the day after the funeral.
- Bereavement Amendment: clarification of qualifying days approved per County Council (March 2, 2015)

If employees are scheduled to work on any of those three (3) days, this will be considered as bereavement paid days off. Any of the qualified bereavement days that are not scheduled work days, will not qualify for bereavement pay.

This leave shall not be chargeable to annual or sick leave. Employees may use annual leave to attend other funerals. Employees will need to provide the obituary notice to be paid under the bereavement policy.

MILITARY LEAVE

In accordance with South Carolina State Law, all employees who are members of the South Carolina National Guard or any reserve unit of the United States Armed Forces shall be entitled to military leave without loss of pay, efficiency rating or other benefits for up to fifteen (15) workdays in any one (1) calendar year so that they may participate in annual training or other such duties ordered by the appropriate authority. Military leave in excess of these amounts will be handled in compliance with the Veterans Re-employment Rights Act.

An employee going on military leave should present a copy of his/her orders to his/her Department Director no more than three (3) days after receiving the orders.

RETIREMENT

The County participates in the South Carolina Retirement System. Each newly hired regular employee shall be informed of the details of the Retirement Program when employed by the County. All **regular full-time and part-time employees**, except law enforcement officers, correctional officers, and firefighters, are required by state law to become members of the system.

The County also participates in the South Carolina Retirement System for law enforcement officers. All regular full-time and part-time law enforcement officers, correctional officers, and firefighters of the County are required by state law to be a member of this system.

WORKERS' COMPENSATION

All County employees are covered under Workers' Compensation. This type of accident insurance renders financial assistance in the event of an accident suffered while in of their course of employment with the County.

An injured employee must notify his supervisor immediately and obtain medical treatment, if necessary. Injuries must be reported to the supervisor or Department Director within 24 hours, and it shall be the responsibility of the Department Director to assure that necessary reports are filed with the Human Resource Department. Failure to file a timely report of an on-the-job injury may affect your right to receive benefits.

The County has selected an authorized physician who is responsible for medical care for all on-the-job injuries. Such injuries shall be treated by this physician's office unless injury occurs during non-business hours, the injury requires emergency medical attention, or the County's authorized physician makes a referral to another health care provider. In the case of an emergency, employees should be taken to nearest hospital emergency room. The County's authorized physician should conduct the follow-up treatment.

Light Duty: If a County employee, due to a work related injury or serious health condition, is unable to perform his normal duties, and modifications to those duties are not feasible to the company or to the employee, the County, with a written release from the employee's primary physician, or referred doctor, may place the employee in a light duty position either within the employee's normal department, or in another County department. The duties available to the employee, with a written release for light-duty work by his attending physician, will be transitional and temporary in nature (12 weeks or discretion of management) designed to be both productive to the County and meaningful to the employee. The employee that has entered into the County's light-duty work program will not return to normal work tasks until he presents the County with written permission (release to normal work duties) from his primary physician or referred doctor. Additional details concerning the County's light duty work program are available from Human Resources.

SOCIAL SECURITY

The County participates in equal portion with the employee under the provisions of the Federal Insurance Contribution Act. This is to provide some retirement benefits for the employee, and/or for his dependents in the event of the employee's death. The employee's share of the Social Security and Medicare taxes shall be deducted from the employee's pay.

HEALTH AND WELFARE BENEFITS

All full-time regular employees are eligible to enroll in the County's medical, dental, and life insurance plans on the 1st day of the month following your hire date.

v. COMPENSATION

COMPENSATION PLAN

It is the County's policy to pay its employees on the basis of the task they perform; the knowledge, skills and ability, the task required and the excellence with which these tasks are performed. It is also the County's policy to provide a wage plan based on a series of ranges that will provide:

- Competitive wages used to attract and retain qualified employees;

- Fair and consistent guidelines used to administer this compensation plan;
- A method to annually reward those non – probationary employees whose performance meets or exceeds the requirements of their job when approved by County Council during the budgetary process;
- Competitive pay as compared to similar position in the market place’

Generally, new employees will be paid at the minimum rate established for the position for which they are hired. In certain circumstances an employee’s qualifications and experience may qualify them to start above the minimum rate if funding is available in the budget.

The County Administrator has to approve the above minimum rate prior to the employee being hired. Changes to an employee’s rate may also occur when acquisition or changes in job responsibilities occur, if approved by County Council during the budgetary process. Any of these changes will require approval from the County Administrator.

RECLASSIFICATION

A reclassification is defined as a change to an employee’s current job assignment based on the addition or reduction of assigned duties and responsibilities. In all cases where reclassification results in recommended salary changes, Department Directors must submit a new job description highlighting the changes. The County Administrator will present reclassifications to County Council to be approved during the budgetary process.

PAYDAYS

Employees shall be paid on a biweekly basis. Payday is on Wednesday. If the normal payday falls on an official holiday, checks will be distributed on the preceding workday. Pay will be only by check, which will be dispensed by Department Directors.

Any pay discrepancies should be brought to the Human Resource Department. If the Human Resource Department cannot satisfy the employee’s pay issue, the employee should submit a grievance or otherwise complain in writing to their supervisor within 14 calendar days of the date on which they knew or should have known that they failed to receive a benefit(s) or proper wages.

WORK WEEK/WORK PERIOD/ATTENDANCE

Due to the nature of County operations, employee’s working hours cannot be definitely fixed. Each department or division will establish its work schedule and hours of work for employees. Employees are expected to comply with established work schedules to ensure the efficient operation of the department and effective delivery of county services.

Unexcused absences will not be tolerated. Excessive absenteeism, excused or unexcused may

result in disciplinary action up to and including termination. In order to provide essential services to meet certain obligations of the County, certain personnel may be required to work nights, weekends, or holidays.

The workweek for all County personnel, with the exception of Sheriff and Correctional Departments, is Monday 12:01 a.m. to Sunday 12:00 midnight. The basic work cycle for FLSA non-exempt full-time non-criminal justice employees is seven days, 40 hours or 37.5 hours per work cycle depending on job classification. FLSA non-exempt criminal justice employees have a work cycle of 14 days with 84 hours of work to be worked within the fluctuating work week. The actual work schedule, days off, and hours to report are determined by the work requirement as set by the Department Director.

Employees working less than 30 hours a week will be considered part-time employees. Normal work hours for county offices are 8:30 a.m. to 5:00 p.m., Monday through Friday.

In offices where twenty-four (24) hour service is provided seven days per week, the number of regular hours worked may be up to a maximum number as allowed by the FLSA. EMS (24 hour) employees will work a 24 hr. shift, using a scheduled 24 hrs. on 48 hours off rotation.

OVERTIME

Exempt and Non-Exempt Status: For overtime purposes, County employees are classified in “exempt” or “non-exempt” status. This determination is made by the Human Resource Department and is based upon a combination of factors such as position, duties, responsibility, and salary as outlined in the Fair Labor Standards Act.

Payment of Overtime: Non-Exempt employees are paid overtime premiums of one and one-half their hourly rate of pay for hours worked in excess of the maximum hours established by the Fair Labor Standards Act. These maximum hour standards are:

- Employees other than law enforcement and correctional officers – 40 hours worked in seven days.
- Law enforcement and correctional officers – 86 hours worked in fourteen days.
- EMS (24 hour) employees will count holiday, sick, and vacation days as hours worked for the purpose of computing over time.

COMPENSATORY “COMP” TIME POLICY – Approved by Council 3/7/2016

It is the County’s policy to pay its employees on the basis of the task they perform; the knowledge, skills and ability, the task required and the excellence with which these tasks are performed. The County classifies its employees into two categories: “Exempt” and “Non-exempt” employees.

Exempt employees, by definition, are exempt from the overtime and compensatory time off

requirements of the Fair Labor Standards Act. Hence, exempt employees have no legal entitlement to compensatory time off. Compensatory time off *may* be granted to exempt employees at the discretion of the Administrator. Any decision to provide compensatory time off to an exempt employee would be purely gratuitous on the part of the County. (See Administrator's Guideline).

Non-exempt employees, by definition, are employees that are able to receive overtime and compensatory time off under the Fair Labor Standards Act. Hence, non-exempt employees have a legal entitlement to compensatory time off as authorized and seen fit by the County. The County recognizes that occasionally non-exempt employees may be required to work overtime in order to provide essential government services.

It is the policy of the County, and in compliance with the Fair Labor Standards Act, that those non-exempt employees who are required to work overtime be compensated for their extra efforts. Since uncontrolled overtime can result in dramatically heightened costs, the County must ensure that adequate management of overtime situations is instituted. Non-exempt employees covered by the Fair Labor Standards Act, who are authorized by their supervisor and/or the Administrator to work more than their budgeted hours in a work week, will receive compensatory time.

The Fair Labor Standards Act (FLSA) reads in part:

The Federal Fair Labor Standard Act (FLSA) requires all employers to pay "non-exempt" employee's time-and-one-half their regular rate of pay for all hours over forty (40) that those employees work in a given week. If an employee is exempt from the FLSA's overtime requirements pursuant to one of several exemptions, like the "white collar" executive, administrative, or professional exemptions, these so-called "exempt employees" need not be paid overtime for hours that they work in excess of forty (40) hours in a week. However, the FLSA also includes provisions for comp time for public employees. Section 207 (o) of the FLSA allows public employees at the federal, state, or local level to compensate non-exempt employees for hours worked in excess of 40 with comp time in lieu of cash overtime. Because public, non-exempt employees' comp time is in lieu of overtime, public employers must credit that comp time at the same rate as cash overtime: no less than one-and-one-half hours of comp time for each hour of overtime work. A public employer that compensates its non-exempt employee's overtime with hour-for-hour comp time violates the FLSA regulations.

Therefore:

- All non-exempt employees, except certified Law enforcement personnel, may accrue Compensatory Leave Time for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week, with total accrued not to exceed 240 hours, in accordance with applicable federal laws. The limit for maximum number of hours accrued may be decreased at the discretion of the County Administrator. All authorized overtime hours worked above the applicable federal law or Administrator established limit will be paid at time-and-one-half.

Darlington County Administrator sets the following guidelines when it comes to Compensatory Time:

- Non-exempt employees Compensatory Time shall be limited to two hundred (200) total hours.
- All Non-exempt employees authorized by their supervisor and/or the Administrator to work more than their budgeted hours in a work week, will receive compensatory time.
- Exempt employees are not eligible for overtime pay or compensatory times for hours worked, travel time, attendance at meetings, etc. in excess of the normal work week. However, at the County Administrator's discretion, exempt employees who are required to work on an authorized holiday may be given a compensatory day off at another time.
- Annual leave, sick leave, holidays, etc. are not considered as hours worked for purposes of overtime computations. Compensatory hours for overtime hours worked shall be at the rate of one-and-one-half times the employee's regular rate of pay after a forty (40) hour work week.
- Compensatory Time should be taken within thirty (30) calendar days from the date earned whenever possible, unless otherwise approved by the County Administrator, and is subject to the maximum limits as defined by the County Administrator's guidelines.
- All Comp time worked in every department **must** have prior approval of the County Administrator or their Department Director, Manager or Supervisor. Accounting for overtime for all departments shall be done on official attendance reports (Time Sheets).

For the purpose of Darlington County, overtime must be approved in advance by the Manager or Supervisor in accordance with the guidelines established by the County Administrator, except in the case of an emergency. Employees who refuse to work overtime or fail to appear when notified and scheduled to work overtime may be subject to disciplinary action. Working unauthorized overtime may also subject an employee to disciplinary action. Each department Manager/Elected Official is responsible for the recording, calculating and reporting of accumulated hours for each non-exempt employee within their department. Utilization of compensatory time must be accurately reflected accordingly on the employee's timesheet.

Non-exempt employees covered by the Fair Labor Standards Act, who are authorized by their supervisor and/or the Administrator to work more than forty (40) hours in a work week will be compensated by compensatory time.

Timekeeping:

Accurately recording hours worked is the responsibility of all employees. Both Federal and State laws require Darlington County to keep an accurate record of hours worked each day in order to calculate employee salary and benefits. Hours worked is all the time actually spent performing assigned duties. All employees are required to accurately record actual hours worked during each workday, down to the minute.

Accurate time recording is also required when logging any split shifts, meal period and any departure from work for personal reasons.

All information is to appear on the employee's individual time sheets, which are signed bi-monthly by department director, managers and/or supervisors and turned in to accounts payable. These times are to be confirmed and minutes worked converted to the nearest quarter hour. Employees are not to tamper, alter or falsify time records, record time on another employee's time record, or misrepresent in any way the actual times worked. Any changes should be made by drawing a line through the mistake and writing in any changes beside it. Absolutely no white out, correction tape or liquid paper should be used on time sheets at any time for any reason

DIRECT DEPOSITS AND PAYROLL CHECKS – Approved by Council 04/06/2015

General Guidelines:

1. Effective July 1, 2015, all Darlington County employees are required to have Direct Deposit for Payroll.
2. All Direct Deposit bank information is run through a fourteen (14) day verification pre-note process which is submitted bi-weekly on Wednesday. It takes one pay cycle for new Direct Deposit information to go into effect.
3. Changes can be made to your Direct Deposit at any time during employment with Darlington County. If changes are made the Direct Deposit will have to go back through the verification pre-note process. (The first check will be a live check and then the next payroll it will be a Direct Deposit).
4. Employees are allowed to have a total of 6 different Direct Deposit accounts.
5. Retractions and account changes must be submitted by 4:00 PM the Thursday before Payday. Once the Payroll is submitted, a Direct Deposit cannot be stopped or changed.
6. All authorization requests must include proper supporting documentation as noted on the authorization form. Forms submitted with unacceptable supporting documentation will not be processed. Employee's will be responsible for ensuring their bank sends back to Payroll any corrections that need to be made prior to the affected Payroll.
****checks received prior to payday cannot be cashed until payday****
7. All corrections will be corrected on next Payroll.
8. It is the employee's responsibility to keep their address up-to-date in Human Resource.

For information regarding lost checks or closed accounts, please reference Lost Check Policy.

You can request a Direct Deposit Authorization and Direct Deposit Retraction form by emailing Human Resource: gwinburn@darcosc.net. Forms may be emailed or faxed to (843) 398-9679.

PAYROLL LOST CHECK AND CLOSED ACCOUNT POLICY – approved 04/20/2015

General Guidelines:

1. **Live Checks:** Notification of a lost payroll check must be received in the Finance Office by 1 p.m. on the Monday following payroll in order to stop payment and a check re-issued. It will take up to one business day for the check to be re-issued (excluding holidays). Please notify the Finance Office at (843) 398-4100, extension 1305.
Re-issued checks can be picked up from the Finance Department in the County Administrator’s Office, Room 210 of the Courthouse.
2. **Direct Deposits:** Employees should notify the Finance Department about closed direct deposit accounts by the Friday before payroll. If a direct deposit is processed for a closed account, it will take two to four (2 to 4) business days (excluding holidays) before funds can be re-issued as a live check.

LONGEVITY INCENTIVE PAY

Longevity Adjustment to Base Pay - Darlington County recognizes the benefits to county government provided through employees whose years of service have provided them in- depth institutional knowledge, a unique historical perspective on the context of county services, and a familiarity with policies, procedures, and potential problems which can be passed on to new employees. To reflect the benefit of having such employees and to provide an incentive for continuing service, the following schedules of longevity incentive pay are established:

<u>Anniversary in Preceding Budget Year</u>	<u>Longevity Incentive Pay July 1, of Next Budget</u>
15 years	\$ 500.00 *
20 years	\$ 750.00 *
25 years	\$1,000.00 *

Dollar amount shown or maximum pay for the grade the employee is in, whichever is lower. The longevity Incentive pay shall be provided in addition to any program for merit bonus pay, pay for performance adjustments to base pay, or cost-of-living increases. (The initial implementation of the Longevity Incentive Pay included cumulative adjustments for those employees with 20+ or 25+ years of service.)

VI. GENERAL OPERATING PROCEDURES

EMPLOYEE ASSISTANCE PROGRAM

Anyone can have personal problems. Personal problems can cause confusion and distress. This makes it difficult to carry out responsibilities, both at home and on the job.

Whether or not personal problems are affecting job performance, the County of Darlington believes that it is in the interest of the employee, the employee's family, and the County to provide assistance to help deal with such problems.

Therefore, the County of Darlington has implemented an Employee Assistance Program (EAP) administered by Rubicon. This EAP will provide our employees and their dependent family members with a free and confidential counseling and information service.

Rubicon

510 East Carolina Ave.

Hartsville, SC 29550

843-332-5696

The County of Darlington recognizes that many personal problems can be overcome if identified in the early stages and the right kind of help is provided. This applies whether the problem is one of physical illness, emotional or mental illness, alcohol or drug abuse, stress and anxiety, or marital difficulties. Employees and dependent family members who have these or other kinds of problems will be offered professional help through the Employee Assistance Program (EAP).

The purpose of the EAP is to aid employees whose problems are affecting their job performance or may affect job performance in the future. It is best for the employee, the employee's family, and the County of Darlington that help be received at the earliest stage possible.

The County of Darlington cares about the wellbeing of its employees. We want our employees to be healthy and able to cope with life's situations. The EAP is just one way of helping employees resolve personal or family problems and get back on the bandwagon of success.

The EAP is free and confidential. It is available to all full-time employees of Darlington County and members of their immediate families. Participation may be voluntary or by supervisory referral. Employees are encouraged to use the service voluntarily to obtain needed help. However, if job performance is being directly affected by personal problems, participation in the program may be required.

The concern of the County of Darlington regarding personal problems is strictly limited to their effect on the employee's job performance. When personal difficulties begin to affect work performance, it becomes a concern that requires corrective action. Job security or promotional opportunities are not threatened by participation in the program; however, an employee referred to the EAP because of less than satisfactory job performance, will be required to follow through on the recommended course of action suggested by the EAP counselor.

The confidential nature of medical records of employee's problems will be preserved in the same manner as all other medical records. The employee's personnel file will not indicate that he or she participated in the program if the employee participates voluntarily.

Employee work performance can be affected by the problems of a spouse or other family members. As a result, the program is available to the dependent family members of employees as well. The whole family or any individual member may voluntarily seek help on an entirely confidential basis by contacting the EAP counselor directly. Such voluntary participation is greatly encouraged. When necessary, a leave of absence may be granted for treatment or rehabilitation services, as for any other normal medical leave of absence. All efforts will be made to schedule outpatient appointments so as not to conflict with work schedules.

DRUG TESTING

Drug Use and Drug Testing Policy:

It is well recognized that drug abuse has a harmful effect on public health and safety, the welfare of employees, on morale and on productivity. Therefore, it is the policy of the County to comply with the Drug Free Workplace Act to establish and maintain a drug free workplace, and to prohibit the unauthorized or unlawful manufactures, distribution, dispensation, possession, and use of controlled substances on or off the job.

Drug Free Awareness Program:

Drug abuse in the workplace is dangerous as it may lead to physical impairment, lapse in judgment, safety violations and the risk of injury or possible death. In order to prevent these consequences of drug abuse, the County has implemented this policy to insure that the workplace remains drug-free.

As mentioned earlier, the County's EAP has drug counseling, rehabilitation, or drug assistance programs. Since the provider of services may change, employees should ask Human Resources to confirm which organization is providing drug counseling and rehabilitation services prior to using such services.

Definitions:

Applicant - any individual tentatively selected:

- For employment with Darlington County; or
- For employment in a safety sensitive position.

Drug - an illegal drug, prescription or nonprescription medication, or alcohol. The term "illegal drug" does not mean the use of a controlled substance pursuant to valid prescription or other uses authorized by law. Some of the drugs which are illegal under federal, state, or local laws include, among others, marijuana, heroin, hashish, cocaine, hallucinogens, depressants, and

stimulants not prescribed for personal treatment by an accredited physician.

Drug Program Coordinator - the individual responsible for carrying out the purposes of the policy as designated by the Sheriff (for law enforcement) and by the County Administrator (for all other personnel).

Drug test - a chemical test administered for the purpose of determining the presence or absence of a drug in a person's bodily fluids.

Employee - a person who, for remuneration or pursuant to any contract for hire, supplies a service to Darlington County as its employer.

Employees in testing-designated positions:

- Employees granted access to classified information or pursuant to a determination of trustworthiness by Darlington County.
- Employees in safety-sensitive positions. This will encompass Sheriff's Department, Prison Farm, Detention Center, EMS, 911 and Fire.
- Employees required carrying Commercial Driver's License (CDL).
- Other positions that Darlington County determines that involve the protection of life and property, public health or safety, or other functions requiring a high degree of trust and confidence.

Employer - Darlington County

Illegal use of drugs - the use of drugs, the possession or distribution of which is unlawful.

Positive Test Result - a drug test result that is positive as reviewed and verified by the review officer in accordance with the guidelines of Darlington County's Drug Free Workplace Policy.

Prescription or Non-Prescription Medication - a drug prescribed for use by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

Random Testing - a system of drug testing imposed without individualized suspicion that a particular individual is using illegal drugs, and may either be:

- Uniformly unannounced testing or testing designated employees occupying a specified area or position; or
- A statistically random sampling of such employees on a neutral criterion.

Reasonable Cause or Suspicion Drug Testing - drug testing based on reasonable belief that an

employee is using or has used drugs in violation of the policy.

Review Officer - the individual who is a licensed physician or certified lab technician with knowledge of substance abuse disorders. This person will have the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other relevant biomedical information, and who is responsible for receiving laboratory results generated from tested employees of Darlington County.

Specimen - a tissue or product of the human body chemically capable of revealing the presence of drugs in the human body.

Supervisor - any employee designated as such by Darlington County.

Under the Influence - a drug or alcohol test, or the combination of both, in any detectable manner that shows the employee is affected from.

Testing Procedures:

The County may require a blood test, urinalysis, or other drug/alcohol screening of any employee suspected of using or being under the influence of drugs or alcohol or where circumstances or workplace conditions justify testing. Any employee subject to testing under the policy will provide urine specimens in private at the job site or at a testing-designated facility. The employee's specimen shall be given directly to the review officer who will be responsible for specimen identification, collection, storage and transportation to a certified laboratory. This chain-of-custody procedure is intended to avoid any problems with identification of test results and specimen contamination or adulteration.

The County will implement testing procedures, which minimize any impact upon individual privacy by using reasonable and reliable testing procedures to ensure the accountability and integrity of the specimen. A certified lab and professionally trained personnel will perform all testing. The County Administrator will designate a medical lab(s) to be used for testing. Test results will be accepted as valid only from the designated lab, except tests performed by a hospital or other medical facility as a result of an accident or safety/emergency situation.

Any positive test result will be verified by a confirmation test. All employees will be given the opportunity to justify a positive test result with a **valid verified physician's statement** of the prescription medication being prescribed. Additionally, all employees testing positive for drugs will be given an opportunity to submit medical documentation of lawful use of an otherwise illegal drug.

Test results are strictly confidential and will be made known only to necessary or required individuals (i.e. Department Director, county administrator, review officer, drug program coordinator, and or State/Federal officials).

The employee's consent to submit to testing is required as a condition of employment and the

employee's refusal to consent may result in disciplinary action up to and including termination. Failure to appear for testing at the designated time and location of the test site will be considered a **refusal** to participate in testing. Any alteration or substitution of the specimen will also be viewed as a refusal to testing, will constitute insubordination, and will be subject to the County's disciplinary policies.

Types of Testing:

Pre-employment Testing – All County jobs involve an obligation to exercise the public trust through accurate, honest and safe performance of job duties. Drug or alcohol impairment seriously reduces an applicant's likelihood of fulfilling this employment requirement.

The County will perform pre-employment screening of all job applicants applying for positions in safety sensitive departments or positions requiring a CDL. This provision enables the County to prevent hiring individuals who use illegal drugs or alcohol, which may impair the applicant's job performance and workplace safety. Persons applying for positions in the following areas will be tested:

- Law Enforcement
- Corrections
- Public Safety
- Motor Equipment Operators CDL

An applicant's refusal to submit to a test or a positive confirmed test may be used as a basis for a refusal to hire.

Random Testing:

Certain positions are directly related to public health and safety, the protection of life and property, and law enforcement. An employee's use of illegal drugs in these positions can pose a significant risk to the safety of the employee or others.

The County will randomly test all employees in the testing-designated areas such as:

- Law Enforcement
- Corrections
- Public Safety
- Motor Equipment Operators CDL

All employees in testing-designated positions will be required to sign a statement acknowledging that his or her position has been designated for random drug testing and that refusal to submit to testing will result in initiation of disciplinary action, up to and including dismissal. The County reserves the right to add or delete areas of employment, or positions from the test- designated status.

Reasonable Cause or Suspicion Testing:

A Department Director may require an employee to submit to testing or follow-up testing when there is reasonable suspicion that the employee is under the influence of alcohol or controlled substances or otherwise is in violation of this policy. Reasonable cause or suspicion includes, but is not limited to:

- Situations listed as safety violations as directed by the County Safety Manual;
- Unexplained decline in job performance or obvious; impairment of abilities i.e. excessive absenteeism, irrational behavior, abnormal conduct;
- Increase in accidental injuries;
- Direct observation of drug use or possession;
- Voluntary admission by the employee;
- Evidence of a reliable nature, such as arrest or conviction of a drug-related offense;
- Physical signs of being under the influence of a drug or alcohol;
- Discovered tampering with a previous test;
- Continued problems with getting along with others to include physical altercations with employees or citizens;
- Smell or presence of alcohol about the employee's person, or an odor of marijuana smoke or presence of drug-related paraphernalia;
- Positive drug test result;
- Completion of a drug or alcohol treatment program;

Safety Violation/Post Accident Testing:

Employees involved in on-the-job accidents or who engage in unsafe job-related activities that pose a danger to them, other employees, citizens, equipment, or the overall operations of the County will be subject to random drug testing. Such acts include, but are not limited to:

- Serious injury to the employee or death of another individual;
- Lost time injury or potential lost time injury;
- Violation of a County Safety Policy Requirement or Procedure;
- Serious damage to County property (heavy equipment/vehicle, buildings)

Voluntary and or Follow-Up Testing:

Any employee may volunteer for testing, but will be required to undergo frequent random testing if the employee is found to have violated the policy.

Any employee who tests positive for alcohol or controlled substances may be required to undergo treatment for substance abuse through the Employee Assistance Program (EAP).

Each employee testing positive will be subject to unannounced and frequent testing for one year as part of a follow-up to counseling or rehabilitation for illegal drug use and the prior positive drug test. The County Human Resource Manager must verify successful completion of the County's designated EAP before the employee may return to work.

Substances Tested:

The County reserves the right to test employees for any substance, legal or illegal, which would impair an individual's ability to perform his/her duties in a safe manner. Employees will be tested for substances that include, but are not limited to:

- Marijuana
- Hashish
- Cocaine
- Heroin
- Opiates
- Hallucinogens
- Amphetamines
- Depressants
- Phencyclidine (PCP)
- Stimulants Alcohol

Notification:

Employees will be notified of the provisions of this policy upon employment with the County, and will be required to sign a receipt indicating that they have been provided with a written explanation of the expectations of the County with regard to this policy. By continuing to work for the County, the employee agrees to abide by this policy as a condition of employment.

An employee's refusal to sign the acknowledgement form does not preclude testing the employee or prohibit the County from discharging or disciplining the employee or otherwise affect the implementation of the Policy.

All employees who hold testing-designated positions will receive individual notice that their position has been identified as such.

Disciplinary Action:

Disciplinary action will be taken for any employee who tests positive. Failure to abide by the policy will result in disciplinary action, up to and including termination.

Pre-Employment Testing: Applicants who test positive will not be eligible for hire. These persons may not be considered for employment sooner than one year from the date of confirmation of substance abuse, and if and only if, they pass a subsequent pre-employment drug

test. Only applicants applying for safety sensitive or CDL positions will be required to take a Pre-employment drug screen.

Random and “For Cause” Testing: Any employee in a safety sensitive position who test positive under these testing scenarios will be terminated. Any other employee’s first confirmation of substance abuse through random or “for cause” testing will result in disciplinary action up to and including termination and may be referred to the EAP. In the case of an employee referral to the EAP, the employee must satisfactorily complete any recommended treatment program and satisfactorily pass a drug test prior to returning to work. The employee’s enrollment and successful completion of the EAP is mandatory, and must be documented with the drug program coordinator.

This employee will also be subject to random follow-up drug test for up to one year. A second confirmation of substance abuse by an employee will result in automatic termination.

Safety Violations/Post Accident Testing: Post-accident confirmation of substance abuse from post-accident testing will result in immediate termination for any employee in any position.

SMOKE FREE POLICY - Approved by Council 12/07/2015

On March 31, 2009, the South Carolina Supreme Court unanimously ruled that local government have the right to enact and enforce smoke-free laws.

Purpose:

According to the U. S Surgeon General’s Report of 2006; the Environmental Protection Agency of 1992, the South Carolina Clean Indoor Air Act of 1990, and the Federal Pro-Children Act of 1994, tobacco use and exposure to secondhand smoke (environmental tobacco smoke) are hazardous to the health of human beings. This worksite Darlington County Government will provide a 100% tobacco-free, smoke-free environment.

Goals:

The goal of this policy is to provide and enforce a 100% tobacco-free, smoke-free environment for all employees, contractors and citizens within its buildings and vehicles. To reduce the harmful effects of tobacco use in Darlington County, educate the employees on the harmful effects of secondhand smoke and to promote an environment in which all Darlington County residents have the ability to breathe smoke free air when coming to any of our County Buildings.

Policy:

Smoking, including all electronic smoking devices, will be strictly prohibited within all work area and public spaces, including, but not limited to private enclosed offices, open-space offices, meeting rooms, conference rooms, eating areas, including break rooms,

lounges, restrooms, hallways, stairways, enclosed entrances and vehicles. This shall apply to all employees, clients, and visitors in County buildings, vehicles and equipment.

Smoking and use and/or charging of electronic cigarettes are hereby prohibited in all Darlington County building, vehicles and equipment. Employees who choose to smoke or use electronic cigarettes are only permitted to smoke in common areas away from County buildings, vehicles or equipment.

This prohibition also provides that no smoking or the use of electronic cigarettes shall be permitted at any main exterior entrance to or exit from a County government building.

Complaints:

Persons observing a violation of this policy should bring it to the attention of their supervisor.

Investigations:

Supervisors receiving a complaint will investigate and take action to resolve the issue as soon as possible.

Violators:

Persons found to have violated this policy will be subject to disciplinary action(s) in the same manner and magnitude as violations of other company policies.

Education and Assistance:

Department Directors will be responsible for educating employee, contractors and visitors about the new policy and provide assistance for compliance. Department Directors will be responsible for posting a no tobacco use or electronic devices use sign in their areas.

Smoke Free includes all electronic smoking devices and all tobacco products. Employees that would like help quitting may enroll in or call the number below for assistance:

Enroll Online at: <https://www.quitnow.net/scstatehealthplan/ProgramLookup/>
Call: 1-866-QUIT.4.LIFE (866-784-8454).

CODE OF CONDUCT

It is the policy of the County to establish certain rules and regulations for dealing with employees regarding conduct and disciplinary procedures. The following offenses are examples, but are not representative of every rule and/or conduct mishap which may result in

disciplinary action:

- Conviction of a felony or other crime involving moral turpitude;
- Absences without leave;
- Absence of three (3) consecutive scheduled work days without notification to immediate supervisor, or three (3) unexcused absences within a six (6) month period;
- Acts of insubordination;
- Intentional failure or refusal to carry out instructions;
- Misappropriation, destruction, thefts, or conversion of County property;
- Acts of misconduct while on duty;
- Gambling during working hours;
- Throwing objects, running, horseplay, or other acts endangering self or others;
- Deliberate damage to, theft of, or defacing and/or destruction of the property of a fellow employee while on County property;
- Restriction of work output or the intimidation of others in an attempt to restrict work output;
- Threatening, intimidating, or coercing a fellow employee;
- Engaging in unlawful work stoppages, slowdowns, or strikes;
- Immoral conduct on County property;
- Falsification of any information required by the County;
- Neglect, misuse, abuse, or carelessness resulting in waste or damage to County property or equipment;
- Repeated convictions during employment;
- Failure to wear safety equipment, follow safe working procedures or obey safety signs or notices when required by policy or conditions;
- Misuse of County time, including but not limited to:
 - Quitting or leaving work early
 - Not starting work on time
 - Unauthorized visits to another department
 - Loitering
 - Not remaining engaged to assigned work
 - Interfering with other employee's work routine
 - Violation of County rules regarding solicitation and distribution
 - Excessive tardiness
 - Abuse of sick leave
- Acts of misconduct at any time, which will reflect an unacceptable public image as representative of the County;
- Unlawfully manufacturing, distributing, dispensing, possession or use of a controlled substance in the workplace or while performing county business;
- Acts of sexual, or any other form of, harassment;

Appropriate disciplinary action will be taken for violation of County rules or in management's view, inappropriate or unprofessional behavior. Disciplinary action can range from verbal warnings, to suspension without pay, to termination.

GRIEVANCES:

Employee Grievances Procedures:

1. A grievance is defined as any complaint by an employee that he/she has been treated unlawfully or in violation of County policies, with regard to any matter pertaining to his/her employment by the County.
This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion, and/or demotion. If an employee believes that he/she has not received or been credited with, or has otherwise lost wages or benefits to which he/she is entitled, he/she must present his/her grievance in accordance with this procedure, or such wages or benefits may be forfeited.
2. An employee who believes that he/she has a grievance must follow these procedures:
 - A. Step 1: The employee must discuss the grievance with his/her immediate supervisor. If his/her supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee may move on to Step 2.
 - B. Step 2: The employee must follow the chain of command in his/her department, appealing to each successive level of supervision. All Step 1 and Step 2 appeals may be oral. Supervisors, at each level, have four calendar days to render a decision. If no decision is made within this time, the grievance is considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it is considered denied and the employee may then appeal to the next level of supervision.
 - C. Step 3: If the head of the department in which the employee works denies the grievance, this decision is final as to any grievance brought by a probationary employee. A new employee is considered probationary until his/her probationary evaluation is completed and approved by his/her Department Director.
3. Employees who have successfully completed their initial probationary period may appeal the denial of their grievances by their Department Directors by filing a written request for appeal to the Employee Grievance Committee through the County's Human Resources Department. This must be completed within 21 calendar days from the time the facts on which the grievance is based became available to said employee. The written request for appeal is to include the following information:

- A. The purpose of the appeal and what recommendation is being requested from the Grievance Committee; and
- B. A statement that the chain-of-command has been followed in the appeal as outlined in the grievance procedure.

NOTE: The Human Resource Department can assist in preparing the appeal, if requested.

- 4. Within ten days of receipt of the employee's request, the chairman of the Grievance Committee will schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department, and the Human Resources Department.

Employee Grievance Committee:

- 1. The County Administrator nominates five (5) employees to serve on the Employee Grievance Committee. County Council may approve the nominees or direct the Administrator to recommend others. Members shall serve a three (3) year term. A member will continue to serve after the expiration of his/her, until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term is for the unexpired time.

All members are selected on a representative basis from among County employees. Any member having found to have formed an opinion on the issues prior to the hearing cannot participate in that employee's hearing.

- A. The Committee will select its own Chairperson from among its members annually. The Chairperson serves as the presiding officer at all hearings which he/she attends but may designate some other member to serve as presiding officer in his/her absence. The Chairperson has authority to schedule and to re-schedule all hearings.
- B. A quorum consists of at least three (3) members, and no hearing may be held without a quorum.
- C. The presiding officer controls the proceedings and shall take whatever action is necessary to ensure an equitable, orderly and expeditious hearing. Parties abide by his/her decision, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

- D.** The Committee has the authority to call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Council; to call for or consider affidavits of witnesses; to request and hear the testimony of witness; to consider the results of polygraph examinations; and to secure the services of a recording secretary at its discretion. The Committee has no authority to subpoena witnesses, documents or other evidence, nor is any County employee compelled to attend any hearing. All proceedings are tape recorded. Witnesses, other than the grieving employee and the department representatives are sequestered when not testifying. All witnesses testify under oath.
- E.** All hearings are held in executive session unless the grieving employee requests that it be held in open session. The official tape recording and the official minutes of all hearings are subject to the control and disposition of County Council.
- F.** Neither the grieving employee nor the department may receive information by written, verbal, electronic and any other means of communication from anyone during the hearing itself. However, the employee, the department, and/or the Committee can request a brief recess for the purpose of conferring with an attorney.
- G.** In reference to disciplinary actions by Department Directors and their subordinate supervisors, the employee must receive written notice of the nature of the acts or omissions which are the basis for said disciplinary action. This notice may be amended at any time 24 hours or more before the commencement of the hearing. The department must be able to demonstrate that the disciplinary action is for the good of the County. The department makes the first presentation. The Committee may base its findings and recommendations on any additional or alternative grounds developed from that employee's presentation.
- H.** In non-disciplinary grievance, the employee must establish that a right existed, and that it was denied to him/her illegally or in violation of a County policy. The employee shall make the first presentation.
- I.** In all grievances, the grieving employee and the department are each limited to one (1) hour of initial presentation. The party required to make the first presentation is entitled to a ten (10) minute rebuttal of the other party's presentation. The Chairperson appoints himself/herself, or another member of the Committee, as timekeeper.
- J.** In all grievances, presentations may be oral, in writing, or both and may be supported by affidavits or unsworn signed statements from witnesses,

by records, other documentary evidence, photographs, and/or other physical evidence. Presentations are made by the grieving employee (with reading assistance from a member of the Human Resources Department if the employee so desires) and by a managerial employee of the affected department.

- K.** Parties may request the Committee call witnesses. A list of potential witnesses must be submitted to the Committee three (3) days prior to the hearing. However, neither party may call nor question called either by the Committee or by the other party.
- L.** Except as provided in clause “M”, the Committee shall make its findings and recommendation, and report them to the Administrator within 20 days following the hearing of an appeal. If the Administrator approves the recommendation of the Committee, the Committee’s recommendation shall be his/her decision and copies of the decision are transmitted by the Committee to the employee and to the head of the particular department involved.
- M.** If, however, the Administrator rejects the decision of the Committee, the Administrator can make his/her own decision without further hearing, and that decision is final. Copies of the decision are transmitted to the employee and to the head of the particular department involved.
- N.** In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside County government, the Committee shall, within 20 days after hearing an appeal, make its findings and recommendation to such official. If the official approves of these findings, the recommendations then become his/her decision and a copy of said decision is transmitted by the official to that employee. If, however, the official rejects the decision of the Committee, the official can then make his/her own decision without further hearings and that decision is final. A copy of the decision is transmitted to the employee.
- O.** Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the County or an elected or appointed official to terminate any employee when the County or respective official considers such action to be necessary for the good of the County.

BREAKS:

The County does not designate a formal break period for its employees. Taking a break depends on the department involved and whether the work of the department is of such a nature that it can be interrupted at some time during the day. Each Department Director shall decide if and when the department should take formal breaks. Breaks should never last longer than 15 minutes and will be considered as work time.

MEAL PERIODS:

Department Directors may schedule meal periods for their employees. For office employees, meal periods should be scheduled between 12 noon and 2:00 p.m. Employees taking meal periods should be free and clear from all work.

Meal periods should be at least 30 minutes in duration, but never exceed one hour. The meal period is not considered as work time.

PERSONNEL FILES:

It is the employee's responsibility to notify Human Resources when there is a change in the following:

- Name Change
- Address
- Phone Number
- Emergency Contact
- Change in Beneficiary
- Change to status of dependents

Personnel files are the property of the County. Access to these files by the public will be prohibited. Only employees and certain county management will be allowed to view a personnel file.

Employees are allowed to review their personnel files. An employee wishing to do so must contact the Human Resource Department to make an appointment. An employee's review of their file will take place in the Human Resource office with a Human Resource representative present. Employees will be given the opportunity to add a note to any document or other information contained in their file, should they disagree with any of the contents.

NON – SOLICITATION POLICY:

Darlington County, as an employer, is legally responsible for promoting the efficiency of the public service it performs. The following rules are established to meet that responsibility:

- Solicitation or distribution by non-employees of the County on County property, not open to the public, is prohibited, unless expressly approved by the County Administrator.

- Solicitation or distribution by County employees during work time and/or in working areas is prohibited.

INCLEMENT WEATHER

For the purpose of this policy, an “Unusual Event” is an event that poses a hazard to the safe operations of County services to include adverse weather conditions such as ice, snow, or wide spread damage from a natural disaster or an event that could adversely affect the safety of County employees.

The County Administrator will have the authority to declare an “Unusual Event” in the County. During the “Unusual Event”, the County Administrator may alter or modify the normal hours of operation of all County departments. Decisions to close County offices or to alter work schedules will be made on a daily basis during the “Unusual Event”. The County Administrator will meet with the on-duty staff at the Emergency Management Operation Center at 6:00 a.m. each morning. Once a decision is made, employee notification will begin immediately. The staff at the Emergency Operations Center will fax or telephone a news release to local television and radio stations. Also, the following numbers will be available for employees to call to obtain information:

- 843-398-4450
- 843-398-4451
- 843-398-4452

As conditions improve, the County Administrator will decide on a specific date and time for County offices to re-open. At the established time, all employees are expected to report to work. For time card documentation, employees will be paid for the time County offices are closed as authorized by the County Administrator. This time should be documented on time cards as **OTHER HOURS**.

If employees do not report to work as scheduled, the employees will have to use their accrued annual leave, or take leave without pay. **Sick leave cannot be used.**

Employees without sufficient accrued annual leave or comp time to cover the hours of work missed will not be paid for those hours. In such case, time cards should be documented as **ABSENT WITHOUT LEAVE**.

Certain departments and key emergency operations staff (essential employees) are expected to report to work during unusual weather events to ensure public safety and to provide vital County services. If an essential employee is pre-scheduled to work or asked to report to work on their scheduled day off during an “Unusual Event”, the employee will be credited with annual leave equivalent to the hours of authorized closure of County offices.

ELECTRONIC MAIL (E-MAIL) GUIDELINES

Electronic mail (e-mail) is an accepted form of communication and should be treated as a written formal communication method. Electronic mail is considered County property and its intended use should be for business purposes only. The guidelines apply to all electronic mail used by County employees.

“High Priority” attached to a message is defined as “calls for immediate attention”. What needs immediate attention to one employee may not seem as important to another employee. Please use this feature only when there is no other alternative.

Use the Carbon copy field (cc) to send a group message. Blind carbon copy (bcc field) should be used with discretion. When using a group address, check the details of the group to be certain the recipient will know what you are talking about. Only select a specific group if the note directly concerns every member of the group. For ease of reading and understanding, use upper and lower case for general communication; a message in all caps can often be difficult to read. Spell check should be used within the e-mail application prior to sending each message. Although the County recognizes that the Internet may have useful applications to the County’s business, employees may not engage in Internet use without prior written approval from management and unless a specific business purpose requires such use. Absent such approval, employees may not access the Internet using the County’s computer system, at any time or for any reason. “Surfing the Net” is not a legitimate business activity.

Users should routinely delete outdated or otherwise unnecessary e-mails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Employees are reminded to be courteous to other users of the system and to always conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write e-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on County letterhead.

Any employee who discovers misuse of the e-mail system should immediately contact his/her immediate supervisor or the Human Resource Department. Violations to the County’s e-mail policy may result in disciplinary action up to and including discharge. The County reserves the right to modify this policy at any time, with or without notice.

INTERNET USE POLICY – Approved by Council 3/07/16

Certain employees may be provided with access to the Internet to assist them in performing their jobs. The Internet can be a valuable source of information and research. In addition, e-mail can provide excellent means of communicating with other employees, County customers and clients, outside vendors and other businesses. Use of the Internet, however, must be tempered with

common sense and good judgment.

If you abuse your right to use the Internet, it will be taken away from you. In addition, you may be subject to disciplinary action, including possible termination, and civil and criminal liability.

Disclaimer of Liability for the Use of Internet:

The County is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit and inappropriate material.

In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

Duty Not to Waste Computer Resources:

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

No Expectation of Privacy:

The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send or receive on the computer system.

Monitoring Computer Usage:

The County has the right to monitor any and all aspects of its computer system, including, but not limited to monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet and reviewing e-mail sent and received by users.

Blocking of Inappropriate Content:

The County may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by County networks. In the event you encounter inappropriate or sexually explicit material while browsing the Internet, immediately disconnect

from the site, regardless of whether the site was subject to County blocking software or not.

Prohibited Activities:

Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age disability or other characteristic protected by law) or violate County's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet, displayed or stored in the County's computers.

Employees encountering or receiving this kind of material should immediately report the incident to their supervisors or the Human Resource Department. The County's equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge.

Games and Entertainment Software:

Employees may not use the County's Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

Illegal Copying:

Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software files, graphics, documents, messages and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of the Information Technology Department.

Accessing the Internet:

To ensure security and to avoid the spread of viruses, employees accessing the Internet through a computer attached to the County's network must do so through an approved Internet firewall. Accessing the Internet directly by modem is strictly prohibited unless approved by the IT Department.

Virus Detection:

Files obtained from sources outside the County, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards or other online services, files attached to e-mails, and files provided by customers or vendors may contain dangerous

computer viruses that may damage the County's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-county sources, without first scanning the material with county approved virus checking software. If you suspect that a virus has been introduced into the company's network, notify the IT Department immediately.

MOBILE & DATA USAGE POLICY – Approved by Council 3/07/16

This County Cell Phone, Tablet & Data Policy Use Outline (Mobile & Data Usage Policy) sets forth Darlington County's (herein after referred as the County) policies on cell phone, data, voicemail, e-mail and internet usage.

It provides clarification for the issuance and use of County-issued cell phones and tablets; establishes the protocol of discipline to employees for personal use of County property and outlines the proper business etiquette when it comes to personal cell phone, voicemail, and e-mail and data/internet usage.

Applicability: - This policy applies to all County employees. County employees include full-time or part-time, temporary employees and interns. All employees are required to sign this agreement confirming understanding and acceptance of this policy upon employment.

Cell Phone: - the term "Cell Phone" is defined as any hand held electronic device with the ability to receive and/or transmit voice, text, or data messages without a cable connection (including, but not limited to, cellular phones, digital wireless phones, radio-phones/walkie-talkies, and/or telephone pagers), personal digital assistants with wireless communications capabilities (PDA's), or Research in Motion (RIM) wireless devices (including mobile scanners). The County reserves the right to modify or update this policy at any time.

Tablets: - the term "tablet" is defined as any handled electronic, wireless, portable personal computer with a touch screen interface, with the ability to access the internet via data use and/or wireless fidelity (WI-FI) connection (including but not limited to, Apple Devices, Androids, Kindles and any other tablet operating system). The County reserved the right to modify or update these policies at any time.

Mobile Internet Data: - the term "data" is defined as having access to any and all internet based programs, apps, emails, websites and mobile streaming without connectivity to a wireless fidelity (WI-FI) device/hotspot, whether surfing the web, sending or receiving email, playing online or network games (with a game console) or downloading various content. The County reserves the right to modify or update this policy at any time.

Internet: - the term "internet" is defined as having access to the world wide web from a desktop or laptop connected through the County's IP address or Wireless fidelity (WI-FI) access points. The County reserved the right to modify or update these policies at any time.

Use of Cell Phones, Tablets or Similar Devices:

1. General Use at work:

While at work, employees are expected to exercise the same discretion in using personal cell phones as they use with company phones. The County allows employees to bring their personal cell phones, laptops and tablets to work. However, it is expected that employees keep personal conversations, laptop and tablet use to a minimum. Excessive personal calls during the workday, regardless of the phones used, can interfere with employee productivity and be distracting to other employees. Employee should restrict personal calls, tablet usage and web-based visits during work time, and should only use personal cell phones, laptops and/or tablets during scheduled breaks or lunch periods in non-working areas.

Personal calls should be made during non-work time whenever possible, and employees should ensure that their friends and family members are instructed of this policy. The County is not liable for the loss of personal cell phones, laptops or tablets brought into the workplace. To ensure the effectiveness of meetings, employees are asked to leave all cell phone devices, tablets and personal laptops at their desks. On the unusual occasion of an emergency or anticipated emergency that requires immediate attention, a cell phone device may be allowed into a meeting on vibrate mode only.

2. Unsafe Work Situation:

The County prohibits employee use of cell phones, tablets, laptops or similar devices while at any work site at which the operation of such devices would be a distraction to the user and/or could create an unsafe work environment. Such work sites must be secured or the device may only be used by an employee who is out of harm's way.

3. Use While Driving:

An employee who is assigned and uses a county-supplied device, county-supplied vehicle or is on County time is strictly prohibited from using a cell phone, hands on or hands off device, laptop or tablet while driving, regardless of whether the business being conducted is personal or company related. This prohibition includes both receiving and/or placing calls, text messaging, surfing the Internet, receiving or responding to emails, checking for phone messages, or any other purpose related to your employment, the business, our customers, our vendors, volunteer activities, meetings, and/or civic responsibilities performed for or attended in the name of the county; or any other county or personally related activities not named here while driving. Use of county owned vehicles or devices for personal business is discouraged.

4. E-mail & Voicemail:

Telephones, computers, and all other electronic forms of communications are efficient and valuable business tools. They also are the property of the organization. Employees do not have a personal privacy right to any matters received, created in, sent over, or stored in the County's telephone systems, communication systems, and/or computer systems. (Note: This also includes

PDA Communications, text messages, and instant messaging communications). All County communications systems and both incoming and outgoing information are subject to monitoring. None of these systems is considered to be confidential, nor should they be used to meet an employee's own personal needs. If an employee receives a message that is not addressed to him/her, he/she is not authorized to read or use information contained in that message.

Employees are expected to communicate with courtesy and restraint to both internal and external recipients. Typographical or grammatical errors and misspellings denote lax work habits and are a reflection on the competency and professionalism of the writer. It is recommended that using all capital letters, shorthand idioms, unfamiliar acronyms, and/or slang should be avoided when using emails.

Employees should not say or write anything that they would not want anyone other than the intended receiver to hear or read. Please note even when communications have been deleted from a location, it is still possible to retrieve and read those messages.

Use of electronic communications and/or voicemail can increase productivity because it is efficient and effective in the speedy delivery of information. Employees should strive to keep all messages small and concise. All large attachments should be compressed (zipped) prior to sending or should not be sent until after business hours to prevent tying up the server during critical business hours. E-mail is not a substitute for face-to-face meetings.

Employees are to exercise professionalism in all business communications including those in electronic and/or voice format. Email and/or voice mail is not to be used in business situations that require a more personal form of contact to ensure the proper delivery and reception of the information or to maintain the appropriate interpersonal working relationship. Electronic communications is the least effective form of communication for conflict resolution.

The County reserves the right to monitor, access, and read any and all information contained in its telephone systems, communication systems, and/or computer system. An employee may be in violation of the organizations discrimination and/or harassment policy if an employee sends, receives, or access discriminatory, harassing, or otherwise inappropriate messages via any of these systems.

Brief and occasional personal use of e-mail is acceptable as long as it is not excessive, inappropriate, does not occur during work time, does not violate any of the listed prohibitions mentioned and does not result in expenses to the county. Management reserves the right to determine whether any use is inappropriate, excessive, and/or violates this policy and deal with that employee as they see fit.

5. County Issued Cell Phones & Tablets:

The County may issue phones, tablets and/or laptops to employees whose jobs require them to make calls while away from work, require them to be accessible for work-related matters, and/or requires them to have access to emails and the internet for job related purposes. These are solely

County property. Employees do not have a personal privacy right to any matters received, created in, sent over, or stored in the County's communication systems, telephone systems and/or computer systems.

Employees must comply with **ALL** County requests to make either their County-issued cell phones, tablets or laptops available for any reason as requested, including upgrades, replacement, and/or inspection. Employees who leave the County for any reason, including resignation or termination, must turn in their County-issued cell phones, laptops and/or tablets immediately.

6. Personal Use of County-Owned Cell Phones, Laptops and Tablets:

County-issued cell phones, laptops and tablets are to be used for business purposes only. Although occasional, brief personal phone calls using a County-issued cell phone is permitted, as is brief use of tablets, laptops and desktop computers. However, personal use that exceeds this standard will result in discipline, up to and including termination. Data usage associated with cell phone and tablet, as well as "hotspot" usage on your laptop is to be strictly monitored. Excessive use that results in data overage charges to the County will be reviewed and employee will be required to document purpose of overuse. Data "hotspots" should **NEVER** be shared with other devices, either personal or those of friends and family. Disregarding these standards will result in discipline, up to and including termination.

7. Prohibition of Camera Phones:

Employees may not use any cameras, video and audio recording devices, or video or recording features of cell phones, MP3 players or personal digital assistants with wireless communications capabilities (PDA's) or other digital devices that contain such capabilities at work that can cause violations of privacy and breaches of confidentiality. Camera phones can present risks to important County documents and files, potentially compromising customer information.

8. Security of Company Issued Cell Phones, Laptops & Tablets:

Employees are solely responsible for the security of County-issued cell phones, laptops & tablets; and the information stored on them. Always carry them with you and never leave them unattended. Once lost or stolen, you must immediately notify the County. At no time should work-related information be shared with friends or family, or with any other person not privy to said information.

9. Review of Monthly Charges:

A review of calling activity and data usage on County phones, laptops and tablets will be conducted on a monthly basis by the County Administrator, the Finance Director, and the cellular device/laptop/tablet user. Any calls or excessive data use that cannot be documented as

to its business purpose will be treated as a personal (unauthorized) call/data use and may result in discipline, up to and including termination.

10. Special Responsibilities of Managerial Staff:

It is important for management to set an example when it comes to mobile/cellular phone, laptop, and tablet and internet usage to guard against excessive or inappropriate use of these devices by their personnel. Managerial staff is required to inform and remind all employees of their obligations and responsibilities when assigned County property; and are required to make employees aware of the consequences of disregarding these rules and regulations.

11. Effect of Policy:

Violations of the foregoing rules will be considered a serious offense and may result in disciplinary actions, up to and including termination.

Reminder: The use of a cell phone, tablets, laptops and other wireless devices while driving leads to distractions that can result in traffic accidents and road hazards. So, while we cannot force you to adhere to these rules when you are not on duty, we strongly urge you to do so for your own safety and well-being and that of family, friends and third parties on the roadways.

ACCEPTABLE USE POLICY - Approved by Council 03/07/2016

1. Overview

The intentions of the County Administrators Office is not to impose restrictions on Darlington County's established culture of openness, trust and integrity, but to publish an Acceptable Use policy, aimed at protecting employees, partners and the County from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to, computer equipment, printers, laptops, desktops, tablets, cell phones, servers, software, operating systems, storage media, network accounts providing electronic mail, internet browsing, and/or data, are the sole property of Darlington County. These systems are to be used solely for business purposes in serving the interests of Darlington County and its citizens throughout the course of normal operations.

While effective security is a team effort involving the participation and support of every Darlington County employee and affiliates who deals with information and/or information systems, it is the responsibility of every computer user to learn these guidelines, and to conduct their activities accordingly.

2. Purpose

The purpose of this policy is to outline the acceptable use of computer equipment within Darlington County. These rules are in place to protect both the employee and Darlington County. Inappropriate use exposes Darlington County to risks, including but not limited to virus attacks, compromises network systems and services, and creates legal issues.

3. Scope

This policy applies to the use of information, electronic and computing devices and network resources used to conduct Darlington County business or interact with internal networks and business systems, whether owned or leased by Darlington County, the employee, or a third party. All employees, temporary employees, and other workers of Darlington County and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with Darlington County policies and standards, and local laws and regulation. Exceptions to this policy are documented in section 5.2.

This policy applies to employees, temporary employees and all other Darlington County workers, including all personnel affiliated with third parties. This policy also applies to all equipment that is owned or leased by Darlington County.

4. Policy

General Use and Ownership

1. Darlington County proprietary information (i.e. emails, programs and software, records and, but not limited to, any communications and documents exchanged or prepared on behalf of Darlington County) stored on electronic and computing devices; whether owned or leased by Darlington County, the employee or a third party, remains the sole property of Darlington County.
2. You have a responsibility to promptly report the theft, loss or unauthorized disclosure of Darlington County proprietary information.
3. You may access, use or share Darlington County proprietary information only up to the extent that it is authorized and necessary to fulfill your assigned job duties.
4. Employees are responsible for exercising good judgment regarding the reasonableness of personal use.
5. For security and network maintenance purposes, authorized individuals within Darlington County may monitor equipment, systems and network traffic at any time.
6. Darlington County reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy and employees should have no expectation of

privacy with regard to any information contained on computers with which they have access.

Security and Proprietary Information

1. All mobile and computing devices that connect to the internal network must be in compliance with the *Mobile and Data Use Policy*.
2. All computing devices must be locked or log off of when the device is unattended.
3. Postings by employees from a Darlington County email address to any newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Darlington County, unless posting is in the course of employees business duties.
4. Employees must not open e-mails received from unknown senders, as these may contain malware (viruses).

Unacceptable Use

1. The following activities are, in general, prohibited. Employees may, however, be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).
2. Under no circumstances is an employee of Darlington County authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Darlington County-owned resources.
3. The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Darlington County.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources,

copyrighted music, and the installation of any copyrighted software for which Darlington County or the end user does not have an active license is strictly prohibited.

3. Accessing data, a server or an account for any purpose other than conducting Darlington County business, even if you have authorized access, is prohibited.
4. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
6. Revealing your account password to others or allowing misuse of your account by others.
7. Using a Darlington County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
8. Making fraudulent offers of products, items, or services originating from any Darlington County account.
9. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
10. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
11. Port scanning or security scanning is expressly prohibited unless prior notification to Infosec is made.
12. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
13. Circumventing user authentication or security of any host, network or account.
14. Introducing honeypots, honeynets, or similar technology on the Darlington County network.

15. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
16. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
17. Providing information about, or lists of, Darlington County employees to parties outside Darlington County.

Email and Communication Activities

When using Darlington County resources to access and use the Internet, users must realize they represent Darlington County. Whenever employees state an affiliation to Darlington County, they must also clearly indicate that "the opinions expressed are my own and not necessarily those of Darlington County". Questions may be addressed to the IT Department.

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
6. Use of unsolicited email originating from within Darlington County's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Darlington County or connected via Darlington County's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Blogging and Social Media

Limited and occasional use of Darlington County's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate Darlington County's policy, is not detrimental to Darlington County's best interests, and does

not interfere with an employee's regular work duties. Blogging or social media using Darlington County's systems is also subject to monitoring.

1. Blogging or social media use by employees, whether using Darlington County's property and systems or personal computer systems on County time, is also subject to the terms and restrictions set forth in this Policy.
2. Employees are prohibited from revealing any Darlington County confidential or proprietary information, trade secrets or any other material covered.
3. Employees shall not engage in any blogging that may harm or tarnish the image, reputation and/or goodwill of Darlington County and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when blogging or otherwise engaging in any conduct prohibited.
4. Employees may also not attribute personal statements, opinions or beliefs to Darlington County when engaged in blogging or social media. If an employee is expressing his or her beliefs and/or opinions in blogs or social sites, the employee may not, expressly or implicitly, represent themselves as an employee or representative of Darlington County. Employees assume any and all risk associated with blogging.
5. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export controlled materials, Darlington County's trademarks, logos and any other Darlington County intellectual property may also not be used in connection with any blogging or social media activity

Policy Compliance

County Administrator's office will verify compliance with this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner.

Exceptions

Any exception to the policy must be approved by the County Administrator's office in advance.

Non-Compliance

1. An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.
2. The County Administrator's office reserves the right to limit and/or restrict access to the Internet/Intranet/Extranet, the network or any county-owned computer, laptop, printer,

copy, scanner and fax machine if it's determined (*with credible evidence*) an employee is non-compliant with the directives outlined in the policy.

SOCIAL MEDIA POLICY - Approved by Council 07/18/2016

Darlington County understands that social media can be a fun and rewarding way to share an employee's life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about use of social media, Darlington County has established these guidelines for appropriate use of social media.

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not employed by or affiliated with Darlington County, as well as any other form of electronic communication.

The same principles and guidelines found in Darlington County policies apply to an employee's activities online. Ultimately, an employee is solely responsible for all of their posts online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of an employee's conduct that adversely affects his/her job performance, the performance of fellow employees or otherwise adversely affects customers, vendors, people who work on behalf of Darlington County or the County's legitimate business interests may result in disciplinary action up to and including termination.

Using Social Media at Work

Employees are not authorized to access personal social media accounts on County owned or supplied equipment and devices unless it is work-related and approved by the employee's Department Director, Manager or Supervisor. Do not use Darlington County email addresses to register on social networks, blogs or other online tools utilized for personal use.

Know and Follow the Rules

Carefully read the guidelines contained in the Darlington County Ethics Policy, Equal Employment Opportunity (EEO) Policy and Harassment Policy, and ensure that any posting is consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject any employee to disciplinary action up to and including termination.

Post Only Appropriate and Respectful Content

Maintain the confidentiality of Darlington County trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems,

processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Respect financial disclosure laws. It is illegal to communicate or give a tip on inside information to others. Such online conduct may also violate the County's Ethics Policy.

An employee must not create a link from an employee blog, website or other social networking site to a Darlington County website without identifying his/herself as a Darlington County employee. Express only your personal opinions and never represent yourself as a spokesperson for Darlington County.

Should Darlington County be a subject of the content that the employee creates, be clear and open about the fact that while employed by the County, the employee's views do not represent those of Darlington County, fellow employees, customers, suppliers or people working on behalf of Darlington County.

If an employee does publish a blog or post online related to the work that the employee does or employment with Darlington County, the employee must make it clear that the employee is not speaking on behalf of Darlington County. It is best to include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of Darlington County."

Be Respectful

Always be fair and courteous to fellow employees, customers, vendors or people who work on behalf of Darlington County. Also, keep in mind that an employee is more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing the County's Human Resources Office rather than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, that disparages customers, employees or vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or County policy.

Be Honest and Accurate

Make sure that you are always honest and accurate when posting information or news, and if a mistake is made, correct it quickly. Be open about any previous posts an employee may have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that an employee knows to be false about Darlington County, fellow employees, customers, vendors or people working on behalf of Darlington County.

Retaliation is Prohibited

Darlington County prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Use of County Seal and Official Documents

The Darlington County seal and official documents may be used only for conducting official County business.

At no time may the seal or any official County document be used to conduct personal business or to misrepresent to a third person that a matter is official business of the County when it is not.

Media Contacts

Employees, acting as official representatives of a Department and/or the County, shall obtain permission from their Department Director prior to undertaking speaking engagements, publishing articles or speaking to the media. The County Administrator or designee shall be responsible for providing the official response of Darlington County to any media inquiries seeking a statement from the County on a County-related matter. Elected and appointed officials will provide statements on behalf of their respective offices.

Any person contacted by the media with respect to an investigation into fraudulent activity shall refer the media to the County Administrator. The suspected fraud or audit investigation shall not be discussed with the media by any person other than through the County Administrator, in consultation with the Darlington County Sheriff's Office and/or the County Attorney.

TRAVEL REGULATIONS

The Darlington County Travel Regulations have been established on an actual expense basis, so as not to reward or penalize any employee for official travel, i.e., travel that is necessary for the performance of one's responsibilities with the County.

Traveler's Responsibilities

Since a considerable portion of the planning of itineraries and of transportation must, of necessity, be left to the discretion of the traveler, all travelers are responsible for:

- Maximizing energy conservation and minimizing cost;
- Obtaining authorization for the trip;
- Knowing the regulations governing travel and any requirements incidental thereto, such as taking odometer readings and obtaining receipts;
- Utilizing less-than-first-class accommodations or the lowest available first-class rates;

- Preparing accurate vouchers for reimbursement of traveling expenses and reporting all leave taken during periods of official travel promptly;

Trip Authorization

Employees shall not be reimbursed for expenses incurred in travel unless the appropriate Department Director authorizes such travel in advance.

Leave and Official Travel

When leave is taken before, during or following official travel, the exact hour of departure from and return to duty must be shown on the voucher. Planned leave should be noted on the authorization for travel and approved on the proper form in advance.

Acceptance of Travel Expenses from Other Sources

Funds from outside sources may be accepted to pay or reimburse, in whole or part, the travel expenses of county employees in approved official travel, including travel to participate in ceremonies, speaking engagements, seminars, etc.

It is preferred that reimbursement to cover all or part of travel expenses be made to the County by check either in advance or on a reimbursable basis, and not directly to the employee involved.

In all instances, where services in-kind (transportation tickets, hotel accommodations, meals, etc.) are furnished in connection with official travel, these procedures will be followed:

- Services in-kind-the employee will report the details of the receipt of services in-kind to accompany his/her travel voucher;
- The officials authorized to accept a reimbursement or gift for travel expenses should, in each instance, appropriately acknowledge in writing to the donor;

Employees should avoid accepting cash for official travel expenses. Checks made payable to the staff member for travel will be immediately endorsed to the County. A full accounting of any cash received for travel should be made immediately upon return.

Travel Advances

Travel expense advances will be given for trips when significant expenses will be incurred. Such expenses should be requested on a purchase requisition form.

Staff Automobiles

The use of county automobiles will generally result in the least costly and most expeditious mode of transportation. Staff automobiles will be used unless circumstances dictate travel by other conveyance for reasons of cost, efficiency, or work requirements.

Personal preference or minor inconvenience will not be sufficient reasons for determining that another method of transportation would be more advantageous to the County.

Privately-Owned Vehicles

A determination that use of a privately-owned vehicle would be more advantageous to the County shall be preceded by determination that:

- Staff automobiles are unavailable;
- That a schedule change to accommodate the next available staff automobile would prove a serious impediment to the accomplishment of the staff member's responsibilities;

The County will reimburse for use of a privately owned vehicle at a mileage rate to be determined by County Council.

The County Administrator will not reimburse employees, who use a privately owned vehicle, when a county automobile is available, for such use unless they have received prior approval.

The County will reimburse an employee at a predetermined mileage rate for automobiles on a mileage basis for privately owned vehicle travel going from either the employee's home or office.

Parking

The fee for parking a vehicle used for office travel at a common carrier terminal or other parking area is an allowable reimbursable expense.

Air Travel

In all cases, air travel is to be made at less-than-first class accommodations. If not available, then the lowest first-class rates may be used.

Commercially Rented Vehicles

Commercially rented vehicles and other special conveyances shall be used only when it is determined that the use of other methods as previously discussed will not be more advantageous to the County.

Taxicabs/Limousines

Taxi/limousine fares are allowed reimbursable expenses when in travel status. Administrative reviews will assure that reimbursement is justified. The cost of a trip allowable for taxis and limousines is \$.15 for fares of less than \$1.00 or 15% of the fare rounded to the next multiple of \$.05 increments for fares in excess of \$1.00.

Traffic Violations

The County will not assume responsibility for traffic violations incurred during the operation of a county car or privately owned vehicle or assume responsibility for traffic accidents involving the use of privately owned vehicles on county business.

Reimbursements of Actual Expenses

Actual costs of lodging, subsistence and related expenses will be paid to employees on official business consistent with the following regulations.

Meals

The County will reimburse staff members for actual meal expenses according to the following:

- Overnight Trips: A maximum of \$30 per twenty-four hours (\$7.50 per six-hour quarter day with three hours of any quarter counted as a full quarter).
- Non-Overnight Trips Outside the Jurisdiction: A maximum of the following amounts for meals while employee is on travel status: Breakfast - \$5.00, Lunch - \$8.00, Dinner - \$12.00
- Trips within the Jurisdiction: Meals within the jurisdiction are not eligible for reimbursement unless they are “working sessions,” or night meals, whereas it would be unreasonable to assume that the employee should wait until returning home to eat dinner.
- A “working session” is defined as a meal meeting at which county business is conducted and must be approved orally in advance by the appropriate Department Director. Maximum costs per meal are:

Breakfast - \$5.00

Lunch - \$8.00

Dinner - \$12.00

Receipts:

Receipts for all meals will be required. Cost of meals for representatives of state or federal agencies and local officials will be reimbursed if prior approval for the meals has been obtained from the appropriate Department Director.

For conferences, conventions, seminars, etc., where a meal or meals are provided as part of the registration fee, the daily amount will be reasonably reduced to account for this incurred expense.

Maximum Subsistence Rate

The established maximum for actual and necessary subsistence expenses shall not exceed \$70 per day (except as noted below). Subsistence is defined to include all costs of a trip except travel costs. (i.e., hotel, food, trips).

High Rate Geographic Areas

Employees on official business within high rate geographic areas will be reimbursed for actual and necessary subsistence expenses incurred if the County Administrator prior to the trip approves such anticipated expenses.

Telephone Calls

Official telephone and telegraph costs may be approved for payment when necessary in transacting official business. Dates of messages and points between which service was rendered will be entered on the voucher.

VII. SEPARATIONS

RESIGNATION

Resignation is the voluntary relinquishment of employment at the employee’s request or initiative. Any employee resigning from the County’s employment is expected to provide in writing and work at least a two (2) weeks’ notice. Failure to furnish such notice may reflect discredit upon the service of the employee. Employees who resign shall be paid at the end of the pay period during which the resignation became effective. Employees who resign without giving and properly working two weeks’ notice are not eligible to be paid for unused accrued annual leave. At the County’s sole option, the notice period may be waived without affecting accrued vacation pay.

SEPARATION

Separation is the termination of employment because of lack of funds or work, because of

material changes in duties or organization, the abolishment of the position, or for other related reasons outside the employee's control and which do not reflect discredit upon the service of the employee.

DISCHARGE

Discharge is the termination of employment because of misconduct or poor performance. Employees discharged for misconduct will not be paid for accrued annual leave.

EXIT INTERVIEWS

At the time of termination of employment by whatever method (resignation, dismissal, reduction in force, retirement), all employees shall arrange for an exit interview with the county Human Resource office.

At this time, the employee must turn in any county-owned property including tools, or other property. Final paychecks on employees who terminate will be held until all materials have been returned or paid for by the employee.

THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT AND DOES NOT CREATE ANY CONTRACTUAL RIGHTS. EMPLOYMENT BY THE COUNTY IS AT-WILL, WHICH MEANS THAT BOTH THE COUNTY AND THE EMPLOYEE ARE FREE TO TERMINATE THEIR EMPLOYMENT RELATIONSHIP, AT ANY TIME, FOR ANY REASON OR NO REASON AT ALL, WITH OR WITHOUT NOTICE.

Darlington County Safety Policy Manual

Annex 54 (New Employee Safety Training) to the Darlington County Safety Policy Manual

1. Introduction

- A. This annex provides the minimum Safety Training that all new employees will receive prior to reporting for duty on the assigned job. The employee will receive more detailed safety training as soon as they report for duty in their assigned department. This training serves two (2) purposes. First, it informs the employee that Darlington County has a Health and Safety Policy and program. Second, this training insures that new employees understand that we are concerned about their health and safety. Employees are not expected to nor allowed to take unnecessary risks in the performance of their duties. Taking unnecessary risks could result in the employee's injury or even death. An injured employee not only has an adverse effect on the County but also has an adverse effect on his family. Even though Worker's Compensation takes care of the employee's medical needs, it does not provide a full salary for the employee.
- B. The financial hardships placed on a family because of an on the job injury are far more costly to the employee in the long run.
- C. Two paragraphs from the County Administrator Safety Policy Statement bear repeating.
 - "All Darlington County employees are expected to be concerned with their own safety, the safety of their fellow workers and the safety of the general public. Employees are expected to report ALL unsafe conditions to their Department Director or Supervisor for immediate corrective action.
 - "Accidents are too costly! The employee, employee's family, the County and taxpayers all lose with an accident. Reducing accidents is simply good common sense!"
- D. This booklet will be provided to the new employee during his enrollment process with the Human Resources Manager. Department Directors and Supervisor's will

insure that all new employees understand their roles as they apply in the County Safety Policy Manual and their responsibilities for safety within their department.

- E. Copies may be reproduced as necessary to insure its availability to new employees.

This booklet briefly discusses the following topics:

1. The County Administrator's Safety Policy Statement
 2. Hazard Communications
 3. Personal Protective Equipment (PPE)
 4. Hearing Conservation and Eye Protection
 5. Workplace Violence
 6. Basic Infection Control for all employees
 7. Lifting and Back Safety
 8. Equipment and vehicle safety and accident reporting
 9. Injury reporting
 10. Vehicle Operations
 11. Annual Motor Vehicle Records checks
 12. Keeping your license
 13. Vehicle and equipment accident reporting
 14. Personnel Injury Reporting
 15. New Employee Safety Training Documentation Form
- F. Department Directors and Supervisor's will insure that all new employees are trained on the following information. Department Directors will insure that the employee is trained on the entire Safety Policy Manual as appropriate for their department. Upon completion of the New Employee training the new employee and the Supervisor conducting the training, will complete and sign the attached New Employee Training Form.

The original copy will then be forwarded to Human Resources for inclusion in the employees' personnel record. New employees will receive training on the following topics in their assigned department:

1. Hazard Communications and Material Safety Data Sheets (MSDS) including the location of the MSDS book in their department.
2. Personal Protective Equipment (PPE) for their job assignment.
3. Hearing Conservation and Eye Protection as appropriate for their job assignment.
4. Emergency Action Plans to include evacuation of their work areas and their role in an emergency.
5. Infection Control if their department falls under the County's Infection Control Plan.
6. Lifting and Back Safety for the job assignment.
7. Equipment and Vehicle accident reporting.
8. Injury reporting.

9. Specific departmental training will include, but is not limited to the following:
 - A. Location of the County Safety Policy Manual and the County's Infection Control Plan (if applicable to the department).
 - B. Other safety training as deemed applicable by the Department Director.

2. The County Administrator's Safety Policy Statement

This establishes Darlington County's commitment to creating a safe work environment for all employees.

While acknowledging the County's commitment to safety, it also establishes the roles for Department Directors, Supervisors and employees in providing a safe work environment. Creating a safe work environment not only protects employees, but also protects the taxpayers we serve.

Hazard Communications and Material Safety Data Sheets (MSDS): (OSHA Standard 29 CFR 1910.1200):

- A. Chemicals are a part of our daily lives. Modern life would be impossible without chemicals. Consider the different uses of chemicals today; plastics, drugs, cleaning solutions, lubricants, etc. The list of chemicals necessary to maintain our lifestyle seems endless and more are being produced each day. In the workplace everyone is responsible for the safe handling, use and storage of chemicals. Employers have the responsibility of protecting employees from chemical hazards; however employees have the responsibility for insuring that they follow established procedures when handling and working with chemicals. To prevent unnecessary accidents or injuries, the following guidelines should be used:
 1. Each Department Director and supervisor should have a complete listing of chemical products and MSDS sheets on hand for immediate information in the event of an accident. This information should be in a conspicuous place for all employees working with these chemicals.
 2. Each person that uses any type of chemical on their job should read all available manufacturers' product information (MSDS).
 3. Extreme care should be exercised at all times by personnel who are working with acids, caustics, solvents, pesticides or petroleum products. If questions arise, check with your supervisor.
 4. No food or drink shall be allowed in an area where potentially toxic substances are stored, mixed or otherwise handled.
 5. Be extremely careful to avoid spills or splashes when handling chemicals.

Spilled chemicals must be removed immediately. Remove by flushing with water or other appropriate methods.

6. It is mandatory that employee's wear PPE when contact may occur with chemicals.
7. If you come in contact with caustic chemicals, take immediate action by flushing the affected part with water. If swallowed, check with the warning label on the product and follow the instructions. Emergency showers will be maintained at all chemical storage sites.
8. The Poison Control phone numbers and the EMS number should be placed in all Chemical storage areas and be in possession of the Department Director or supervisor at all times.

(NOTE** PALMETTO POISON CONTROL 1-800-222-1222)
FOLLOW THE PHARMACIST'S INSTRUCTIONS EXPLICITLY!
(Call 911 or 9-911 for EMS!)**

9. All chemical and other injurious materials must be stored in proper, approved containers. Antidotes and first aid treatment methods shall be attached to the container or otherwise readily available to all workers.
10. Chemical injuries or accidents that should be reported immediately:
 - i. All chemical spills will be reported to the Department Director or supervisor immediately, no matter how small.
 - ii. Chemical spills where water, sewage, buildings or workers are contaminated.
 - iii. Chemical spills with obnoxious odors.
 - iv. Injuries to eyes or face from chemicals.
 - v. Any time large amounts of chemicals are accidentally mixed.
 - vi. Any fire involving chemicals.
- B. OSHA has issued a rule; the Hazard Communications Standard (29 CFR 1910.1200) that will help the employer keep employees safe and healthy. This rule states that you have a "RIGHT TO KNOW" about the hazards you face on the job and how to protect yourself against them. Although numerous federal, state and local regulations govern chemical handling, the Hazard Communications Standard establishes a basic set of rules for everyone that must be followed.

- c. Chemical manufacturers must determine the physical and health hazards of each chemical they make. Users must be told about the chemical hazards through container labels and Material Safety Data Sheets (MSDS). Although the Hazards Communications Standard places specific requirements on manufacturers and employers, employees also have important responsibilities. Employees must read the chemical labels and MSDS sheets, understand and follow the instructions and warnings. Employers are required to develop a written hazard communications program. In this program the employer must:
1. Tell employees about the Hazard Communications Standard.
 2. Explain how the Hazard Communications Standard is put into effect in their workplace.
 3. provide information and training in hazardous chemicals including;
 - a. Recognizing, understanding and use of labels and MSDS.
 - b. Use of safe procedures when working with hazardous substances.
- D. Responsibilities: Department Directors and Supervisors will insure that employees know where the Hazard Communications Plan is located and how to implement the plan. The ultimate responsibility for safety lies with the employee. Employees must:
1. Identify hazards before starting a job.
 2. Respect all precautions – do not take chances.
 3. Ask your supervisor when in doubt.
 4. Know in advance what could go wrong and what to do about it.
 5. Know how, when and where to get help.
 6. Know the location of the department of the Hazard Communications plan.
 7. Know when and how to implement the Hazard Communications Plan for their department.
 8. Know the location of the MSDS file for their department.
 9. Insure that the MSDS file is provided to emergency responders.
- E. Hazardous Materials Response: An important part of Hazard Communications Plan includes identifying the appropriate emergency response agency following a chemical incident. Employees must know how to activate the emergency response system to get help immediately following a chemical accident. Employees should make every effort to have the MSDS sheets for the product involved available for emergency personnel. Emergency personnel responding to a chemical incident will require a substantial volume of information. Employees should take the appropriate safety precautions and not enter the hazard area.

3. Personal Protective Equipment (PPE): (OSHA Standard 29 CFR 1910.132)

- A. Employees perform many jobs where a variety of different types of PPE are required. PPE includes the appropriate protection for the head, face, eyes, hearing, hands, body and feet. PPE further includes respiratory devices, protective shields and barriers required to protect employees.

Where personal protective equipment is required to perform a job, the employee must wear the PPE while performing the job duties. **PPE is not optional.**

- B. The following areas of the body should be protected by the appropriate PPE.

- 1. **Head protection:**

- a. Hard hats are provided to prevent head injuries from falling objects or bumps against objects when working in confined spaces, construction or areas where hazards to the head are present. The construction and shape of hard hats shall not be altered because it alters the dielectric properties of the hat. Metal hard hats are not permissible. A hard hat is a personal item and should be for exclusive use by the individual to whom it is issued.

- b. Hard hats approved by the Department Director must be worn by:

- 1. All employees while on a job site for any public service construction or maintenance project that could include any of the following activities; street maintenance, curb/gutter construction, storm drain maintenance, tree trimming activities, excavation work, hoisting, towing operations or other public service projects.
 - 2. Inspection personnel when inspecting work projects involving any of the above conditions.
 - 3. Environmental Services personnel when working around the trash compactors and heavy machinery.
 - 4. All personnel engaged in climbing tasks or working from aerial lifts shall wear head protection that meets approved standards for dielectric properties due to the possibility of contacting overhead transmission facilities.
 - 5. Supervisors may designate additional areas where hard hat usage is required as the need arises.

- 2. **Face and eye protection:**

- a. Hazards involving the possibility of injuries to the face and eyes exist in both indoor and outdoor tasks. They range from dust blown into eyes on a windy day, to particles of steel, sand, concrete, etc., propelled into the eyes with considerable force by power tools and machinery or splashes of corrosive dust and liquid chemicals.
- b. There are many types of safety glasses, goggles and shields. Supervisors will insure that safety glasses and goggles have the appropriate American National Standards Institute (ANSI) rating for the task the glasses will be used for. Safety glasses should have side shields to protect the eyes from debris coming from the sides. ANSI rated safety glasses can be purchased with both clear lenses and in sun glass styles.

The ANSI rating will be stamped on side arm of the glasses and is included on the packaging for the glasses. The loss of one or both eyes can have extremely serious consequences to any employee. Yet individuals often vigorously resist efforts of management to require this vital protection with no better excuse than slight discomfort or false pride. This is probably one of the most important protective features of any safety program.

- c. Face and eye protection should be provided for any task where there is any probability that an injury may occur without such protection. Employees assigned to perform tasks, which require eye protection, should wear the protection provided. Safety glasses, goggles and other eye protective equipment offer a vital protection. If sufficient care is not exercised to maintain them properly, dirty or scratched lenses may provide another hazard from reduced visibility.
- d. Safety glasses or goggles with temple shields shall be worn when:
 - 1. Grinding, cutting, using power tools, scraping paint, rust carbon or other materials, cutting or breaking glass or breaking concrete.
 - 2. Using punches, chisels or other impact tools, impact wrenches or compressed air tools around vehicles and equipment and working under vehicles.
 - 3. Whenever there is a potential for "splash" or "splatter" such as using paint remover or blood/body splatter for public safety personnel.
 - 4. Using woodworking machinery, both fixed and portable.
 - 5. When conducting debris-clearing operations or using push and riding-type lawnmowers.
 - 6. When performing welding, cutting or soldering operations. Ensure welder's helmets or welder's goggles with proper filter lenses are worn. Ensure portable welding screens are used to protect the eyes of others in the vicinity whenever

potential exposure to others exists. Helpers and observers shall wear safety glasses, goggles or hand held shields with the proper filter lenses.

3. Hearing Protection:

In the variety of activities conducted by county work crews, there are some machines or equipment that may produce sound levels in the frequencies which can cause hearing loss. When employees are subjected to excessive sound levels, attempts should be made using engineering controls to reduce noise levels, such as sound suppressed, climate controlled cabs.

Proper maintenance and operations of climate controlled cabs is essential for these measures to be effective. If the sound levels cannot be reduced within an acceptable range, then personal protective equipment shall be provided and will be worn by exposed employees. Hearing protection may consist of ear- muffs, ear plugs or any of the newer acceptable, disposable materials. The type of hearing protection most acceptable to employees shall be provided whenever practical, as long as it achieves sufficient reduction of noise exposure. Cotton and cigarette butts will not be used as hearing protection.

4. Foot protection:

- a. Many tasks involve manual lifting or handling of heavy tools and materials. Foot injuries frequently occur when heavy objects are dropped, resulting in bruises, dislocations, fractures or crushes. Shoes, rubber boots, etc., reinforced with steel toes or soles will prevent foot injuries from impacts of falling objects, stepping on sharp objects or exposure to blades of power tools. These items of footwear are available in a variety of attractive types and comfortable as any pair of properly fitted shoes can be. Foot protection is a sound investment for all employees.
- b. Employees involved in activities where foot protection and/or safety shoes may be required such as job sites involving road maintenance, construction, tree trimming, chipper operation, mowing, storm sewers, working on or around heavy machinery, trash compactors, recycling centers, repair shop tasks, operating pneumatic drills (air hammers), handling heavy machinery or materials suspended above working surfaces, or other public service maintenance projects. If safety shoes are not available, employees should wear clamp-on steel-toe caps.

5. Hand Protection:

While going about our daily jobs, employees often neglect their hands. Hands are frequently injured because employees forget that the most dangerous object to their hand is the “ring”. Rings (any jewelry on the hands or wrist) should be removed or not worn if there is the slightest chance of getting the ring caught on any hook, tool, protrusion or piece of machinery. Rings can cause loss of fingers

or painful lacerations and frequently have to be cut off the finger if bent in such a manner as to shut off circulation. Gloves with leather palms should be worn when handling rough edges or abrasive materials or when the work subjects hands to possible lacerations, punctures or burns. Department Directors and Supervisors must determine the appropriate hand protection for the task being performed. Skin irritation should be prevented by washing hands with soap and water, not materials like gasoline. Remember, the skin forms the first barrier of protection that helps keep your body healthy. Take care to use the appropriate PPE and protect the hands.

6. Respiratory Protection (see Annex H):

Occasionally, employees may be required to perform tasks that may involve exposure to fumes, gases, mists, chemicals or oxygen deficient atmospheres. These hazards can be avoided by performing a complete job site analysis. Supervisors will insure that employees have the appropriate respirator for the tasks and environment when the potential for exposure to hazardous atmospheres occurs. Supervisors will further insure that employees have been properly fit tested and medically qualified to use the selected respirator. Employees that must enter oxygen deficient atmospheres will have the appropriate monitoring equipment to insure their safety. (For further guidance see OSHA 29 CFR 1910.134)

7. Safety Vests:

Personnel working along roadways or scenes where vehicles are moving around the work areas are required to wear safety vests to enhance the visibility of persons in the area. Safety vests should be worn day and night due to the enhanced visibility which safety vests provide. Safety vests are to be issued as protective clothing and shall be the responsibility of the Supervisor. Supervisors will insure that adequate vests are available for all personnel. Each employee is responsible to wear his or her vest where applicable.

8. Proper dress for work:

Each employee shall wear clothing suitable to the job he or she is performing at all times. Suitable clothing means clothing that will minimize danger from moving machinery, sunburn, hot or injurious substances. Individuals with long hair shall wear a cap or net while working around machinery. Employees required to wear respirators will not have any facial hair under sealing surfaces of the respirator. Tennis shoes, loafers, sandals, platform sandals or shoes will not be worn in hazardous areas. Platforms shoes and sandals will not be worn while working if the thickness of the sole and heel is extreme and causes the wearer to walk precariously.

4. Hearing Protection (Reference OSHA Standard 29 CFR 1910.95)

A. General:

Work-related hearing loss continues to be a critical workplace safety and health issue. Noise-induced hearing loss is 100 percent preventable, but once acquired, is permanent and irreversible. Therefore prevention measures must be taken by employers and workers to ensure the protection of worker hearing. Noise-induced hearing loss is one of the most common occupational diseases and the second most self-reported occupational illness or injury. Consider these facts:

1. 48% of US adults believe that they have suffered some hearing loss, including 35% of those 18 to 29 years old.
2. 48% of adults know that hearing loss is not part of growing old.
3. 79% believe that hearing loss can interfere with a person's social life and personal relationships.
4. Many Americans are not knowledgeable about sources of hazardous noise at home. 32% of adults say that while they regularly use noisy equipment around the house (e.g., lawn mower or vacuum cleaner), they do not believe that their use of this equipment could damage their hearing.
5. Americans are not regularly screened for hearing loss. In fact large percentages do not believe they have ready access to a hearing test. Only 39% of adults have had a hearing test in the last three years and 21% of those over 65 years old say that they have never had a hearing test.

B. Symptoms:

Have you experienced any of the following symptoms? If so, you may already have a noise induced hearing loss. These are symptoms of noise-induced hearing loss, which is permanent and irreversible! Hearing aids can help, but will never restore your hearing to original levels.

1. Inability to understand people (especially in a crowd) or television and radio.
2. Aural pain, especially after exposure to loud noises.
3. Nausea.
4. A temporary loss of hearing after exposure to loud noises that returns after several hours.
5. Tinnitus or "ringing in the ears. People will tell you this is "phantom sound".
6. Irritability at being unable to hear.
7. Inability to understand a whisper when the person is speaking directly into your ear.

Table 1. Sound Intensity Levels.

Decibel level (dB)
140

Source
Threshold of pain: gunshot, siren at 100 feet

85

THIS IS NOT A CONTRACT
EMPLOYMENT IS AT WILL

135	Jet take off, amplified music
120	Chain saw, jack hammer, snowmobile
100	Tractor, farm equipment, power saw
90	<u>OSHA limit</u> – hearing damage if excessive exposure to noise levels above 90 dB (See Note 1)
85	Inside acoustically insulated tractor cab
75	Average radio, vacuum cleaner
60	Normal conversation
45	Rustling leaves, soft music
30	Whisper
15	Threshold of hearing
0	Acute threshold of hearing – weakest sound

Note 1: The threshold limit in the OSHA Standard is 85dB. Exposure to noise levels above 85dB will begin to cause hearing loss after prolonged exposure. See Table 2 for exposure time limits after 85dB.

C. Properties of Sound:

Even though we cannot see sound, it is a force with real dimensions and three definite properties; intensity, frequency and duration.

- 1. Intensity** is the loudness of the sound, or the pressure it exerts on the ear. It is measured in units called decibels (dB).
- 2. Frequency** is the number of sound waves (high and low pressure areas) produced by a noise source passing a given point per second. Frequency is measured in cycles per second (cps), called hertz (Hz). The higher the number, the higher the frequency. The human voice has a range of about 200 to 4,000 Hz. A noise-induced hearing loss causes the inability to hear sounds at 4,000Hz. The hearing loss proceeds until the ear cannot hear frequencies between 500 and 3,000 Hz, a range crucial to understanding conversation. One of the first signs of hearing loss is the inability to understand people (especially in crowd) or other sources of voice communication such as the television or radio. You become hard of hearing and sound seems muffled.
- 3. Duration** is the amount of time you are exposed to a sound level. The average person can be exposed to a sound source producing 90 dBA for a maximum of eight hours. For every 5 dB increase above 90 dBA, the permissible exposure time is reduced by half. For example, if you are operating a piece of equipment with a 95 dBA rating, you would risk a hearing loss after four (4) hours of exposure. If the piece of equipment had a 90 dBA rating, you could use the equipment for eight (8) hours before

reaching the same risk level.

D. Effects of Noise:

The effects of noise can be broken into three areas; physiological effects; noise-induced hearing loss or aural pain, nausea and reduced muscular control; psychological effects: noise that can startle, annoy and disrupt concentration or sleep and interfere with communications. The ears provide two warning signs for overexposure to noise; temporary threshold shift (TTS or temporary hearing loss) and ringing in the ears (tinnitus). Tinnitus is a general symptom of the auditory system that is not functioning properly. Many people commonly experience both symptoms.

The temporary hearing loss is difficult to detect unless a hearing test is performed. Hearing usually returns almost completely in 12 to 14 hours if there is no additional noise exposure. Any amount of hearing that does not return becomes a permanent hearing loss. Tinnitus is a general symptom of an improperly functioning auditory system. People who have damaged their ears permanently from overexposure to noise often have a constant ringing in their ears. Some learn to live with the ringing. Others cannot stand it and seek professional help. For the most part, physicians and audiologists can do very little to relieve tinnitus. The permanent damage occurs from overexposure to noise and results in a hearing loss that is annoying and deceptive.

High-frequency hearing loss creates several problems:

1. Under ideal listening conditions, speech may still sound mumbled (especially women's and children's voices). Unfortunately, normal hearing people expect that if speech can be detected, it can be understood. When this doesn't occur, they lose patience with the hearing impaired listener.
2. The ability to identify the source is greatly reduced and the listener seems inattentive.
3. When there is background noise, the listener with a high frequency hearing loss cannot separate one voice from another. Since all the voices are jumbled together, he or she understands no one. Social functions and group meetings become a chore and the individual begins to avoid them.
4. With noise-induced hearing loss, there is often a reduced tolerance for loud sounds. Thus the level of sound must be high before it is understood, but if it is slightly higher, it may be intolerably loud.
5. With noise induced hearing loss, hearing aids can help, but they do not totally restore the quality of hearing that was present before the loss.

E. Noise induced hearing loss

This is a major problem because people are unaware of its warning signs and effects until it's too late. Since there is a strong social pressure to have normal hearing, an individual rarely admits to having a hearing problem until the effects

are very substantial. Early awareness and corrective action are essential to eliminating noise as a hearing hazard.

Table 2. Permissible noise exposure scale: (Based on OSHA Noise Standard)

Duration – hours per day	Sound level (dBA)
8	90
4	95
2	100
1	105
30 minutes	110
15 minutes or less	115

F. Reducing exposure to noise:

Exposure to dangerous noise levels can be eliminated or reduced through the use of engineering and administrative controls. Engineering controls are those actions that involve physically or mechanically eliminating the problem causing the dangerous noise levels.

Administrative controls are those actions which reduce or eliminate the noise exposure through administrative procedures that limit the time an employee is exposed to dangerous noise levels.

1. Engineering controls, when practical and economically feasible, are the most effective ways to reduce noise exposure because they reduce sound levels at the source. Some examples are:
 - Replacing worn, loose or unbalanced machine parts to cut down on the amount of vibration generated.
 - Making sure that machine parts are well-lubricated to cut down on noise exposure created by friction.
 - Installing a good high-quality muffler or baffles on all engine-powered equipment to reduce vibration produced by air flow.
 - Isolating you from the noise source with acoustically designed cabs. In recent years, heavy equipment manufacturers have designed cabs to reduce noise level exposure to safe limits.
 - Installing noise reducing gears, where possible.
 - Installing rubber pads under machinery that is floor mounted.

- Additional noise engineering must be done on chain saws, grinders, mixers and conveyors.

2. Administrative Controls:

- a. Noise not eliminated by engineering controls may be done by altered work schedules. Altered work schedules are a second alternative to prevent noise-related problems by reducing the amount of exposure to high sound levels. Where practical arrange work schedules so that workers do not exceed the allowable exposure limit to a high noise. Try to arrange work schedules to let workers exchange work activities so that no one person is exposed to the noise for more than four (4) hours.
- b. Personal protective equipment is the final alternative for workers who wish to cut down on noise exposure. The two basic types of hearing protection are ear muffs and ear plugs. Ear muffs are the most effective. The attenuation (noise reduction) provided by ear muffs vary widely due to differences in size, shape, seal material, shell mass and type of suspension. Some may attenuate sound by as much as 40 dBs. To get good quality muffs, deal with a reputable firm. Examine them for comfort, construction, seal and attenuation. Manufacturers supply attenuation data for their product, so you can evaluate their effectiveness. Ear plugs and muffs have a noise reduction factor (NR) as evaluated by ANSI Standards S3.19 – 1974 or Z24.22 – 1957.

For example, if a work area has an ambient noise exposure of 96 dBA, the hearing protectors should be rated 6 NR or better to be effective. Ear-plugs are available as pre-formed inserts made of rubber, plastic or foam and hand formed inserts of disposable materials such as wax or Swedish wool. Around heavy equipment, wax or Swedish wool have little value from a sanitation standpoint (they must be changed daily and must be shaped by hand before inserting) and have lower attenuation levels. Pre-formed ear plugs may be cheaper, but due to the difference in the shape of a person's ear canal, trained personnel should fit each individual for plugs. The wearer must also know how to properly insert the ear plug. When purchasing ear plugs, follow the directions closely so that snug fit is obtained in the ear canal when the plug is inserted. Preformed ear plugs and muffs should be periodically washed and stored in clean areas. Foam inserts should be discarded after each use. Hands should be washed before placing ear plugs or foam inserts in the ear to reduce the likelihood of contaminants being introduced into the ear.

Warning: Cotton should never be used for the purpose of reducing noise exposure. Cotton cannot block out high frequency sound and will provide no protection from high sound levels. Ear protective devices will not block out all sounds. They will block out only those sounds that are dangerous to hearing. Machinery sounds different when you are wearing ear protection, but with continuous use, you can learn the new sounds and be able to determine whether the machinery is operating properly.

- c. Each location with noise exposures of 85 to 89 dB will provide hearing protectors for the employees' optional use. Noise exposures at 90dB or above require the mandatory use of hearing protection. OSHA further requires that a variety of hearing protectors be available so that employees may choose the appropriate type. Department Directors and Supervisors will survey their work areas to determine "high noise areas". In high noise areas the appropriate warning signs will be posted designating the area as a "High Noise" area. Signs instructing employees that hearing protection is required will be prominently displayed throughout the high noise area. As a minimum, the following rules will be enforced in high noise areas:
 1. Personal stereos, such as Walkman, etc., will not be permitted in any operating area on County property.
 2. At least two types of hearing protectors will be provided and maintained by the County.
 3. Hearing protection will be provided free of charge.
 4. Hearing protectors will be properly worn at all times, except in offices, break rooms or rest facilities.

5. Workplace Violence

"Never, ever deprive another human being of personal dignity, respect or hope, nor allow anyone under your control to do so" - (Quote from Richland County Sheriff's Department Workplace Violence lesson plan)

A man fired nine months earlier from an insurance company in Tampa, Florida, returned to the cafeteria of his former employer and began shooting. Within minutes, five people were wounded, three of whom died. "This is what you get for firing me," he uttered as he fled the scene. These were the last words his co-workers would ever hear from him. He drove a rental car to a park and committed suicide. (FBI Law Enforcement Bulletin, April 1995)

- A. In the six years since that FBI Bulletin was published, workplace violence caused by disgruntled employees is no longer "new", but a growing danger to our society. Workplace violence has emerged as an important safety and health issue in today's workplace. It's most extreme form, homicide, is the second leading cause of fatal occupational injury in the United States. Nearly 1,000 workers are murdered and 1.5 million workers are assaulted in the workplace each year. According to the Bureau of Labor Statistics, Census of Fatal Occupational Injuries, there were 709 workplace homicides in 1998, accounting for 12% of the total 6,026 fatal work injuries in the United States. Consider the following facts:
 1. Each year between 1992 and 1996, more than 2 million U.S. residents were victims of a violent crime while they were at work or on duty.

2. More than 1,000 workplace homicides occurred annually.
 3. The most common type of workplace victimization was simple assault with an estimated 1.5 million occurring each year. U.S. residents also suffered 51,000 rapes and sexual assaults and about 84,000 robberies while they were at work.
 4. Annually, more than 230,000 police officers became victims of a nonfatal violent crime while they were working or on duty.
 5. About 40% of the victims of nonfatal violence in the workplace reported they knew their offenders.
 6. Women are more likely than men to be victimized by someone they knew.
 7. Approximately 12% of the nonfatal violent workplace crimes resulted in an injury to the victim. Of those injured, about half received medical treatment.
 8. Intimates (current and former spouses, boyfriends and girlfriends) were identified by the victims as the perpetrators of about 1% of all workplace violent crime.
- B. Employers can no longer afford to ignore workplace violence. "Almost every incident of workplace violence broadcasts warning flags months and months before the action occurs," according to Dr. Mark Lipian, Professor of Clinical and Forensic Psychiatry at UCLA. The problem is that co-workers or supervisors ignore the signs of depression or psychotic behavior until it is too late. Besides the emotional trauma and high cost of a violent event, employers are faced with increasingly greater liability for any crime on their premises. If employees or customers are harmed during a robbery, the employer can be held responsible if they didn't take the necessary security measures. If an employee turns violent, those harmed by the incident can sue the employer for hiring a violent employee (under the legal theories of "negligent hiring" or "negligent retention"). Although OSHA does not yet have a workplace violence regulation in place, the agency does expect employers to provide a safe workplace under the General Duty Clause and has sometimes cited employers in these instances. To fully understand the problem, there are four (4) basic types of workplace violence and each type requires a different preventive measure. The basic types of workplace violence are:
1. **Violence by strangers** – This is the most common type of workplace violence and involves an assailant who has no legitimate relationship to the business. This person usually enters the workplace to commit a robbery or other criminal act.
 2. **Violence by customers or clients** – The assailants in these cases can be current or former customers and clients such as passengers, patients, students, inmates, criminal suspects or prisoners. The victims are workers who provide direct services to the public, such as law enforcement, healthcare and social service providers, teachers and sales personnel.
 3. **Violence by co-workers** – Although receiving much media attention, these

incidents are small when compared to all workplace-related fatalities. The assailant can be a current or former employee, supervisor or manager. The individual is usually seeking revenge for what is perceived as unfair treatment.

- 4. Violence by personal relations** – This person has a troubled relationship with an employee outside of work and will violently confront the worker at the employment site. Personal relations include current or former spouses, lovers, relative, friends or acquaintances.
- C. Department Directors and Supervisors must insure that they have a Workplace Violence Plan in place that addresses the procedures for problems their employees may encounter. Departments must insure that their employees understand their responsibility within the plan and what the employee's role is to help prevent a violent incident. Additionally employees must know how and when to alert other employees that a violent threat exists or is about to occur. Departmental Emergency Action Plans should include specific evacuation procedures and identify areas of "safe haven" for a violent incident. The most important policy for departments to adopt is a "zero-tolerance policy for violence and weapons in the workplace." The following paragraph provides guidance to deal with a violent person or situation.
- D. Consider this five (5) step plan for reducing and preventing workplace violence.
- 1. Understand the mindset of the potentially violent person.**
 - Reason: the person posing danger is in crisis due to some "triggering" event and is operating outside the bounds of acceptable workplace behavior in both word and demeanor.
 - Individuality of emotion: some people can be fired and get on with life yet another person can receive his first bad evaluation and go on a shooting rampage.
 - Perceptions: even if he's wrong, he is acting on perceptions that are real to him.
 - Do not put it off: the person has a compelling need to communicate his grievance to someone right now.
 - 2. Take the moral high road.**
 - Establish an atmosphere of cooperation.
 - Do not display anger, fear or anxiety.
 - Tell him that this is his time and you are willing to respect that.

- Talk in a calm voice, lower and slower than the person does. Set the example of behavior.
- Understand that angry outbursts on the part of that person can have a positive effect. It allows him to vent negative feelings and begin to defuse and calm down.
- Be truthful in any discussion with the person. To lose credibility now could be dangerous.

3. Listen to the person without interruption, comment or judgment.

- Offer the person a private place to talk.
- Ask the person to be seated, but take your seat first if possible.
- Ask the party if you can take a few “brief notes” to help retain the information.
- Maintain eye contact. It is a sign of respect and it indicates he’s getting your FULL attention.
- His perceptions are his reality. Do not argue with his perceptions.
- Do not play down the importance of the person’s concerns no matter how insignificant they are to you.
- If you talk at all, ask questions that call for long, narrative answers. This does two things:
 - You assure the person that you want to hear all he has to say.
 - This assists in the defusing process for the person.
- A person in crisis will only respond favorably to someone who is:
 - Willing to listen.
 - Understanding.
 - Worthy of respect.
 - Non-threatening.

4. Allow the aggrieved person to suggest a solution.

- A person will more readily agree to a resolution that he or she helped formulate.
- Assure the person that you will act on any injustices he has suffered – then make absolutely sure that you do.
- It may surprise you that his suggestions may be very reasonable.

5. Move toward a win-win resolution.

- Saving face is paramount. Even people facing severe disciplinary action just want to be heard and “get on with life”.
 - As you make a concession, ask him to make a concession. Try to get “something for something”.
In most cases, the person just wants fairness.
 - When he asks, “What have you done for me?” – tell him, “I have preserved your dignity and respect and I want to seek a resolution that benefits us all.”
- E. Training and prevention is the best cure for workplace violence. The most important precaution that a Department Director can take is to train all employees on how to recognize potentially violent behavior, how to report it, how to defuse an escalating situation and what to do once violence begins. There are many strategies for dealing with violent incidents. Departments should provide periodic training that includes role- playing so your employees are prepared for any incident. Training should include outside experts or someone from law enforcement. Emphasize to your employee that they should report any potentially dangerous behavior or threats at once.

6. Emergency Action Plans including evacuation of work areas and the employees role in an emergency

1. All County departments are required to develop Emergency Action Plans for their departments. These plans provide instructions on how to safely handle anticipated emergencies within the department. Emergencies may involve an injured employee, an injured or ill citizen, fire, bomb threat, weather emergency or other technological (manmade) hazard.

Consider this fact about a fire. A fire doubles in size every eighteen (18) seconds! A fire that starts in a trashcan can easily develop into a fire that could destroy your entire department or facility if employees are not aware of their

responsibilities and trained to handle the emergency. Employees should be able to answer the following questions about department Emergency Action Plans.

- a. In an emergency, what is my role?
 - b. Am I expected to fight fire or am I expected to evacuate the department?
 - c. Where do I evacuate to in an emergency?
 - d. Who is responsible for insuring that everyone has safely evacuated the department?
 - e. Who do I report to after an evacuation?
 - f. Where are the emergency exits located?
 - g. What escape routes are available for me to use in an emergency? Is there more than one way out of my department?
 - h. Are emergency exits lit?
 - i. Are emergency lights in my department? Where are they located? How soon after the power goes out will it be before they come on?
 - j. Where are the fire extinguishers or fire hoses located in my department?
 - k. Am I required to fight a fire in an emergency; if so what type of fire extinguisher should I use to fight a fire?
 - l. I will walk not run in an emergency?
 - m. I will close the doors behind me as I evacuate, so as to limit the oxygen feeding the fire?
 - n. If you can't safely evacuate your office, **STAY IN YOUR OFFICE!** Fire and Rescue personnel will come to help you get out the building safely. Place coats, towels, clothes or rags under doors to stop smoke. In multi –story buildings, open a window 1/3 from the top and 1/3 from the bottom to help get clean air to breathe and the smoke to get out. **Call 911 and tell them your situation.** Tell the 911 Dispatcher your office number, floor you are located on and any additional information that will aid emergency personnel in locating you.
2. Alarm systems: If an alarm system is set up for your department, insure that all new employees understand how the alarm system is to be used and when it will be used. A distinctive signal on the alarm system must be used for each emergency situation.

3. Fire extinguishers: Ask your Supervisor if you are expected to fight a fire? If you are expected to fight fire, then you must be properly trained on the correct type of fire extinguisher to use for each type of fire encountered. Using the wrong fire extinguisher can actually cause a fire to spread faster. There are four (4) basic types of fire extinguishers and their uses are:

- a. **Class A:** This type of extinguisher is used for ordinary fires that burn wood, paper, trash, rags or cloth. It controls the fire by wetting down and cooling the flames.
- b. **Class B:** These extinguishers put out fires that involve gases or flammable liquids, such as gasoline, oil, paint, solvents and grease by cutting off oxygen or reducing the flame.
- c. **Class C:** This type is used on electrical equipment and wiring. Instead of using water, which conducts electricity and poses a dangerous electrocution hazard, this extinguisher contains carbon dioxide or a dry chemical. **Never use water on an electrical fire!**
- d. **Class D:** This type is used for combustible metal fires, such as aluminum, sodium, magnesium or zinc.

NOTE: Combination ABC or BC extinguishers are used for fires that involve combinations of the A, B and C class fires. Fire extinguishers will be checked on a monthly basis to insure that the fire extinguisher is serviceable. Unserviceable extinguishers will be removed from service and sent to an authorized agency that can repair and fill the extinguisher. Department Directors and Supervisors must insure that all fire extinguishers are checked on a monthly basis.

7. Infection Control for all employees

- A. **"Infection Control"** is a term that most County employees will not understand. "Infection Control" is the steps taken to stop or control the spread of a disease or organism that is capable of causing an infection or illness in a person. The following departments are included in the County's Infection Control Plan; EMS, Fire District, Sheriff's Department, Prison Farm, Detention Center and Environmental Services. These departments are required to comply with specific requirements in the Blood Borne Pathogens (BBP) and TB standards. Additionally these departments must provide the Hepatitis B vaccination for their employees. However, all county employees should have a basic understanding of infection control, even though their specific jobs do not pose the risk of occupational exposure to blood or other potentially infectious materials (OPIM). EMS employees face a daily risk of exposure to blood or OPIM. Employees that work in the Treasurer's Office do not face this same exposure. These employees face an inadvertent risk of exposure; that is,

someone comes into the office, falls and receives a cut. If the employee comes in contact with the citizen's blood, the employee would be provided medical treatment, post exposure to the incident.

- B. Before employees can begin to understand basic infection control concepts, they must be able to distinguish the difference between an "**infectious**" disease and a "**communicable**" disease. While we use the terms "**infectious**" and "**communicable**" interchangeably, the terms have two very specific meanings. Even though we refer to "**infectious**" diseases, what we are really concerned with is "**communicable**" diseases.

"**Infectious**" means that a disease has the capability to infect a person. For that person to get sick a very specific set of circumstances must occur. "**Communicable**" means the disease can be spread from person to person, but again a very specific set of circumstances must be present for the person to develop and spread the disease. This can best be explained through an explanation of the "Formula for Infection".

- C. The "**Formula for Infection**" is like a puzzle having five (5) key pieces. Each piece fits together like a puzzle, but just like a puzzle if a single piece is missing then the link is broken, and you will not develop the disease.

The **first** step or piece in the formula is the **organism**. All diseases start with an organism that causes the illness or infection.

The **second** step is the **dose** of the organism. How much of the organism is present in a medium that will allow the organism to thrive and transmit the organism?

Step **three** is the **virulence** of the organism. How strong is the organism and is the organism able to live outside the body?

The **fourth** step is the **mode of entry**. How does the organism get introduced into the body?

The **fifth** and probably most important step is the **host resistance**. How healthy are you? Have you taken all of the required childhood vaccinations?

Do we practice a healthy lifestyle that keeps our immune system strong so it can fight off disease? Do we practice good personal hygiene? If we break or eliminate any step in the formula, the disease will not develop. The pieces fit together like a puzzle; however removes any one piece and the formula is incomplete. The same applies to an illness – remove any part of the process and you don't get sick! Take a good look at your lifestyle and each skill or procedure that you perform every day. How many pieces of the formula can you eliminate that will reduce **YOUR** risk of exposure?

Consider these examples of high-risk exposure. Needle sticks pose a significant threat to EMS, Deputies and Detention Center employees. Is it necessary for Paramedics to start large bore 14 gauge IV's on all trauma patients, especially those with low index of suspicion for bleeding or shock? Large bore hollow IV needles pose the highest needle stick risk to EMS workers! But, even if the Paramedic was to stick him/herself with a large bore needle from an infected patient, there is less than a one (1) percent chance (actually .3% to .9%) that the Paramedic will develop the disease. Is it necessary for a Deputy or Detention Center Officer to empty a prisoner's pockets during a pat down search? Most needle sticks in the Law Enforcement community occur during prisoner searches.

A needle that an IV drug user has in his or her pocket poses a substantially greater threat to the officer. IV drug users aspirate the vein (they pull back on the syringe to see a blood return) to insure they are in the vein. The blood accumulation in the hub leads to a higher volume (**dose**) to be injected into you during a needle stick. Have you had all of your immunizations to insure your resistance to disease is higher? The best defense against disease transmission is good personal hygiene. Your parents taught you as a child to take a bath using soap and water. Good personal hygiene with hot, soapy water will do more than anything else you can do to stop disease transmission. Casual contact with a person that has a communicable disease will not spread the disease from one person to another. Contact with inanimate objects held by an infected person will not spread the disease. For the disease to spread, you must make contact with a specific "**at risk**" body fluid.

The body fluids that are considered "at risk" fluids are: blood, semen, vaginal secretions, amniotic fluid, pleural fluid, peritoneal fluid, synovial fluid and cerebrospinal fluid. Tears, sweat, feces, saliva and urine are not considered at risk fluids unless they are contaminated with gross amounts of visible blood that can be seen with the eye.

- D. The "**Formula for Infection**" not only applies to blood borne pathogens, but also to Tuberculosis (TB). TB is spread through moisture droplets from a "forceful expulsion" of air from an infected person. By "forceful expulsion", we are referring to an infected person that sneezes or coughs in a room. TB resides deep in the lungs and requires this forceful expulsion to bring the disease up out of the lungs. There is a tremendous amount of scientific data that shows TB is not spread through casual contact. Being in the same room with an infected person will not give you TB.

To contract TB in this manner, you would have to be shut up in an enclosed room with no outside air ventilation for an extended period of time in order to catch TB. Remember these simple rules to protect yourself from TB – **time, distance and shielding**.

Minimize the time that you are in contact with the infected person.

Keep your distance - Is it necessary to be in very close proximity to the persons face? If the person is sneezing or coughing, ask them to turn their face away from you.

Finally, **use shielding**. Keep a barrier between you and the infected person. If you have a plexi-glass shield at your office window, stay behind the shield. The shield will stop any moisture droplets from reaching you. Keep your office ventilated with outside air. These common sense tips will keep you safe from TB.

- E. Diseases like HIV, Hepatitis B, Hepatitis C and Tuberculosis can be very scary. Every day we read in the papers and hear on radio and TV about these disease epidemics. The reality is that in many cases the disease numbers have actually stabilized or are going down. The most significant problem in Infection Control today is the large amount of hype and false hoods. Understanding the modes of disease transmission is important to everyone. Stop and think for minute. Someone in your office, in your home, school, church or neighborhood could be infected with any of these diseases right now. Realizing that in order for the disease to spread requires you to have some type of at risk behavior. By at risk behavior, we are referring to recreational drug use, multiple sexual partners, sharing IV drug needles, sharing the same bill while snorting cocaine and others.

With the inception of the Hepatitis B vaccination, we have seen a tremendous decrease in the number of new Hepatitis B cases. We know this vaccination works; that's why even children are being vaccinated for Hepatitis B. Thanks to new medications for HIV, we are now seeing HIV positive patients that are able to maintain a viable lifestyle and delaying or stopping the disease from developing into AIDS. TB is a disease that was virtually eradicated in the early 1920's, however in the 1980's the disease made a strong comeback. Through education we have learned, that TB runs in 50 year cycles. The increased numbers we saw can be attributed to several areas. First, we saw increased immigration from third world countries where TB was a significant problem. Second, we noticed high case numbers in migrant camps and areas that have a significant number of homeless persons.

Third, we saw increased number is jails and long-term care facilities (nursing homes) where a number of people live in close proximity to each other. Finally, TB is an opportunistic infection that takes advantage of persons whose immune system is compromised or have suppressed immune systems (HIV patients). Education is the key to Infection Control.

- F. Unless you work for one of the Public Safety departments, then you will not face a daily risk of exposure to blood or other potentially infectious materials. However, you may be involved in an exposure incident. An actual exposure incident occurs when blood or an "at risk" body fluid is introduced into a fresh open wound or gets into your eyes, mouth or nose. Should an exposure incident occur and you work at the Courthouse or a non-public safety department, notify the Special Programs Coordinator immediately. The Special Programs Coordinator will conduct the appropriate investigation; then if

necessary get the employee into a post exposure follow up process. If there is a blood spill or someone gets sick and vomits in your office, get the Custodial staff to clean the spill. They have been trained in the proper methods to clean up these incidents. Finally, if you assist an injured person and have a blood or body fluid exposure, contact the Special Programs Coordinator immediately.

- G. If you have questions contact your Supervisor or call the Special Programs Coordinator at 398-4450.

8. Lifting and Back Safety

- A. **Introduction:** Back injuries can be extremely painful, long-lasting, keep you in bed for extended periods of time and occasionally require surgery. For some people, back pain doesn't ever really go away. Back strains and injuries can happen at any time and, a great many happen at work.

OSHA has reported "Back strain due to overexertion represents one of the largest segments of employee injuries in the American workplace. Only the common cold accounts for more lost days of work". The National Safety Council has stated that overexertion is the cause of about 31 percent of all disabling work injuries. Injuries to the back occur more frequently than injuries to any other part of the body.

It's important that we understand the acts that are likely to strain our backs and determine how we can perform a task in a way that will reduce the risk of back injury. Improper lifting is probably the greatest single cause of back pain and injury, so it's worth taking the time to learn how to do it correctly. We'll also look at how we can sit, stand, sleep and perform a variety of tasks in ways that won't harm the back.

B. Identifying the hazards:

- a. To understand why so many back injuries occur, it's necessary to understand what's in your back to be injured. Your back holds up your entire body. The spinal column runs down your back and is an S-shaped stack of bones called vertebrae. These vertebrae are connected by ligaments and separated by soft discs that cushion and protect the bones. At the center of the spinal column is the spinal cord. Nerves from the spinal cord run to other parts of the body. The back does its job with the help of muscles that are attached to the vertebrae. These muscles work with the stomach muscles to keep the spinal column in place, keeping the back strong. When you experience back pain or strain, it's usually related to these muscles and ligaments. The pain results from overusing or stretching those muscles and moving the muscles in ways they're not meant to move. You can injure your back with one wrong move – something that can happen simply by shoveling snow – or by a buildup of stress on weak muscles. Other kinds of back injuries include:

- a. Muscle spasms, which are usually caused by stress or tension.
 - b. Strains and sprains, which are the result of exertion of weak muscles or incorrect lifting.
 - c. Slipped discs, which are tears or other damage to the discs between the vertebrae, causing the vertebrae to rub together and irritate or damage the spinal nerves.
 - d. Hernias, which are ruptures in the abdominal wall caused by strains from lifting.
- b. There are various tasks and movements, especially lifting that can lead to back injuries if they are not done properly. But, probably the biggest hazard to your back is **you**. Among the things that make back injuries much more likely are:
- a. **Poor physical condition.** The muscles in your back and stomach hold up your back letting it move properly. When these muscles are weak, they cannot do their job. You know that regular, exercise is important to good health, and important to a healthy back. Exercise helps keep back muscles strong and flexible.
 - b. **Poor posture.** The lower back carries the burden of most of our body weight. Poor posture, whether sitting or standing, stresses the back instead of supporting it.
 - c. **Extra weight.** When you are overweight, your back has more to hold up. A potbelly, because of its location, is particularly tough on the back.
 - d. **Stress.** When you feel tense, your muscles, including your back muscles, tense up too.
 - e. **Overdoing.** Too often people are afraid to say, "That's too heavy for me." Do not make that mistake! You're not going to seem very strong and tough if you're laid up in bed with a back injury that you got lifting things that were too heavy for you.
- c. **Do not overestimate your strength:** If you think you need help, get it! The way you live and treat your body has a lot to do with how healthy your back is. But even if your back is in good shape, there are a number of actions that can create trouble if not performed properly and in a way that minimizes the strain on your back. Among the hazards encountered on the job are:
- a. Heavy lifting.
 - b. Twisting and lifting at the same time.
 - c. Lifting objects that have odd shapes.

- d. Reaching and lifting objects.
 - e. Bending and overexerting.
 - f. Lifting items whose weights vary.
 - g. Sitting or standing too long in one position.
- D. There are potential hazards to your back in other seemingly unrelated activities:**
You can, injure your back if you slip on an unlit stair or a wet floor. You might trip, fall and injure your back simply because you didn't notice an object lying on the floor. You can also hurt your back if you use poor posture or if you lean and stretch awkwardly to reach something instead of getting out of your chair to get it.
The bottom line to identifying back hazards is to become conscious of just how important it is to protect your back. Learn to avoid situations that force your back to do something it's not meant to do or not able to do.
- E. Protection against hazards:**
- a. The best protection your back has against the many hazards it faces on and off the job, is to develop habits that reduce the strain on the back. Try these tips:
 - a. **Slow down.** Back injuries resulting from slips, trips and falls often can be prevented by walking instead of running from place to place. It is also helpful to wear shoes with non-slip soles and of course, to look where you're going.
 - b. **Stretch first.** Your back muscles, and then the stomach muscles benefit from stretching before heavy use. It is a good idea to stretch gently before lifting. Gentle stretches at the beginning of the day and periodically during the day help keep your back muscles flexible.
 - c. **Rest your back.** When you sleep, your back gets a rest from carrying your body around. To give your back the best rest, sleep on a firm mattress. The best sleep positions for your back are on your side with your knees bent or on your back with your knees elevated.
 - d. **Avoid lifting.** Whenever possible use material handling equipment – hoists, hand trucks, dollies – rather than your body to lift. When you transport material on a hand truck, push it, do not pull it.
 - e. **Break the load down.** Breaking the load down into smaller, manageable pieces reduces the weight your back must tolerate. If you have to lift a heavy or awkward object manually, get another person to help you do it.
 - f. **Look for ways to limit the number of times you have to lift.** Plan jobs so materials and tools only have to be moved and placed once.
 - g. **Try to keep materials on shelves, pallets or tables at waist height when possible.** Lifting to and from that height may cause less of a strain than to a higher or lower placement.
 - h. **Make planning the first step of lifting.** You cannot eliminate all lifting, but you can eliminate some of its hazards if you take time to plan before you lift.

Consider these tips before lifting nonstandard objects:

- i. **Objects with awkward shapes.** Squat next to the object with your feet spread. Grip the top outside corner and bottom inside corner. Then, follow proper lifting procedures, keeping your back straight and knees bent.
- j. **Objects in hard-to-get-at locations.** Get as close as possible to the object. With your back straight and stomach muscles tight, bend slightly forward at the hips and bend your knees. Grip the object, then let your leg, stomach and buttock muscles do the heavy lifting.
- k. **Objects in high places.** When you have to get something from or place something in a high place, stand on a sturdy ladder. Do not stretch! It is also best to have another person help you.
- l. **Raising an object.** When you have to lift something up, try to make the pieces as small as possible. Then lift the object waist high and rest it on a lower shelf or your hip. Bend your knees, lift, and straighten up.
- m. **Lowering an object.** When you have to bring an object down from a high place, push it first to test its weight and stability. If it is a size and weight you can move alone, slide it as close as possible to your body. Then get a good grip and slide it down.
- n. **Two-person lifts.** When you are going to lift with someone, try to find a person who's about your height. Begin by deciding which of you will say where and when to move. At the signal, lift and raise together, following proper procedure. When you're ready to move, keep the load at the same level. Then move and unload together.

Techniques to further protect your back:

Although lifting correctly is a major factor in protecting your back, it's not the only one. You can prevent strain and pain while strengthening your back by sitting, standing and moving in ways that don't stress your back.

- o. **Sit up straight.** When you sit hunched over, the ligaments end up doing the work muscles are supposed to do. The result is pressure on the vertebrae, especially in the lower back. The best posture for your back is to sit up straight, close to the desk or table, with your back against the chair back. If your chair doesn't offer support for your lower back, consider using a cushion or rolled up towel. Your knees should be bent, feet on the floor. You can also protect your back by moving correctly while you are seated. If, for reaching for something off to the side, turn your whole body. Do not twist just part of your body; it's an invitation to back strain. When you read, hold the pages up so you keep a good sitting posture. When talking on the phone, lean your

elbow on the desk or table to support your arm do not cradle the phone in your neck. Do not sit for long periods at a time. Get up every so often, stretch walk around or shift occasionally to another position.

- p. **Stand tall and straight, but not stiff.** When you stand, your shoulders should be even and back. Keep your head up and your pelvis forward. If you have to stand in one place for a while, try to keep one foot raised on a step or other elevation. Shift legs every so often.
- q. **Drive** with your back straight, knees bent.
- r. **When working on your back** use a position that keeps your back flat with knees bent. Don't stay in one position too long; get up and stretch.
- s. **Stand** so your legs not your back, does the lifting. The best position is to have your hands far apart, legs bent at the knees and back straight.
- t. **When working low to the ground,** it is best to bend your knees and keep your back as straight as possible. Avoid bending from the waist.
- u. **Catch falling objects** when you are standing with your back straight, knees bent and feet firmly on the ground. As you catch, let your legs absorb the impact.
- v. **Don't jump!** Even a jump from a short height like a loading dock can cause a back injury. Use a ladder or steps.
- w. **If you feel back pain, stop what you are doing!** Do not play doctor with your back! You can't always judge how serious the problem is. If you or anyone develops back pain on the job, stop, rest and don't move. Have someone send for professional medical attention immediately. Once your back has been injured, it's important to let it heal and to avoid further strain. In some cases, temporary light-duty work may be necessary so you can rebuild your strength.

F. Safety Procedures:

Keep in mind that your back's major job is to carry your body. When you lift the wrong way, your back has to support you and whatever you're carrying. That's where the trouble starts. The object of safe lifting is to protect your back by letting your legs and not your back do the work. Here's how to lift correctly:

- a. Stand close to the load with both feet firmly on the floor, about shoulder width apart. Point your toes out.
- b. Squat down close to the load with your back straight, knees bent and stomach muscles tight.

- c. Place your hands on diagonally opposite corners of the load so one hand pulls the load toward you and one lifts.
- d. Grip the load firmly with both hands, not just the fingers.
- e. Bring the load as close as possible to your body. Keep your weight centered over your feet. Tuck your arms and elbows into your side and your chin into your neck.
- f. Stand up slowly, keeping your back straight and letting your legs do the lifting.
- g. Make sure you have a good grip and can see where you're going.
- h. Take small steps, keeping the load as close to your body and no more than waist high.
- i. **Caution:** If you have to change direction while you're carrying a load, do not twist.

Twisting is a major cause of back injuries. To change direction, move your feet. When you get where you're going, release the load carefully by:

- a. Lowering the load slowly, bending your knees so your legs do the work.
 - b. Positioning your hands so the fingers don't get caught under the load.
 - c. Placing the load on the edge of the surface and slide it back.
- G. These techniques are the basis for safe lifting:** A back injury can be a lifelong injury. Remember; you are the only person that will have your back as a lifelong companion. Take care of it.

9. Vehicle Operations

(The following paragraph is an excerpt from the SC Department of Motor Vehicles Driver's Manual.)

“Your driver's license grants you the privilege of driving a motor vehicle on South Carolina's streets and highways. You may also enjoy, with your SC driver's license, the privilege of operating a motor vehicle in every state in the United States. “

“This privilege lasts only as long as you drive safely. That's why this handbook (the SC DMV Driver's Manual) constantly reminds you about safe driving. Nothing is more important. Remember, as a driver, safety is your most important job.”

Darlington County employees are reminded that operating a County vehicle is a privilege, not a right. This privilege allows you to perform your duties in an expeditious manner and also serves

as means of recognizing the operator as an employee of Darlington County. This privilege also carries the responsibility of insuring that you operate the vehicle as safely as humanly possible. Remember, there are 67,000 taxpayers that evaluate your use and operation of County equipment and vehicles every day. They expect and demand that all equipment and vehicles are properly maintained and operated safely every day.

10. Annual Motor Vehicle Records checks

Employees whose jobs require the operation of county vehicles will have an annual MVR check performed by the Department Director.

The Department Director may use SCDMV Online to perform the annual check and to determine if the employee should be required to provide the Department Director with a new MVR. The annual MVR check will be performed during the month of January.

Department Directors will certify in writing to the County Administrator by January 31st of each year that they have performed the annual MVR check on all employees that operate a county vehicle or equipment that require a SC driver's license. The annual MVR must meet the requirements for either an acceptable or borderline MVR as specified in paragraph 5 below. Copies of the annual MVR will be forwarded to the Human Resources Manager for enclosure in the employees' personnel record. The Human Resources Manager will notify the County Administrator when all MVR checks have been received. All drivers must have an acceptable Motor Vehicle Report (MVR) based on the following criteria.

These are the minimum standards that all vehicle and equipment operators must meet in order to operate or be assigned to a position requiring the operation of County vehicles and equipment.

- A. All applicants will provide the County with a copy of their 10-year MVR during the application process. Department Directors will review the applicant's MVR to determine the applicant's eligibility for the job. Applicants will be considered as having **Acceptable MVR, Borderline MVR or Unacceptable MVR** based on the criteria specified paragraph E below.
- B. Border-line MVRs will be subject to the review and approval of both the Department Director and the County Administrator. **An applicant with a Borderline MVR will be hired after final approval by the County Administrator.**
- C. 1. MVRs **will not** be considered Acceptable where a **clear history** is demonstrated showing repeat citations and or convictions for the same offense or other offenses. (For example: An applicant received a ticket in 1999 for Speeding 10mph or less (a 2 point violation), another speeding ticket in 2005 for the same offense and driving too fast for conditions, 10mph or less in 2009. Drivers receive points back for 2 point violations at the rate of 1 point per year, on the anniversary of the original citation. In this example, the 1999 speeding ticket on the driver's record would show no points against the driver in 2001, for the second ticket no points in 2008

and the final ticket received in 2009 would be on the driver's record until 2011.) In this case the applicant shows a **clear history of speeding or driving too fast**.

Also, keep in mind that the original offense could have been a four (4) point violation that was reduced to two (2) points when the driver went to court. In this case only the 2 point violation would show on their record. Points assessed against the driver will be returned at the rate of one (1) point per year for two (2) years for a two (2) point violation; two (2) point per year for a four (4) point violation and a 6 point violation will require three (3) years to reach zero.

2. Departments Heads are encouraged to closely review the MVR's for "at fault" accidents. An applicant with an "at fault" accident on their record should be interviewed to determine how and why the accident occurred. An "at fault" accident less than 5 years old, places the applicant in the "Borderline" category, while an "at fault" accident in the last 5 years or an accumulation of 6 or more citation points in the previous calendar year places the applicant in the Unacceptable MVR category.

D. No driver is hired with an "Unacceptable" MVR.

E. **Definitions:**

Acceptable MVR: No more than one (1) minor traffic offense (equaling not more than 2 points being assessed to the driver) and no at-fault accidents in the last 5 years.

Borderline MVR: Not more than two (2) - two (2) point minor traffic offenses or a single four (4) point traffic offense (totaling not more than four (4) points in a single calendar year) or 1 at fault accident in the last 5 years. "Border-line" MVRs will be subject to the review of both the Department Director and County Administrator and final approval of the County Administrator.

Unacceptable MVR: Any traffic offenses that carry an assessment of 6 points for the single violation, or any combination of offenses that equal a loss of 6 points in a single calendar year or more than 1 at fault accidents in the last 5 years.

At fault accident: Any accident where the driver receives a traffic citation or is shown "at fault" by the investigating law enforcement agency on the accident report or any single vehicle accident where the cause is not equipment related.

Minor traffic offense: Any traffic offense that carries a total point value of two (2) points under the SC motor vehicle laws. (See paragraph F

below, page Q-11.)

11. Keeping Your License:

(The following information is quoted directly from the SC Department of Motor Vehicles Drivers Manual.)

Your driver's license grants you the privilege of driving a motor vehicle on South Carolina's streets and highways.

You may also enjoy, with your South Carolina driver's license, the privilege of operating a motor vehicle in every state of the United States. This privilege lasts only as long as you drive safely. That's why this handbook constantly reminds you about safe driving, as nothing is more important. **Remember, as a driver, safety is your most important job.**

If your license is withdrawn: This means that there is some condition that has come to the attention of the Department which says you are not qualified to have a driver's license. You will not be able to get one again until the reason for the withdrawal is corrected. Withdrawal results from the mandatory requirement of law following conviction on certain traffic violations.

If your license is revoked: You must wait until the period of revocation is passed, make a new application and take the complete examination just as if you never had a license. You should check to determine the financial responsibility requirement.

If your license is suspended: You cannot drive again until the time has passed for your suspension under the point system; for driving under the influence; or for two charges of reckless driving, and so forth. You must take both the knowledge and road tests for reinstatement of your driving privilege. You should check to determine the financial responsibility requirements also.

If your license is cancelled: This indicates that you never should have had a valid license in the first place, except where a signature of responsibility for a minor is withdrawn. It could come about because of falsification of information on your license application or concealing facts which could affect your driving privilege. If your license is revoked, suspended or cancelled, the Department will mail you a letter. For certain offenses, you must surrender your license to the court at the time of conviction. If you do so, your suspension period may begin on the date of the conviction unless you are already suspended for another reason. If you do not surrender your license to the court, you must either bring or send it to the Department.

License Revocation:

Your license will be revoked when:

1. You are found guilty of killing any person while driving a car in a careless manner.
2. You are found guilty of any felony in which a motor vehicle is used.
3. You are involved in any accident in which someone is killed or injured and you fail to stop and give assistance.
4. You are convicted of driving a motor vehicle engaged in a race on a public street or highway.
5. You furnish false information pertaining to financial responsibility on your motor vehicle registration.
6. You become mentally or physically incompetent to drive.

License Suspension:

Your license will be suspended when:

1. You are found guilty, or forfeit bond, on a charge of driving while under the influence of intoxicating liquor or narcotic drugs. For the first conviction your license will be suspended for six months, for the second offense one year, for the third offense two years. This is in addition to the fines that may be imposed.
2. You refuse to take the test for intoxication when called upon to do so by a law enforcement officer. If the officer has complied with all the requirements of the law in this instance, then your refusal to take the test can mean that your driving privileges will be suspended for 90 days. This is in addition to any suspension if you are convicted of driving under the influence of intoxicating liquor.
3. You are convicted of reckless driving for a second time within five years and each subsequent conviction within that period. The law provides severe penalties for those found guilty of reckless driving. You are driving recklessly when you willfully drive any car or other motor vehicle in a manner that disregards the lives and property of others. Your driver's license will be suspended for three months if you are convicted (or forfeit bond) on a second charge.
4. You are involved in an accident and subsequently sued for damages and an unsatisfied judgment is rendered against you.
5. You help another person to race on a public highway by lending him a motor vehicle, or if you "soup up" an engine for the purpose of racing either for yourself or someone else. The penalties for this violation of the racing law are severe:

(a) If you are convicted of taking part in a race on any public road, street or highway, you may be fined or imprisoned or both. In addition, your driver's license and vehicle registration will be suspended for one year.

(b) If you assist in a race, or permit your vehicle to be used in a race, you may be fined and/or imprisoned. In addition, your driver's license and your vehicle registration will be suspended for three months.

6. You are convicted of hauling illegal whiskey.

7. You accumulate 12 points under the point system law. This also goes for violations committed out of the state.

8. If you hold a beginner's permit, conditional provisional or special restricted driver's license and you accumulate six or more points, your driving privileges will be suspended for six months due to excessive points. If you are suspended for Excessive Points, completing the National Safety Defensive Driver Course, or its equivalent, will not reinstate the suspension. The points that resulted in the Excessive Points suspension can also be used in a Point System suspension. If you are a violation-prone driver but will recognize your faults and so improve your driving so that you get no more points, your record will eventually be cleared. Points one year old are cut in half, and after two years they will be wiped out completely. The violation, however, will remain on your record for three years from the date SCDMV received the ticket. A provision in the law provides for reducing a driver's points by four upon successful completion of an approved defensive driving course. Only one such reduction in a three year period is permitted under this provision.

The following are violations and the points for each:

Hit and Run, property damage only.....	6
Reckless driving.....	6
Passing stopped school bus.....	6
Speeding 25 mph or more above posted limit.....	6
Disobedience of any official traffic device.....	4
Disobedience to official directing traffic.....	4
Disregard railroad sign or signal.....	4
Disobedience to signal of approaching train.....	4
Driving on wrong side of road.....	4
Driving through or within safety zone.....	4
Failure to give or giving improper signal.....	4
Failure to yield right of way.....	4
Following too closely.....	4
Operating with improper brakes.....	4
Passing unlawfully.....	4
Speeding more than 10 mph, but less than 25 mph.....	4

Driving too fast for conditions, over 10 mph.....4
Turning unlawfully.....4
Defective tail light.....2
Driving a vehicle in unsafe condition.....2
Driving in improper lane.....2
Failure to dim lights.....2
Improper backing.....2
Improper dangerous parking.....2
Operating with improper lights.....2
Shifting lanes improperly.....2
Speeding 10 mph or less.....2
Driving too fast for conditions, 10 mph or less.....2

Reckless driving that disregards the lives and property of others is punishable by law.

License Cancellation: Your license can be cancelled:

1. If you are a minor (under 18 years old) and your parent or guardian or whoever signed for you withdraws his or her signature from your license application
2. If you give false information on your application

Driving Under Suspension: If your license has been revoked, suspended or cancelled, you must not drive any vehicle until those conditions which brought about that action are cleared up. If you do and are apprehended and convicted, you will be fined and/or imprisoned and your suspension will be doubled. For a second conviction, there is a fine and/or imprisonment and the suspension time will again be doubled. For a third and subsequent offense you may be subject to imprisonment and your license suspension will be doubled.

Driving Without a License: The penalty for driving without a license includes a fine and/or imprisonment.

Alcohol and Controlled Substance: South Carolina law requires the suspension of driving privileges if you are under 21 years of age and are convicted of possession of alcohol (beer, wine or liquor), even if the violation did not occur in a motor vehicle. A person over 21 can also have their driving privileges suspended if they are convicted of transferring alcohol to a minor.

For a first offense, in addition to a fine and/or imprisonment, your driver’s license will be suspended for 90 days and for a second or subsequent offense, your driver’s license will be suspended for 6 months. If you are convicted of a controlled substance violation, your driving privileges will be suspended for 6 months for hashish and marijuana and one year for any other controlled substance in addition to fines and/or imprisonment.

Delinquent Child Support: Your driver's license will be suspended if you are in arrears in child support payments. Once suspended, the Department must receive verification from the Department of Social Services before your privilege to drive can be restored.

Habitual Offenders: A habitual offender driver law is in effect in South Carolina. Its aim is to remove from the highways those drivers whose driving records show they are a danger to others.

12. Vehicle and equipment accident reporting

- A. Accident Reporting and Investigation: With the number of vehicles that Darlington County has on the road, accidents are going to happen. All accidents, regardless of severity, will be reported! Employees that try to conceal accident can expect disciplinary action as provided in the County personnel manual. Annex R thoroughly covers the reporting and investigating of all accidents.
- B. County vehicles and equipment must be operated within the law at all times. **The County will not pay traffic tickets or parking fines, including those received while using personal vehicles for County business.** If the operator of a county vehicle or piece of County equipment is involved in an accident, in order to retain his/her employment, the employee;
 - 1. Will be required to pass a Drug and Alcohol Test (See Administrative Memorandum # 94-1 and Annex R Appendix 2).
 - 2. May be required to take a remedial driving course, either an Emergency Vehicle Operator's Course (EVOC) provided by and as appropriate for their assigned department or a Defensive Driving Course at employee expense.
 - 3. May be required to pay a monetary assessment in accordance with Annex R, paragraph 2C1d2 this policy.
 - 4. Or face disciplinary action in accordance with the County Personnel Policy Handbook (Code of Conduct, pages 46 & 47).

NOTE: It is *ESSENTIAL* that employees understand that the County reserves the right to impose disciplinary action up to and including termination.

- C. Employees are reminded that after being hired and working in a position that requires the employee to maintain their SC driver's license, they must continue to maintain

their MVR so that it is in compliance with the criteria established in Annex Q in the Safety Policy Manual. Employees are required to report any change in their driver's license or record status to their Supervisor or Department Director. Paragraph 3B2b, page Q-14 of the Safety Policy Manual is quoted below.

- D. Driver's License: Drivers will carry their driver's license with them at all times when operating motor vehicles. Drivers are required to report any change in their license status to their Supervisor or Department Director immediately including expiration, revocation or restriction of driving privileges.

Should driving privileges be limited by the state, the County is under no obligation to accommodate the person in a different position; in other words, loss of driving privileges may result in dismissal. Failure to report changes in driver's license status may result in disciplinary action as specified in the County's Personnel Policy."

- E. Reporting procedures: These procedures will be followed at all times.

- 1. **Vehicle and equipment accidents:** Accidents that occur both on the road and off the road involving county vehicles and equipment will be reported through the 911 Center and investigated by a Safety Committee Accident Investigator. County vehicles parked on the "yard" and receives damage will be investigated by the Department Director or Supervisor. Department Directors and Supervisors may request assistance from the Safety Committee Investigators. The Communicator's in the 911 Center will make the appropriate notifications to the employee's department and the on-call Safety Investigator upon notification of an accident. If there are injuries, EMS and Rescue should be dispatched.

County employees should be prepared to render first aid and other assistance as needed for the injured persons. Employees are cautioned not to make any admissions of fault at the accident scene. It is the responsibility of the investigating Law Enforcement agency to make the determination of fault. (NOTE: Employees who make admissions of fault to other parties at an accident scene can have their statements entered into evidence in court. Although these statements are hearsay, they are called a "spontaneous utterance" and that makes them admissible in a court.)

- F. Accident Investigation:

- 1. **Vehicle and equipment accidents:** Safety Committee Accident Investigators will come to the scene of all accidents that occur in Darlington County to photo document the scene and prepare a Safety Committee Accident Investigation Report, (DCSP Form 3). For accidents that occur outside of Darlington County, employees will prepare the Out-of-County Accident Report, DCSP Form 4. Once the employee returns to Darlington County, the on-call Accident Investigator will be notified. At that point, the Accident Investigator will perform the necessary photo documentation of damages to

the county vehicle. At the accident scene, the Safety Committee Investigator will provide a copy of the Employee Accident Statement Form, DCSP Form 6. The employees' statement can be submitted either to the Investigator on scene or through his Supervisor to the Materials Manager for enclosure with the accident report. Employees are strongly encouraged to give a written statement describing how the accident occurred.

G. Enforcement:

In accordance with the Darlington County Safety Policy, employees will be subject to drug and alcohol testing when there is "particularized suspicion" of drug or alcohol use while operating County vehicles or equipment. "Particularized suspicion" is deemed to exist when:

H. Information has been received from a reliable informant that a County employee is operating county vehicles or equipment and has used illegal drugs or alcohol.

- 1. For the purposes of this policy, alcohol is defined as any beverage that may contain alcohol; i.e., wine coolers, wine, any type of beer or ale and all other liquors and liqueurs.**
- 2. The term "illegal drug(s)" is defined as the use of substances such as marijuana, cocaine (and its derivatives), LSD, heroin, etc., prescription drugs that are not prescribed for the employees personal use and other mind altering substances.**
- 3. Employees should refrain from the use of "over the counter" medications such as Nyquil and other medications that may contain significant amounts of alcohol, codeine or has the warning label "may cause drowsiness". These medications, although legal, can cause symptoms similar to alcohol impairment and significantly impair an employee's ability to safely operate vehicles and equipment.**
- i. An employee is involved in a "serious accident". A "serious accident" is defined as:
 - 1. An accident that involves a fatality.**
 - 2. An accident causing bodily injury which requires medical treatment away from the scene.**
 - 3. An accident causing a total aggregate property damage to the county vehicle of****

\$1000 or more based on reliable estimates. For the purposes of the Safety Policy, the term "reliable estimates" will mean the estimate of the Accident Investigator at the scene.

4. An accident in which the county vehicle **incurs disabling damage as result of the accident** requiring towing of the vehicle from the scene by a tow truck or other vehicle.

J. A county vehicle that is involved in:

1. An accident and the vehicle is legally parked; the employee is performing county duties and the vehicle was not occupied at the time of the accident will not require the employee to pass a drug and alcohol test.

NOTE: If the vehicle is occupied for any reason and the occupant incurs injuries, then this exemption will not apply.

2. An accident involving animals (deer, livestock, etc.,) will not require the employee to pass a drug and alcohol test.

- K. During the course of the investigation both Supervisors and Accident Investigators need to be aware of and watchful for behavior consistent with the use of or being under the influence of illegal drugs or alcohol. There are a number of "over the counter" medications which contain significant amounts of alcohol and can cause a person to appear intoxicated. There are numerous medical conditions that may cause or mimic these same signs and symptoms. Supervisors and Accident Investigators should question the employee to determine if an underlying medical condition exists which may be causing the problem. If the cause of the behavior is related to a medical condition, the employee should immediately be evaluated at a medical facility that can correct the problem.

Any employee that exhibits any of the following signs or symptoms may be considered under the influence of drugs or alcohol **if there is no underlying medical condition that will present with the same signs and symptoms:**

1. Extreme mood swings.
2. Slurred speech.
3. Unusual clumsiness, erratic behavior or staggering.
4. Dilation of pupils.
5. Excessive, unexplained sweating.
6. The odor of alcohol on the employee's breath.

- L. As a minimum, the employee should be tested for the presence of THC (marijuana), cocaine, amphetamines, barbiturates, hallucinogens and alcohol.

13. Safety Committee Review and Operator Liability Assessment

Governments cannot use profit as an incentive to conserve resources and encourage compliance with safety guidelines, law and practices. Other incentives for good performance and disincentives for poor performance must be developed to encourage employees to meet expectations.

Darlington County expects its employees to comply with vehicle and equipment operating instructions by obeying traffic laws, rules of the road, and county policies and to use good common sense at all times. This policy is established to discourage those practices that fail to meet expectations. **It provides that operators may be assessed a monetary penalty equal to the cost of repairs for damages to county vehicles and equipment, under certain circumstances.**

A. Safety Committee:

1. The Safety Committee meets quarterly with meetings held in the months of March, June, September and December. Accidents occurring during the previous quarter are reviewed by the committee. The committee reviews each accident on an individual basis. All supporting documentation, evidence and/or witnesses will be heard and considered by the Safety Committee.
2. The Safety Committee functions as the accident investigation arm of the county. Committee members from the same department as an employee or operator involved in an accident will not participate in that particular operator's review or determination.
3. The Accident Investigator that investigated the accident will present the facts to the Safety Committee for each covered accident. The Committee will review all appropriate, available information and call witnesses as necessary.
4. All Committee recommendations must be submitted to the County Administrator for his/her review and approval before implementation.

B. Assessment Recommendations:

1. The Safety Committee will determine the assessment within established guidelines.

2. The Committee will determine whether the accident was caused by the employee's negligence or failure to comply with operating instructions, traffic laws, rules of the road, safety rules and/or common sense. This will be done by determining:
 - Was the accident **chargeable or non-chargeable**?
 - Was the accident **preventable or non-preventable**?
3. If the Committee determines that the accident was **chargeable and preventable**, it will recommend that the responsible operator will be levied an assessment of 10 percent of the repair cost up to a t assessment of \$500. Additionally, the Committee may recommend that the vehicle operator attend remedial driver training and/or recommend disciplinary action to the Department Director.

The cost of any remedial driver training shall be deducted from the employees' total assessment upon successful completion of such training. (Remedial driver training includes but is not limited to, Defensive Driving courses, coaching the Maintenance Vehicle Operator's course, coaching the Emergency Vehicles Operator's course and other approved courses.)

4. If the operator fails to cooperate with the committee, such behavior shall constitute a prima facie, determining the accident was chargeable and preventable.

C. Assessment Follow-up and Implementation:

1. Committee reports and findings shall be submitted to the Administrator for his/her review and approval no later than fourteen (14) days after review by the Safety Committee.
2. A detailed, written report, including repair estimates from the Shop Manager must be submitted to the Administrator when a liability assessment is recommended. Also, recommendations to prevent further accidents of this type or changes to safety policy shall be included.
3. The Committee will prepare a synopsis of the cases heard and findings.
4. For liability assessments approved by the Safety Committee, the Human Resources Manager shall direct the payroll staff to make deductions from the employee's payroll check on a bi-weekly basis not to exceed \$25, nor deduct less than \$5 per deduction. Any amount of the assessment remaining at the employee's termination shall be deducted from accrued annual leave payments, unless the employee is deceased. Assessments per pay period may be less if necessary to insure that the employee's gross

pay is equal to or greater than minimum wage (net of the assessment).

Assessments levied shall be in addition to any other disciplinary or remedial actions directed by the Department Director and approved as appropriate, by the Administrator.

14. Personnel Injury reporting

A. Personnel Accidents: Personnel accidents are reviewed by the Special Programs Coordinator using a copy of the Worker's Compensation First Report of Injury. The Safety Committee reviews personnel injuries through the OSHA 300 logs. The Human Resources Manager provides the Special Programs Coordinator with a copy of the First Report of Injury. The form is reviewed and should further investigation be necessary, the Special Programs Coordinator will initiate the investigation. Comments on injuries received as a result of vehicle or equipment accidents will be included in the initial Accident Investigators report. Personnel accidents are not normally investigated by Safety Committee Accident Investigators; however, Department Directors may request assistance from the Safety Committee Investigators. Department Directors should investigate and document the Investigation results on the Supervisor's Accident Investigation Form, DCSP Form 5

B. Reporting of Personnel Accidents:

1. Injuries involving County employees: Accidents with injuries involving county employees will be reported directly to the Department Director or Supervisor. The Supervisor's First Report of Injury, DCSP Form 1, will be used to document the employees' injuries. The First Report of Injury must be submitted within 24 hours of the accident to the Human Resources Manager.

Inmates at the Prison Farm are considered county employees for insurance purposes.

If the employee is treated through basic first aid, a First Report of Injury is not required. Supervisors may prepare a First Report of Injury and send it to the Human Resources Manager; however a Worker's Compensation file will not be opened on the employee. Employees that require medical treatment other than basic first aid by a physician or at a medical facility will have Worker's Compensation claimed opened on them. The Supervisor or Human Resources Manager will hold all First

Reports of Injury where the employee was treated with first aid. If the employee's medical status changes, the Human Resources Manager will be immediately notified.

2. **Injuries involving non-county personnel:** Injuries that occur as a result of accidents involving county vehicles and equipment or on county property and involve personnel that are **not** county employees will be reported on the Non-employee Injury Report, DCSP Form 2.

Non-employee personnel, including but is not limited to, volunteers with certain departments, students or citizens involved in a ride-a-long program or citizens engaging in activities sponsored by Darlington County. Questions about the injured person's status should be directed to the Human Resources Manager. The Department Director or Supervisor for the affected department will conduct the appropriate investigation to determine the exact details of the accident.

Department Directors and Supervisors may use the Supervisor's Accident Investigation Form, DCSP Form 5 to document the investigation results. Departments may request assistance from the Safety Committee Investigators to assist in the conduct of the investigation.

c. There is no assessment policy for personnel accidents.

Injuries caused to either a county employee or non-employee by another employee's actions should be addressed by the Department Director or Supervisor as warranted by the situation.

New Employee Safety Training Documentation Form:

At the completion of this training the employee will sign the New Employee Training Documentation Form in Appendix 1.

The Supervisor conducting the training will also sign and date that same form.

The original copy will be forwarded to the Human Resources Manager for enclosure in the employees personnel file. A copy will be retained for department