

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** June 17, 2026  
**SUBJECT:** Employee Handbook Revision  
**PRESENTER(S):** Karen Ensley, Human Resources Director

**ATTACHMENTS:** Yes  
1. Proposed Substantive Changes  
2. Henderson County Employee Handbook, Revised June 2026

**SUMMARY OF REQUEST:**

The Board is requested to approve the adoption of the revised Henderson County Employee Handbook, effective July 1, 2026. The Handbook has been updated to reflect current organizational policies, legal requirements, and best practices in human resources management.

**BOARD ACTION REQUESTED:**

*Approve the revised Henderson County Employee Handbook as presented, authorizing its implementation effective July 1, 2026, and granting specific and non-substantive edits as needed.*

## Proposed Substantive Changes to Henderson County Employee Handbook

Section	Description	Revision
1.1	Summary	Added "reviewed by Henderson County Human Resources" for potential amendments process.
3.1	Ethical Conduct	Included "Failure to notify your supervisor of an arrest or conviction under a criminal statute within 5 days could result in disciplinary action up to and including termination."
3.6	County Equipment	Removed requirement for the execution of an agreement of responsibility when issued County Equipment.
4.1	4.1 Employment Definitions	Clarified various definitions, removed others no longer used
4.4.2	New Hire Rate	Edited to reflect hiring practice of requirement Human Resource Director and County Manager approval for pay rates above the minimum in a range.
5.5	Central Personnel Files	Edited to include all employee documents included as public recorded under NCGS 153A-98
5.7	Progressive Discipline Procedures	Revised to include additional examples of expectations of Henderson County employees.
6.1	Vacation Leave/Vacation	Revised to remove effective date of Henderson County acceptance of military service towards vacation accrual.
6.2	Sick Leave	Revised to include aunt and uncle in list of family members, to allow Department Head to request a healthcare provider's statement for sick leave, to remove the cap of 30 days for sick leave transfers.
6.4	Bereavement Leave/Funeral Leave	Edited to clarify bereavement leave is per event.
6.5	Holidays	Edited to clarify holiday pay will be equal to an employee's standard scheduled workday.
6.6	General Leave of Absence	Edited to clarify operations uses of accruals during general leave of absence.
6.12	Community Service Leave	Revised to allow County Manager's discretion for days for paid Community Service Leave beyond 1 day per year.



# Henderson County Employee Handbook

# TABLE OF CONTENTS

<b>Chapter 1.— Introduction .....</b>	<b>7</b>
<b>1.1.— Summary.....</b>	<b>7</b>
<b>1.2.— Policy of At-Will Employment.....</b>	<b>8</b>
<b>1.3.— Policies for Employees of Certain Officials .....</b>	<b>8</b>
<b>Chapter 2.— State and Federal Policies.....</b>	<b>9</b>
<b>2.1.— Equal Employment Policy.....</b>	<b>9</b>
<b>2.2.— Equal Employment Opportunity Grievance Procedures .....</b>	<b>9</b>
<b>2.3.— Workplace Harassment / Sexual Harassment.....</b>	<b>10</b>
<b>2.4.— Americans with Disabilities Act (ADA).....</b>	<b>11</b>
<b>2.5.— Title VI of the Civil Rights Act of 1964.....</b>	<b>11</b>
<b>2.6.— HIPAA .....</b>	<b>11</b>
<b>2.7.— Whistleblower Protection .....</b>	<b>11</b>
<b>Chapter 3.— Code of Ethics .....</b>	<b>13</b>
<b>3.1.— Ethical Conduct .....</b>	<b>13</b>
<b>3.2.— Conflict of Interest.....</b>	<b>13</b>
<b>3.3.— Political Activity.....</b>	<b>13</b>
<b>3.4.— Secondary Employment.....</b>	<b>14</b>
<b>3.5.— Nepotism.....</b>	<b>15</b>
<b>3.6.— <i>County Equipment</i>.....</b>	<b>15</b>
<b>3.7.— Gifts and Contributions .....</b>	<b>15</b>
<b>Chapter 4.— Classification and Compensation .....</b>	<b>17</b>
<b>4.1.— Employment Definitions .....</b>	<b>17</b>

<b>4.2.— Establishment of the Pay Plan .....</b>	<b>20</b>
<b>4.3.— Compensation Philosophy.....</b>	<b>20</b>
<b>4.4.— Classification System.....</b>	<b>21</b>
<b>4.5.— Performance Management and Appraisal .....</b>	<b>21</b>
<b>4.6.— Retention Bonus Program.....</b>	<b>23</b>
<b>4.6.1 — Retention Bonus Process .....</b>	<b>23</b>
<b>4.7.— Outstanding Performance Award .....</b>	<b>24</b>
<b>4.7.1 — Outstanding Performance Award Process.....</b>	<b>24</b>
<b>4.8.— Across the Board Adjustment .....</b>	<b>24</b>
<b>4.9.— Pay Practices.....</b>	<b>24</b>
<b>4.9.1 — Re-Hires .....</b>	<b>25</b>
<b>4.9.2 — Promotions .....</b>	<b>25</b>
<b>4.9.3 — Demotions .....</b>	<b>25</b>
<b>4.9.4 — Reclassifications .....</b>	<b>25</b>
<b>4.9.5 — Lateral Transfer .....</b>	<b>25</b>
<b>4.9.6 — Interim Assignments.....</b>	<b>25</b>
<b>4.9.7 — Trainee Pay Rate.....</b>	<b>25</b>
<b>4.9.8 — Temporary Employees.....</b>	<b>26</b>
<b>4.9.9 — Auxiliary Employees .....</b>	<b>26</b>
<b>4.9.10 — On Call and Call Back .....</b>	<b>26</b>
<b>4.10.— Probationary Period of Employment.....</b>	<b>27</b>
<b>4.11.— Timekeeping Practices .....</b>	<b>27</b>
<b>4.11.1 — Work Week and Time Records .....</b>	<b>27</b>
<b>4.11.2 — Compensatory Time.....</b>	<b>28</b>
<b>4.11.3 — Meal and Rest Breaks .....</b>	<b>28</b>
<b>4.11.4 — Travel Time .....</b>	<b>28</b>

4.11.5	Overtime.....	28
<b>Chapter 5.</b>	<b>General Personnel Policies .....</b>	<b>30</b>
5.1.	Recruitment and Selection .....	30
5.2.	Attendance.....	30
5.3.	Canvassing or Solicitation .....	30
5.4.	Inclement Weather.....	31
5.5.	Central Personnel Files.....	31
5.6.	Promotions, Transfers, and Reassignments.....	31
5.7.	Progressive Discipline Procedure.....	32
5.8.	Suspensions .....	33
5.9.	Demotions .....	33
5.10.	Immediate Discipline.....	33
5.11.	Separation from Employment.....	33
5.11.1	Resignations .....	34
5.11.2	Reduction in Force.....	34
5.12.	Garnishments and Levies .....	34
5.13.	Safety.....	34
5.14.	Drug Free Workplace Policy .....	35
5.15.	Tobacco Use .....	35
5.16.	Travel Policy.....	35

<b>5.17. Business Credit Card Use</b>	<b>35</b>
<b>5.18. Information Technology</b>	<b>35</b>
<b>5.19. Appeals Process</b>	<b>36</b>
<b>5.20. Workplace Violence Prevention</b>	<b>37</b>
<b>5.21. Identification Badge</b>	<b>37</b>
<b>Chapter 6. Leave Policies</b>	<b>38</b>
<b>6.1. Vacation Leave / Vacation</b>	<b>38</b>
<b>6.2. Sick Leave</b>	<b>40</b>
<b>6.3. Child School Leave</b>	<b>42</b>
<b>6.4. Bereavement Leave / Funeral Leave</b>	<b>42</b>
<b>6.5. Holidays</b>	<b>43</b>
<b>6.6. General Leave of Absence</b>	<b>43</b>
<b>6.7. Military Leave</b>	<b>44</b>
<b>6.8. Civic Duty Leave</b>	<b>45</b>
<b>6.9. Family and Medical Leave</b>	<b>46</b>
<b>6.10. Administrative Leave</b>	<b>46</b>
<b>6.11. Community Service Leave</b>	<b>46</b>
<b>Chapter 7. Employee Benefits</b>	<b>47</b>
<b>7.1. Benefits Eligibility</b>	<b>47</b>
<b>7.2. Retirement Health Insurance Benefit</b>	<b>47</b>

<b>7.3. Health Insurance Benefit</b>	<b>48</b>
<b>7.4. Benefit Premiums/Payroll Deductions</b>	<b>48</b>
<b>7.5. COBRA</b>	<b>48</b>
<b>7.6. Open Enrollment Period</b>	<b>49</b>
<b>7.7. Employee Assistance Program</b>	<b>49</b>
<b>7.8. Flexible Spending Accounts</b>	<b>49</b>
<b>7.9. Supplemental Retirement Plans /Deferred Compensation</b>	<b>50</b>
<b>7.10. Supplemental Benefits</b>	<b>50</b>
<b>7.11. Workers' Compensation</b>	<b>50</b>
<b>7.12. Shared Leave Pool</b>	<b>50</b>
<b>7.13. Tuition Reimbursement</b>	<b>51</b>
<b>7.14. Local Governmental Employees' Retirement System</b>	<b>51</b>
<b>7.15. Credit Union</b>	<b>51</b>
<b>Chapter 1. Introduction</b>	<b>12</b>
<b>1.1. Summary</b>	<b>12</b>
<b>1.2. Policy of At-Will Employment</b>	<b>13</b>
<b>1.3. Policies for Employees of Certain Officials</b>	<b>13</b>
<b>Chapter 2. State and Federal Policies</b>	<b>14</b>
<b>2.1. Equal Employment Policy</b>	<b>14</b>
<b>2.2. Equal Employment Opportunity Grievance Procedures</b>	<b>14</b>
<b>2.3. Workplace Harassment / Sexual Harassment</b>	<b>15</b>
<b>2.4. Americans with Disabilities Act (ADA)</b>	<b>16</b>
<b>2.5. Title VI of the Civil Rights Act of 1964</b>	<b>16</b>
<b>2.6. HIPAA</b>	<b>16</b>
<b>2.7. Whistleblower Protection</b>	<b>16</b>

<b>Chapter 3. Code of Ethics .....</b>	<b>18</b>
<b>3.1. Ethical Conduct .....</b>	<b>18</b>
<b>3.2. Conflict of Interest.....</b>	<b>18</b>
<b>3.3. Political Activity .....</b>	<b>18</b>
<b>3.4. Secondary Employment .....</b>	<b>19</b>
<b>3.5. Nepotism.....</b>	<b>20</b>
<b>3.6. County Equipment .....</b>	<b>20</b>
<b>3.7. Gifts and Contributions .....</b>	<b>21</b>
<b>Chapter 4. Classification and Compensation .....</b>	<b>22</b>
<b>4.1. Employment Definitions .....</b>	<b>22</b>
<b>4.2. Establishment of the Pay Plan .....</b>	<b>25</b>
<b>4.3. Compensation Philosophy.....</b>	<b>26</b>
<b>4.4. Classification System .....</b>	<b>26</b>
<b>4.5. Performance Management and Appraisal .....</b>	<b>26</b>
<b>4.6. Retention Bonus Program.....</b>	<b>28</b>
<b>4.6.1 Retention Bonus Process .....</b>	<b>29</b>
<b>4.7. Outstanding Performance Award .....</b>	<b>29</b>
<b>4.7.1 Outstanding Performance Award Process.....</b>	<b>29</b>
<b>4.8. Across the Board Adjustment .....</b>	<b>30</b>
<b>4.9. Pay Practices.....</b>	<b>30</b>
<b>4.9.1 Re-Hires .....</b>	<b>30</b>
<b>4.9.2 Promotions .....</b>	<b>30</b>
<b>4.9.3 Demotions .....</b>	<b>30</b>
<b>4.9.4 Reclassifications .....</b>	<b>30</b>
<b>4.9.5 Lateral Transfer .....</b>	<b>31</b>

<b>4.9.6</b>	<b><i>Interim Assignments</i></b> .....	<b>31</b>
<b>4.9.7</b>	<b><i>Trainee Pay Rate</i></b> .....	<b>31</b>
<b>4.9.8</b>	<b><i>Temporary Employees</i></b> .....	<b>31</b>
<b>4.9.9</b>	<b><i>Auxiliary Employees</i></b> .....	<b>31</b>
<b>4.9.10</b>	<b><i>On Call and Call Back</i></b> .....	<b>31</b>
<b>4.10.</b>	<b><i>Probationary Period of Employment</i></b> .....	<b>32</b>
<b>4.11.</b>	<b><i>Timekeeping Practices</i></b> .....	<b>32</b>
<b>4.11.1</b>	<b><i>Work Week and Time Records</i></b> .....	<b>33</b>
<b>4.11.2</b>	<b><i>Compensatory Time</i></b> .....	<b>33</b>
<b>4.11.3</b>	<b><i>Meal and Rest Breaks</i></b> .....	<b>33</b>
<b>4.11.4</b>	<b><i>Travel Time</i></b> .....	<b>34</b>
<b>4.11.5</b>	<b><i>Overtime</i></b> .....	<b>34</b>
	<b>Chapter 5. General Personnel Policies</b> .....	<b>36</b>
<b>5.1.</b>	<b><i>Recruitment and Selection</i></b> .....	<b>36</b>
<b>5.2.</b>	<b><i>Attendance</i></b> .....	<b>36</b>
<b>5.3.</b>	<b><i>Canvassing or Solicitation</i></b> .....	<b>37</b>
<b>5.4.</b>	<b><i>Inclement Weather</i></b> .....	<b>37</b>
<b>5.5.</b>	<b><i>Central Personnel Files</i></b> .....	<b>38</b>
<b>5.6.</b>	<b><i>Promotions, Transfers, and Reassignments</i></b> .....	<b>38</b>
<b>5.7.</b>	<b><i>Progressive Discipline Procedure</i></b> .....	<b>39</b>
<b>5.8.</b>	<b><i>Suspensions</i></b> .....	<b>40</b>
<b>5.9.</b>	<b><i>Demotions</i></b> .....	<b>40</b>
<b>5.10.</b>	<b><i>Immediate Discipline</i></b> .....	<b>40</b>

<b>5.11. Separation from Employment</b>	<b>40</b>
<b>5.11.1 Resignations</b>	<b>40</b>
<b>5.11.2 Reduction in Force</b>	<b>41</b>
<b>5.12. Garnishments and Levies</b>	<b>41</b>
<b>5.13. Safety</b>	<b>41</b>
<b>5.14. Drug Free Workplace Policy</b>	<b>41</b>
<b>5.15. Tobacco Use</b>	<b>42</b>
<b>5.16. Travel Policy</b>	<b>42</b>
<b>5.17. Business Credit Card Use</b>	<b>42</b>
<b>5.18. Information Technology</b>	<b>42</b>
<b>5.19. Appeals Process</b>	<b>43</b>
<b>5.20. Workplace Violence Prevention</b>	<b>43</b>
<b>5.21. Identification Badge</b>	<b>45</b>
<b>Chapter 6. Leave Policies</b>	<b>45</b>
<b>6.1. Vacation Leave / Vacation</b>	<b>47</b>
<b>6.2. Sick Leave</b>	<b>49</b>
<b>6.3. Child School Leave</b>	<b>49</b>
<b>6.4. Bereavement Leave / Funeral Leave</b>	<b>50</b>
<b>6.5. Holidays</b>	<b>50</b>
<b>6.6. General Leave of Absence</b>	<b>52</b>

<b><u>6.7. Shared Leave Pool.....</u></b>	<b><u>53</u></b>
<b><u>6.8. Military Leave .....</u></b>	<b><u>53</u></b>
<b><u>6.9. Civic Duty Leave .....</u></b>	<b><u>53</u></b>
<b><u>6.10. Family and Medical Leave.....</u></b>	<b><u>54</u></b>
<b><u>6.11. Administrative Leave .....</u></b>	<b><u>55</u></b>
<b><u>6.12. Community Service Leave .....</u></b>	<b><u>54</u></b>
<b><u>Chapter 7. Employee Benefits.....</u></b>	<b><u>55</u></b>
<b><u>7.1. Benefits Eligibility.....</u></b>	<b><u>56</u></b>
<b><u>7.2. Retirement Health Insurance Benefit .....</u></b>	<b><u>55</u></b>
<b><u>7.3. Health Insurance Benefit.....</u></b>	<b><u>56</u></b>
<b><u>7.4. Benefit Premiums/Payroll Deductions .....</u></b>	<b><u>56</u></b>
<b><u>7.5. COBRA .....</u></b>	<b><u>56</u></b>
<b><u>7.6. Open Enrollment Period .....</u></b>	<b><u>56</u></b>
<b><u>7.7. Employee Assistance Program .....</u></b>	<b><u>57</u></b>
<b><u>7.8. Flexible Spending Accounts.....</u></b>	<b><u>57</u></b>
<b><u>7.9. Supplemental Retirement Plans /Deferred Compensation .....</u></b>	<b><u>57</u></b>
<b><u>7.10. Supplemental Benefits .....</u></b>	<b><u>58</u></b>
<b><u>7.11. Workers' Compensation.....</u></b>	<b><u>58</u></b>
<b><u>7.12. Tuition Reimbursement.....</u></b>	<b><u>58</u></b>
<b><u>7.13. Local Governmental Employees' Retirement System .....</u></b>	<b><u>59</u></b>
<b><u>7.14. Credit Union .....</u></b>	<b><u>59</u></b>



# Chapter 1. Introduction

## 1.1. Summary

This handbook has been designed to outline and summarize basic personnel policies, employee benefits, employee responsibilities, and employee privileges.

Henderson County is committed to providing a quality workplace for employees. It is our goal to:

- Provide management that is skilled, fair, and concerned about the welfare of our employees.
- Equitably compensate each employee in accordance with our classification and compensation plan.
- Give fair opportunity to current employees for transfer or promotion from within the County.
- Discuss willingly and frankly any problems, complaints, or questions regarding County personnel policies.
- Provide information to employees regarding any changes that may affect them or their families.

This handbook revokes and supersedes all prior handbooks, amendments, and any policy or communication related to the employee handbook.

This handbook was developed to provide general guidelines about Henderson County Government's policies and procedures for employees; however, it does not contain promises to any employee about how any particular situation will be handled. It is a guide to assist employees in becoming familiar with some of the benefits and obligations of employment, including our policy that all employees of Henderson County are "at-will" employees. (Reference 1.2, below). None of the guidelines in this handbook are intended to give rise to contractual rights or obligations, nor are they to be construed as a guarantee of employment for any specific period of time or any specific type of work. These guidelines, except the policy of employment at-will, are subject to modification, amendment, or revocation by Henderson County Government at any time, without advance notice.

It is the intention of Henderson County Government to adhere to all State and Federal laws. Any personnel policy found to be in conflict with a State or Federal law will be changed to ensure compliance with the law.

Amendments may be made periodically in the following process:

- reviewed by Henderson County Human Resources
- reviewed by the Office of the County Attorney,
- approved by the County Manager,
- approved by the County Commission (if required by Statute), and
- communicated to all Henderson County employees.

It is your responsibility to ensure that you have the most up-to-date version of the handbook. All questions pertaining to information found in this handbook should be referred to Human Resources.

## **1.2. Policy of At-Will Employment**

Henderson County does not offer tenured or guaranteed employment for employees not covered by the North Carolina Human Resources Act (Chapter 126 of the North Carolina General Statutes)<sup>1</sup>. Either the County or the employee can terminate the employment relationship at any time, with or without cause, with or without notice. All the remainder of this handbook should be read with this statement in mind. This at-will employment relationship exists regardless of any other written statements or policies contained in this Handbook or any verbal statement to the contrary. No entity except the Board of Commissioners can enter into any kind of employment relationship or agreement that is contrary to the previous statement. To be enforceable, the arrangement reflecting such relationship or agreement must be in writing; having been first lawfully adopted by the Board and is lawfully executed by the County.

## **1.3. Policies for Employees of Certain Officials**

Certain officials have the jurisdiction under the North Carolina General Statutes to create, maintain, and administer separate personnel policies and procedures for their offices. These officials include the Clerk to the Board of Commissioners, the County Attorney, the Register of Deeds, and the Sheriff. In most of these cases, these officials have adopted most or all of these procedures and policies as their own and will have informed you of any deviation from this document.

Other offices – Tourism Development Authority, Cooperative Extension, Soil and Water Conservation, and Elections – have agreed by contract to follow this manual to the same extent as for other Henderson County employees, except to the extent that their operation is controlled by North Carolina or Federal law.

Offices subject to the North Carolina State Human Resources Act shall remain so subject to the extent of any conflict between the terms of this handbook and such Act. This handbook and the Resolution under which it is adopted shall not in any circumstances be deemed or interpreted to be a “substantially equivalent” policy pursuant to N.C. Gen. Stat. §126-11.

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<sup>1</sup> Conditions of employment of employees of the Henderson County Department of Public Health and the Henderson County Department of Social Services are covered by Chapter 126, and, in certain contexts, conditions of employment of some employees of the Henderson County Department of Elections and the Henderson County Agriculture Extension Office, may be covered.

# Chapter 2. State and Federal Policies

## **2.1. Equal Employment Policy**

Henderson County maintains an equal employment opportunity policy and does not discriminate in hiring practices or terms and conditions of employment. All applicants and employees receive equal employment opportunities and all personnel decisions, actions, and conditions affecting employees, including, but not limited to assignment, transfer, promotion, and compensation, will be governed by the principles of equal opportunity.

Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or discipline because of political or religious opinions or affiliations or because of race, color, religion, sex (including pregnancy, sexual orientation, transgender status), genetic information, national origin, age (40 years of age or older) disability, veteran status or other non-employment related factor shall be prohibited as defined by Federal law

The Human Resources Director has been designated as the Equal Employment Opportunity (EEO) Officer for Henderson County. The EEO Officer has overall responsibility for the implementation and monitoring of the County's Equal Employment Policy, as well as authority over the internal procedures employees use to resolve EEO and harassment claims.

## **2.2. Equal Employment Opportunity Grievance Procedures**

It is the policy of Henderson County to establish a procedure for employees to follow in order to bring grievances of discrimination or harassment to the attention of management.

Procedure:

1. If there is a question or complaint regarding employment practices that you are unable to resolve with your immediate supervisor, you are encouraged to make that question or complaint known to the Equal Employment Opportunity (EEO) Officer (who is the Human Resources Director), on an [EQUAL EMPLOYMENT OPPORTUNITY GRIEVANCE FORM](#) supplied by the Henderson County Human Resources Department. You will be asked to state in writing the nature and detail of the complaint. Any employee filing a complaint will not be subject to retaliation.
2. The EEO Officer will investigate the complaint with your supervisor or department head and any other person with knowledge of the situation.
3. You will be advised of the completion of the investigation.
4. A record of the complaint and findings will become a part of the complaint investigation record, and the file will be maintained separately from your personnel file.

The Equal Employment policy stated herein may be more extensive than your rights under Federal or North Carolina law. No additional legal rights beyond those granted by Federal or North Carolina law are granted by this Policy.

### **2.3. Workplace Harassment / Sexual Harassment**

Henderson County believes that you should be provided with a working environment free from unlawful harassment. It is the policy of Henderson County Government that verbal or physical conduct by any employee that unlawfully harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment will not be tolerated.

If you believe you are being subjected to sexual, racial, religious, national origin, age, disability, or other illegal harassment, or believe you are being discriminated against, you must bring this to the County's attention. The nature of unlawful harassment often makes it impossible to detect unless the person being harassed registers his or her discontent with the appropriate authorities. **You** have the responsibility to report the unlawful harassment as soon as possible to the appropriate supervisor, or to your department head, or to the Human Resources Director. You may decide to which of these three persons the report will be made.

All complaints of unlawful harassment must be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible.

Any employee, supervisor, or department head that is found to have engaged in unlawful harassment of another employee will be subject to appropriate disciplinary action, up to and including discharge.

Sexual Harassment: Each department head, supervisor, and employee have a responsibility to maintain the workplace free of any form of sexual harassment. Sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is prohibited. Such conduct includes, but is not limited to:

1. Unwanted flirtations, touching, advances, or propositions;
2. Verbal abuse of a sexual nature;
3. Graphic or suggestive comments about an individual's dress or body;
4. Sexually degrading words to describe an individual;
5. The display of sexually suggestive objects or pictures, including nude photographs.
6. The suggestion of some reward in return for sexual favors.

As with any form of unlawful harassment, you have the responsibility to report sexual harassment to an appropriate authority as soon as possible. You may report to either your supervisor, department head, or the Human Resources Director. Your complaint of sexual harassment must be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible. You will be advised of the completion of the investigation.

Any employee, supervisor, or department head that is found to have engaged in sexual harassment of another employee will be subject to appropriate disciplinary action, up to and including discharge.

## **2.4. Americans with Disabilities Act (ADA)**

Henderson County Government complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA), which prohibits discrimination on the basis of disability. The ADA prohibits employers with 15 or more employees from discriminating against qualified job applicants and employees who are or become disabled.

Henderson County Government is committed to providing reasonable accommodations to qualified individuals with disabilities, unless it would impose an undue hardship on the County. If you have a disability, you may request a reasonable accommodation at any time during the application process or during the period of employment. You, your health professional, or any other representative acting on your behalf may request an accommodation. This may be done verbally or by completing an [Americans with Disabilities Act \(ADA\) Reasonable Accommodation Request Form](#). This form may also be obtained from the Henderson County Human Resources Department.

Reasonable documentation from an appropriate healthcare or rehabilitation professional will be required to establish that you have an ADA-qualified disability, and that the disability necessitates a reasonable accommodation.

Henderson County also has adopted an ~~ADA grievance policy. A copy of this policy is available from the Henderson County Human Resources Department.~~[Henderson County Americans With Disabilities Act \(ADA\) Grievance Policy.](#)

## **2.5. Title VI of the Civil Rights Act of 1964**

Henderson County Government complies with Title VI of the Civil Rights Act of 1964. To report any complaints or to receive additional information about Title VI, contact the Human Resources Director.

## **2.6. HIPAA**

Henderson County Government complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and has adopted and follows guidelines involving the protected health information of employees, dependents, and patients.

## **2.7. Whistleblower Protection**

A whistleblower is an employee of Henderson County who reports an activity that he/she considers illegal or dishonest to his/her supervisor, Department Head and/or Human

Resources Director. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed; misappropriation of funds; accepting or receiving material value from vendors, contractors or other person providing services or materials to the County; using County funds to make unauthorized purchases; authorizing or receiving compensation for hours not worked; for goods not delivered; other fraudulent financial reporting and/or any similar or related inappropriate conduct.

If an employee has knowledge or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor, Department Head and/or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including dismissal.

Whistleblower protections are provided in two (2) important areas – confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained.

The County prohibits discrimination or retaliatory action against an employee because the employee, in good faith, files or threatens to file a claim or complaint, initiate an investigation, testify or provide information to any person with respect to illegal or inappropriate activity. For more information, contact the Human Resources Department.

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## Chapter 3. Code of Ethics

It is the policy of Henderson County Government to uphold, promote, and demand the highest standards of ethics from all employees and officials, whether elected or appointed. Accordingly, all county employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their county position or powers for improper personal gain.

### 3.1. Ethical Conduct

You are required to maintain the highest ethical standards in the conduct of your official duties. This also applies to non-work situations when you identify yourself as a County employee (i.e., wearing a County identification badge, distributing a County business card, wearing a County uniform, driving a County vehicle, etc.). There shall be no activity which is in conflict with the interest of your official duties. You cannot use your position with the County for private interest.

Employees must notify their supervisor of any arrest or conviction under a criminal statute for violations on or off county property or whether on or off the job within 5 calendar days. Failure to notify your supervisor could result in disciplinary action up to and including termination of employment.

### 3.2. Conflict of Interest

Employment with Henderson County Government is a public trust. You must at all times act in accord with the Henderson County Code of Ethics and the Henderson County Conflict of Interest Policies. You must not have any financial interest in, or receive any financial benefit from, any acquisition or expenditure related to County activities that interferes or conflicts with the full discharge of your duties. Even if no interference or conflict with the full discharge of your duties would or may exist, you must make full disclosure to your Department Head and the Human Resources Director of any financial interest you or any relative have in, or any financial benefit you or any relative receive, any acquisition or expenditure related to County activities for review and approval. For the purpose of this policy, “relative” means parent, stepparent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, stepbrother, sister, sister-in-law, foster sister, stepsister, grandparent, son-in-law, daughter-in-law, grandchild, or other person who resides in the same household. A court-appointed legal guardian or an individual who has acted as a parent substitute is also included within this definition.

### 3.3. Political Activity

You may join or affiliate with civic organizations of a partisan or a political nature, may attend political meetings, and may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of

North Carolina and in accordance with the Constitution and the laws of the United States of America.

However, you may not:

- Engage in any political activity while on duty;
- Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- Be required as a duty of employment or as a condition of employment, promotion, or tenure of office to contribute resources or time for political or partisan purposes;
- Coerce or compel contributions of resources or time for political or partisan purposes from another employee of the County; or
- Use any supplies or equipment (including electronic communication) of the County for political or partisan purposes.

No employee may serve in an elected position or be a candidate for County Commissioner of Henderson County. No County Commissioner, or candidate for County Commissioner of Henderson County, may be employed by Henderson County or be considered for employment by Henderson County government. A person will be determined to be a “candidate for County Commissioner of Henderson County government” when such person:

- Has taken some formal or public action that may lead to being elected as County Commissioner of Henderson County;
- Has formed any kind of fundraising or campaign committee for the office of County Commissioner of Henderson County;
- Announces through news or other social media or mail that the employee intends to become a candidate for the office of County Commissioner of Henderson County;
- Files an official document regarding candidacy for the office of County Commissioner of Henderson County with any Board of Elections; or
- Have any of the foregoing actions performed on the employee’s behalf, and refuses to clearly disavow such actions and any intention of election to office as County Commissioner of Henderson County.

In the event any employee is elected to a position as County Commissioner of Henderson County, whether or not they were a “candidate” for such position, then any employment of such employee shall be deemed terminated upon such election.

### **3.4. Secondary Employment**

You shall not engage in any outside employment which adversely affects your work performance as an employee of the County or creates a conflict of interest.

If you engage in other employment, you must complete the [Henderson County Secondary Employment Form](#) and provide it to your supervisor stating the name of the employer, the

nature of work or business, specific duties, and hours worked per week. Your supervisor will send a copy of this form to the Human Resources Director for review, determination and placement in your personnel file.

You shall at all times give first employment priority to the performance of your Henderson County job. County work schedules will not be adjusted to accommodate non-County work schedules.

### **3.5. Nepotism**

You are not permitted to supervise, directly or indirectly, a relative. Supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, pay decision, disciplinary decision, or the evaluation process of another employee.

Violations of this policy occurring as a result of marriage, living arrangement, promotion, or reorganization shall be resolved by transfer of one of the employees to another department, where qualified (in the opinion of the County) for such transfer, or by resignation/termination of one of the employees to eliminate the violation.

For the purpose of this policy, “relative” means parent, stepparent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, stepbrother, sister, sister-in-law, foster sister, stepsister, grandparent, son-in-law, daughter-in-law, grandchild, other person who resides in the same household, or the relative of another person residing in the same household. A court-appointed legal guardian or an individual who has acted as a parent substitute is also included within this definition.

For the purpose of this policy, “department” means the major departments of Henderson County Government as identified for the organization by the County Manager.

### **3.6. County Equipment**

County equipment, materials, vehicles, and/or other resources (“County Equipment”) assigned to you shall be used with care and economy and shall be used only for County purposes. ~~You may only take a County vehicle home overnight or on weekends with specific authorization of your department head (on a form supplied by the Human Resources Department), and may only use the vehicle at any time for County purposes. A copy of the written permission will be placed in your personnel file by your supervisor. For more detailed information, reference the Henderson County Vehicle Use Policy in its entirety in the Henderson County Administrative Manual~~ For more detailed information regarding county vehicles, reference the Henderson County Vehicle Use Policy. Waste or misuse of County resources may result in disciplinary action, up to and including discharge. ~~When you are issued County Equipment, the County will require that you execute an agreement of responsibility for such Equipment. termination.~~ You must return all County Equipment issued to you upon the termination of your employment, or you will be held responsible for its value.

### 3.7. *Gifts and Contributions*

You may not solicit or accept, either directly or indirectly, for yourself or for any member of your household, any gift, gratuity, service, favor, entertainment, lodging, transportation, loan, loan guarantee, or anything of monetary value from any person who:

- has, or is seeking to obtain, contractual or other business or financial relations with the department or agency of Henderson County by which you are employed; or
- conducts operations or activities that are regulated by the department of Henderson County by which you are employed; or
- has interests that may be substantially affected by the performance or nonperformance of your official duties.

#### Exceptions

The prohibitions on accepting (but not solicitation) of gifts, entertainment, and favors do not apply to:

- Meals: You may accept meals in restaurants and at business organization meetings as long as they are of nominal value. This also applies to any favors that are provided at the event.
- Family members or friends of long standing: There is no prohibition if the circumstances make it clear that it is the relationship, rather than the business or the persons concerned, which is the motivating factor and where the value of the gift, entertainment, or favor is appropriate to the circumstance and consistent with the long-standing relationship. If such a gift, entertainment, or favor exceeds \$100 in value, you must disclose the nature and value of the gift, entertainment, or favor in a letter to your Department Head ~~and who will~~ consult with the Human Resources Director.
- Ordinary loans: There is no prohibition if the loan is from an established financial institution made in the course of business on usual and customary terms. However, there can be no guarantees or collateral provided by any person described in the first paragraph of this section.
- Unsolicited advertising material: You may keep and use gift items with advertising (calendars, pens, key chains, etc.) if you did not request the items and they are of nominal value.
- Participation in charitable events: You may participate in a bona fide charitable event as the guest of a sponsoring entity if the event promotes the good of the public at large and violates no County policies.

# Chapter 4. Classification and Compensation

## 4.1. Employment Definitions

**Actual Hours Worked:** Actual hours worked are those hours during which an employee performs job duties as required and/or authorized.

**Anniversary (Hire) Date:** The most current date of hire in a benefit-eligible position.

**Assignment of Grades and Classes:** The schedule of pay grades, wage ranges, and position classifications for full time, part time, and auxiliary positions.

**Auxiliary employee:** An employee who is hired to work on an as-needed basis to provide coverage for a specific department. An auxiliary employee is limited to 1,000 hours in a rolling 12 month period and may maintain a set schedule on an ongoing basis.

Auxiliary employees are not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

**Auxiliary position:** A position that is approved by the County Manager or designee that is established to provide auxiliary coverage for a specific department in an existing position classification. An auxiliary position is limited to 1,000 hours in a rolling 12 month period and may maintain a set schedule on an ongoing basis. An auxiliary position is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

**Benefit-eligible employee:** An employee occupying a benefit-eligible regular or project position who is normally scheduled to work at least nineteen and one-half (19 ½) hours per work week.

**Benefit-eligible position:** A budgeted regular or project position as approved by the Board of Commissioners which is normally scheduled to work at least nineteen and one-half (19 ½) hours per work week.

**Exempt employee:** An employee who is exempt from the overtime provisions of the Fair Labor Standards Act. An exempt employee is not eligible to receive overtime pay for hours worked in excess of forty (40) hours in a designated seven (7) consecutive-day work week.

**Fair Labor Standards Act (FLSA):** Federal law that mandates pay practices, including overtime and child labor regulations.

**Full-time equivalency:** Percent of full-time hours a position is regularly scheduled per work week.

**Full-time position:** A position which is scheduled to work a minimum of ~~thirty-seven and one-half (37 ½) or forty (40) hours, seventy five (75), eighty (80) hours, or other standard hours as defined by schedule~~ depending upon the normal work schedule of the assigned department, within ~~the designated seven (7) consecutive-day work week a pay period.~~

**Fully Qualified:** The requisite knowledge, skills, and abilities required to proficiently perform the essential functions of a position.

**General County Employee:** A Henderson County employee assigned to a department that is not subject to the State Human Resources Act, and/or under the guidance of an elected official, appointed official, and/or board authority.

**Maximum Rate of Pay:** The upper limit of the wage range assigned to a pay grade.

**Minimum Rate of Pay:** The beginning of the wage range assigned to a pay grade.

**Non-exempt employee:** An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act. A non-exempt employee is eligible to receive overtime pay for hours worked in excess of forty (40) hours in a designated seven (7) consecutive-day work week (unless otherwise regulated by the FLSA).

**Non-productive hours:** Vacation, sick, bereavement, civic duty, military, community service, holiday, administrative leave, and leave without pay during which the employee does not work. These hours do not count as actual hours worked for calculation of overtime.

~~**Officials' Employees:** An employee assigned to a department that is under the guidance of an elected official, appointed official, and/or board authority.~~

**Overtime:** Actual hours worked over forty (40) in a designated seven (7) consecutive day work week (unless otherwise regulated by the FLSA).

**Part-time position:** A position that is scheduled to work less than ~~thirty-seven and one-half (37 ½) or forty (40) seventy five (75) or eighty (80)~~ hours, depending upon the normal work schedule of the assigned department, within ~~the designated seven (7) consecutive-day work week a pay period.~~

**Pay Date:** The ~~Friday~~date on which employees receive their bi-weekly pay.

**Pay Grade:** A level assigned to a classification corresponding to a wage range within the Henderson County Assignment of Grades and Classes.

**Pay Period:** Two (2) work weeks for which the employee is paid.

**Pay Range:** The wage spread from the minimum rate of pay to the maximum rate of ~~pay that depicts the worth of the job in the market~~ pay for classifications.

**Personnel Action Form:** Internal document to effect any change to the employment status of an employee.

**Position Classification:** Positions substantially similar with respect to the type, difficulty, and responsibility of work are included in the same class.

**Probationary employee:** An employee who occupies a regular or project position and has not successfully completed the probationary period.

**Probationary period:** The required period of time an employee who occupies a regular or project position serves before attaining regular status with Henderson County.

**Project Employee:** An employee occupying a project position. Such an employee is entitled to all benefits as set forth by Henderson County.

**Project Position:** A position approved by the Board of County Commissioners, subject to available funding, to work on a specific project for a specified duration of time. A project position may be designated as a full-time or part-time position.

**Reclassification:** The reassignment of an existing position from one class to another based on changes in job content such as duty, difficulty, required skill, and responsibility of the work performed. This includes but is not limited to classification, pay grade, FTE, and FLSA status changes. A reclassification may or may not include a change in compensation and a compensation change only does not constitute a reclassification.

**Regular Employee:** An employee occupying a regular position and who has successfully completed the probationary period. Such an employee is entitled to all benefits as set forth by Henderson County.

**Regular Position:** A position approved by the Board of County Commissioners to perform duties and responsibilities for an indefinite duration and annually recurring basis. A regular position may be designated as a full-time or part-time position.

**Regular Status:** Employment status achieved by the successful completion of the initial probationary period.

**Service Date:** The date established to calculate all benefit-eligible service with Henderson County for purposes of service recognition awards and retention bonuses.

**Temporary employee:** An employee who is hired to work for a specific period of time. A temporary employee is ~~not~~limited to 1,000 hours in a rolling 12 month period, may not work more than one year, and is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

**Temporary position:** A position approved by the County Manager or designee that is established for ~~a specific period of time~~one year or less. A temporary position is limited to 1,000 hours in a rolling 12 month period, may not extend past one year, and is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

**Trainee:** An employee who does not meet the full requirements of the position but is able to obtain through further education and/or on-the-job training the necessary knowledge, skills, and abilities to perform the job.

**Work week:** A designated seven (7) consecutive-day period. For most departments the work week begins at midnight at 12:00 a.m. on Sundays, and ends at 11:59 p.m. the following Saturday. Some departments may have a different designated work week, as approved by the County Manager and in compliance with the Fair Labor Standards Act, based on the needs of their services.

## **4.2. Establishment of the Pay Plan**

### **4.2.1 Responsibility of the County Manager**

The Board of County Commissioners has assigned the County Manager, or his/her designee(s), the sole authority for the administration of the compensation and classification plan. The County Manager shall (Reference – Responsibility of County Manager relative to position classification plan, N.C.G.S. 153A-92:

- Develop and implement wage administration procedures in support of the compensation philosophy and classification plan.
- Revise the plan, as appropriate, during the fiscal year within the funds allocated in the budget.
- Report revisions to the plan to the Board of Commissioners no less than once annually.
- Administer and maintain the Henderson County's Assignment of Grades and Classes and shall make changes in classifications and/or salary ranges as appear to be warranted.
- Approve salaries without prior approval of the Board of Commissioners.

New benefit-eligible positions shall only be established with the approval of the Board of Commissioners.

### **4.3. Compensation Philosophy**

Henderson County seeks to establish a compensation system that is competitive in comparable labor markets and will attract and retain qualified employees to perform high quality public service. Henderson County conducts market surveys in order to establish and maintain appropriate salary grades and ranges for each job classification. Salary grades and ranges may be adjusted, within reasonable availability of resources, to reflect changes in cost of living or market values for specific job classifications. The Performance Management Program is mission-driven and allows employees to earn additional compensation based on successful performance of their duties. Henderson County recognizes the value of long service employees through its Retention Bonus Program.

### **4.4. Classification System**

#### **4.4.1 Job Classifications**

Each job classification is assigned a pay grade and pay range consistent with internal job analysis and external market conditions. Each range includes a Minimum and a Maximum that depicts the worth in the job market.

#### **4.4.2 New Hire Rate**

An employee may be offered the ~~Minimum and up to the rate currently budgeted, subject to review for internal equity at the time of hire according to their level of qualification~~ minimum without further review and approval. Any new hire request to start above minimum, requires the submission of a wage request form prior to a verbal offer, for internal equity review, and county manager approval.

Recommendations for the New Hire Rate are submitted by the department head to the Human Resources ~~Director~~ Department for review and approval.

~~Recommendations for a New Hire Rate considered exceptional must be further reviewed and approved by the County Manager.~~

### **4.5. Performance Management and Appraisal**

Henderson County has established a result-oriented Performance Management program that is linked to the mission of the organization and the employee's department. It is intended to promote adherence to core values as well as establish measurable outcomes of performance resulting in improved levels of service to the public. Employees who do not meet performance standards (including those for behavior, job duties, or other performance-related standards) are in violation of this policy. This may result in disciplinary action up to and including termination.

## **4.5.1 Performance Management**

The Performance Management Tool is designed to align employee performance with the County's Mission Statement and also the Department's Mission Statement and has two major components:

### **4.5.1.1 Core Values**

All employees are expected to exhibit successful Core Values to include Customer Service, Accountability, Attendance, Safety, Teamwork, and Communication. Supervisors shall list examples of successful Core Values. Sample behaviors are developed by the department specific to the job classification.

### **4.5.1.2 Performance Results**

Specific measurable tasks have been identified for each job classification that is directly related to the County's Mission and the overall Departmental Mission. Tasks are identified and measures set by the supervisor and the employee at the beginning of the appraisal year. The employee is given a rating of Successfully Performs or Needs Improvement based on the results of the standard measure for each task. Based on the current performance results, the supervisor and employee set the tasks and standards for the upcoming year.

## **4.5.2 Performance Appraisal**

### **4.5.2.1 Probationary Appraisal**

The performance of all new employees is appraised at the completion of the initial six (6) month probationary period. The employee's immediate supervisor shall conduct a performance appraisal meeting with the employee to discuss the employee's overall performance levels and determine whether or not the employee has successfully completed the initial probationary period. The supervisor may recommend the employee for regular employment status or that the initial probationary period is extended. There is no salary increase associated with successful completion of the initial probationary period. Extension of the initial probationary period may be no longer than three (3) months.

### **4.5.2.2 Annual Performance Appraisal**

Employees are appraised annually at his/her anniversary date of hire into a benefit-eligible status. This is to recognize and reward achievement and demonstration of job skills and/or performance results. The annual appraisal date shall remain the anniversary date of the employee regardless of transfer, promotion, or changes in supervision.

**4.5.2.2.1 Employees with an Overall Rating of Successfully Performs**

Employees with a rating of Successfully Performs on all elements may receive a lump sum performance merit bonus. The department head determines if a lump sum performance merit bonus is appropriate and the amount of the bonus. To be eligible for the performance merit bonus, the employee must be employed as a benefit-eligible employee on his/her anniversary (hire) date.

**4.5.2.2.2 Employees with an Overall Rating of Needs Improvement**

Employees with a Needs Improvement rating on any element and/or with an overall rating of Needs Improvement will not receive a performance merit bonus. In addition, if an employee has an active disciplinary action, they are not eligible for a merit bonus during that appraisal period.

**4.6. Retention Bonus Program**

Henderson County recognizes the value of long-term service employees and awards benefit-eligible employees who have served at least five (5) benefit-eligible years, and receives an annual lump sum bonus according to the schedule below.

<b>Years of Total Benefit-Eligible Henderson County Service</b>	<b>Retention Bonus</b>
Less than 5 years	0%
5 – 9 years	1 % annually
10 – 14 years	2% annually
15-19 years	3% annually
20 – 24 years	5% annually

25 + years	7.5% annually
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#### **4.6.1 Retention Bonus Process**

- Retention bonuses are awarded annually as a lump sum calculated as a percentage of the employee’s base annual rate of pay.
- Retention bonuses are based on the employee’s service date which is calculated based on the employee’s total years of service in benefit-eligible positions with Henderson County, whether consecutive or not. It does not include any adjusted service time in other public agencies that may be used to calculate vacation accruals. An employee’s retention bonus is paid in the pay period in which the employee’s service date falls and is included in the employee’s regular paycheck.
- An employee must be currently employed in a benefit-eligible position on the day of their service date to be eligible for a retention bonus.
- Elected officials will receive their retention bonus in the pay period in which their service date falls or upon completion of their elected term, whichever is first in the fiscal year.

### **4.7. Outstanding Performance Award**

The intent of the Outstanding Performance Award is to provide supervisors the opportunity to recognize and reward an employee or team who, through demonstrated outstanding accomplishments, exemplified a Core County Value or contributed significantly to one or more County goals. Outstanding Performance Awards are considered discretionary pay under the Fair Labor Standards Act.

#### **4.7.1 Outstanding Performance Award Process**

- Outstanding Performance Awards are a one-time non-recurring lump sum payment and are not added to the employee’s base rate of pay.
- The supervisor may nominate an individual or team and must describe how an employee’s or team’s accomplishments or performance has contributed to the success of the department or County.
- Nominations are submitted on the [Henderson County Outstanding Performance Award Form](#) by the Department Head and submitted to the Human Resources Director for review and recommendation to the County Manager; a nomination may be submitted any time during the appraisal year.
- The amount of the Outstanding Performance Award is determined by the County Manager and based on the availability of funds. Department Heads are expected to manage available approved funds within their departmental budget.

## **4.8. Across the Board Adjustment**

Each year the Board of County Commissioners may consider an overall across the board adjustment to the pay plan in the yearly budget process. Any across the board adjustment awarded will increase the base pay of all regular, ~~and project~~ ~~and employees~~. Eligibility of auxiliary employees will be defined by the Board of County Commissioners. If such an adjustment is approved, the Assignment of Grades and Salaries may be revised to reflect the general wage increase as of July 1. Employees shall receive the increase at the beginning of the pay period which includes July 1 or the first paycheck of the fiscal year, whichever comes first.

## **4.9. Pay Practices**

Henderson County assigns wages in accordance with the policy and practices stated below.

### **4.9.1 Re-Hires**

A former Henderson County employee who is re-hired will be evaluated and will be considered for a hiring rate ~~based on qualifications for the position~~ in accordance with Section 4.4.2 New Hire Rate of this handbook ~~and the market rate~~ for such position at the time of the re-hiring.

### **4.9.2 Promotions**

An employee who is promoted into another classification that is at a higher pay grade shall be paid commensurate with the job duties and the employee's knowledge, skills, and abilities. In any case, the employee shall be paid no less than the minimum and no greater than the maximum of the established range. A Department Head completes a [Henderson County Wage Request Form](#) and submit to the Human Resources ~~Director~~ Department a requested rate of pay for the promotion. The Human Resources Director will assess the knowledge, skills, and abilities, internal equity, and market factors to determine an appropriate rate of pay.

### **4.9.3 Demotions**

An employee who is demoted, whether voluntarily or involuntarily, will be evaluated and may be paid at a lower rate of pay.

### **4.9.4 Reclassifications**

An employee whose position is reclassified to a class with a lower pay grade will be evaluated and may or may not continue to be paid at his/her current rate of pay. An employee whose position is reclassified to a class with a higher pay grade will be evaluated and may have their pay adjusted in accordance with Section 4.9.2 Promotions of this handbook.

#### **4.9.5 Lateral Transfer**

An employee who is transferred to another position within the same pay grade will be evaluated and may remain at the same pay rate.

#### **4.9.6 Interim Assignments**

An employee who serves in an interim assignment will be evaluated and may be considered for additional pay commensurate with the assignment as approved by the County Manager.

#### **4.9.7 Trainee Pay Rate**

Trainees may be paid at a rate less than the minimum for the classification based on qualifications.

#### **4.9.8 Temporary Employees**

An employee who is hired into a temporary position shall be paid at a rate commensurate with the job duties performed but must be paid at least the federal minimum wage. Upon establishing the need for temporary employment, a Department Head shall provide in writing to the Human Resources Director justification for the position, a list of job duties to be performed, along with a requested rate of pay. The Human Resources Director must approve all rates of pay for temporary employees.

#### **4.9.9 Auxiliary Employees**

An employee who is hired into an auxiliary position shall be paid at the minimum rate of pay for the established classification. Department Heads requesting a rate of pay above the minimum rate should complete a [Henderson County Wage Request Form](#) and submit to the Human Resources ~~Director~~department for review and approval.

#### **4.9.10 On Call and Call Back**

Some employees may be required, as a condition of their employment, to be scheduled on an on call basis in excess of their regular work schedule in order to provide continuous services to customers or citizens or respond to emergencies. An employee that fails to respond to reasonable calls while scheduled to be on-call will be subject to the disciplinary process. An employee who is not required to remain on the County's premises but is merely required to be available by phone or other designated communication methods is not working while on call and is not paid actual hours worked for this on call time.

Non-exempt employees responding to a call, whether on call or call back, for a work-related event would be paid for actual hours worked. Non-exempt employees will be guaranteed a minimum of two (2) hours of wages for being called back and reporting to a work-related location outside of their regular work schedule or paid for all hours worked if greater than two (2) hours; all hours actually worked over forty (40) in a workweek are subject to overtime pay. Hours worked for call back pay are calculated beginning at the time the employee receives the call to report to work and end when the employee resumes his off duties activities.

#### **4.9.11 — Advanced Training Pay**

An employee who has completed specific advanced training required to enhance public safety and service shall be compensated for the additional skills acquired in accordance with the schedule established with the County. Additional pay for advanced training must be justified by the department head and submitted to the Human Resources ~~Director~~Department for review and approval.

### **4.10. Probationary Period of Employment**

An employee appointed to a regular or project position shall serve a probationary period of at least six (6) months, except that law enforcement officers shall serve a twelve (12) month initial appointment probationary period. An employee serving a probationary period following initial appointment may be dismissed at any time during the probationary period with or without cause. The probationary period may be extended for an additional three (3) month period.

### **4.11. Timekeeping Practices**

It is the responsibility of each employee, supervisor, and department head to perform his/her job function/duties in accordance with the County's pay practices and within the regulations of the FLSA. Failure to adhere to County pay practices and applicable wage and hour law may result in disciplinary action up to and including ~~dismissal~~termination.

To the extent that an individual situation is not covered under the terms of these practices, reference shall be made to the FLSA. To the extent a practice conflicts with the FLSA or

other applicable state, federal, and local laws, the practice or law which provides the greater rights to the employee shall prevail.

#### **4.11.1 Work Week and Time Records**

The normal workweek consists of thirty-seven and one-half (37 ½) hours or forty (40) hours depending on the job classification and work location. Core business hours vary according to the needs of your department. Some jobs may require other hours of service. Your immediate supervisor will inform you of your work hours.

Non-exempt employees are responsible for recording their actual beginning and ending work times, including lunch, in the designated timekeeping system. This is necessary for payroll calculation of your earnings.

Exempt employees are responsible for requesting, receiving supervisor approval and recording all leave hours in the designated timekeeping system. Exempt employees on FMLA must record all hours worked, vacation, sick, and other non-productive leave hours, as appropriate, used, and hours not worked to comply with County policy.

You may not voluntarily begin work before or end work after your regularly scheduled hours for the purpose of working additional hours or receiving overtime pay. Any work in excess of standard work hours and/or overtime should be pre-approved by your supervisor.

Anyone who willfully falsifies a time record will be subject to immediate disciplinary action, up to and including dismissal/termination.

#### **4.11.2 Compensatory Time**

Henderson County does not grant compensatory time off in lieu of cash overtime for either non-exempt or exempt employees who work over forty (40) hours in a work week. Refer to section 4.11.5 for Overtime policy information.

#### **4.11.3 Meal and Rest Breaks**

Department heads may authorize rest breaks of less than thirty (30) minutes in duration based on departmental operations. Rest breaks are not guaranteed. Rest breaks are paid and intended to provide a brief respite from work activities and may not be added to start time, lunch time, or ending time of the workday.

Meal breaks must be thirty (30) minutes or more and are unpaid in accordance with the FLSA. Non-exempt employees must record time out and time in for

meal and/or lunch breaks in the designated timekeeping system. Meal breaks are not guaranteed. Meal breaks are intended to provide a more extended respite from work activities that will allow ample time for a meal.

#### **4.11.4 Travel Time**

When a non-exempt employee is away on travel before or after their regular working hours, these hours are considered as actual hours worked for payroll purposes. Travel time should be documented in the designated timekeeping system as actual hours worked. Regular meal periods, sleep time and hours outside regular work hours spent on non-work activities are ***not*** counted as actual hours worked.

#### **4.11.5 Overtime**

Henderson County complies with all requirements of Chapter 8, Fair Labor Standards Act (FLSA), 29 USC Chapter 8 of the FLSA Regulations, Title 29, CFR. Actual hours worked over forty (40) in a designated seven (7) consecutive day work week (unless otherwise regulated by the FLSA).

##### **4.11.5.1 Authorization**

Any work in excess of standard work hours and/or overtime should be pre-approved by your supervisor.

Each department head is responsible for managing his/her department's approved overtime funds.

Employees may not work overtime without authorization from their supervisor except in an emergency. Employees who work unauthorized overtime may be subject to disciplinary action.

##### **4.11.5.2 Calculation of Overtime Pay**

Overtime hours are paid at one and one-half (1 ½) times the employee's regular hourly rate.

##### **4.11.5.3 Law Enforcement Personnel**

Law enforcement personnel accrue overtime hours as specified by the FLSA 7(k) exemption. Overtime hours shall be paid at the end of the designated twenty-eight (28) day work period in which the hours are worked.

##### **4.11.5.4 Special Pay Practices**

The County Manager may authorize additional pay to exempt employees for special projects and/or activities which require an extraordinary number of additional hours. Such compensation shall be an additional amount over and above the exempt employee's current annual salary. Department Heads should submit requests for additional pay to the Human Resources Director for review and recommendation to the County Manager.

#### **4.11.5.5 Declared Emergencies**

Henderson County personnel may be called upon to work extended hours or be deployed to other regions of the state or nation during a period of a declared local, state, or national emergency. Employees who are called upon to assist during a disaster or in an Emergency Operation Center (EOC) must maintain accurate records of EOC hours worked as these may be submitted for purposes of reimbursement to the County. Deployed employees will be paid accordingly:

**Non-exempt employees** should record all actual hours worked during the pay period in the designated timekeeping system. Employees should code which hours were regular duty hours for Henderson County and which hours were EOC hours. Non-exempt employees will receive their regular hourly rate of pay for all actual hours worked up to 40 in a workweek (171 hours in a 28-day period for law enforcement personnel) and overtime for all actual hours worked over 40 in a workweek.

**Exempt employees** should record all actual hours worked during the pay period in the designated timekeeping system. Employees should code which hours were regular duty hours for Henderson County and which hours were EOC hours. Exempt employees will receive pay for each hour worked at the equivalent of their current hourly rate (i.e., straight time for actual hours worked beyond their regular workday).

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## **Chapter 5. General Personnel Policies**

### **Chapter 5.**

#### **5.1. Recruitment and Selection**

Henderson County adheres to a uniform recruitment and selection policy. Applicants may review job postings at the Human Resources Department and on the Henderson County website. Selected openings may be advertised with other resources as deemed appropriate. All applicants must complete a Henderson County or a Henderson County Sheriff's Office Application for Employment as appropriate for the position. For more detailed information, reference the Recruitment and Selection Standard Operating Procedure in its entirety.-

#### **5.2. Attendance**

You are an important member of the Henderson County Government team. We are committed to providing the highest level of government services and functions to better serve the community. In order to accomplish this, your prompt and regular attendance is required.

In case of an illness or injury that would prevent you from reporting to work at the scheduled time, you are required to speak directly to your supervisor. If your supervisor is unavailable, you are required to speak directly to the next-level manager or department head, or to the person designated by your supervisor.

Failure to provide notification of absence for three (3) consecutive workdays may result in your employment ending based on your resignation without notice. Employees who resign under such circumstances are not eligible for rehire.

#### **5.3. Canvassing or Solicitation**

Non-employees are not permitted to solicit verbally or by distribution of written material to Henderson County employees or the general public for commercial purposes during work hours in work areas.

Solicitations by Henderson County employees made to other Henderson County employees are permitted only in non-work areas and during non-work hours.

Non-work areas include lobbies, hallways, elevators, stairs, sidewalks, parking areas, patios, lunchrooms, or other areas not regularly scheduled for work activities. Non-work hours include before and after scheduled work hours, lunch periods, and approved breaks.

Employees or outside charitable organizations who wish to solicit Henderson County employees for charitable purposes or to schedule charitable activities in Henderson County offices, must submit a written request and must be approved by the County Manager or designee.

## 5.4. Inclement Weather

In the event it becomes necessary to open County Offices late or to close early due to severe inclement weather, it is the County's intent that the employees who are scheduled to work are not negatively impacted by the closure. For more detailed information, reference the [Henderson County Inclement Weather and Emergency Closings Policy](#) in its entirety in the Henderson County Administrative Manual.

## 5.5. Central Personnel Files

The central personnel files are maintained in the Human Resources Department. To review your file, contact the Human Resources Department. Documentation will be completed showing who reviewed your file and the date. An employee of the Human Resources Department will remain in the room while the file is being reviewed.

It is important that you promptly report any change in your personal information to the Human Resources Department by means of the designated method. Other records, such as educational accomplishments, certifications and trainings, should also be reported as they are factors in consideration for future promotional opportunity. Be sure that the Human Resources Department always has:

- Your correct address, email address and best contact numbers;
- your marital status;
- emergency contact information;
- any increase or decrease in number of dependents;
- any change affecting Social Security records; and
- your correct beneficiary.

Under Section 153A-98 of the General Statutes, the following information from your personnel record only is public record:

- ~~name;~~
- ~~age;~~
- date
  - Name.
  - Age.
  - Date of original employment or appointment to the county service;
- ~~current position title;~~
- ~~current salary;~~
- ~~date and amount of the most recent increase or decrease in salary;~~
  - The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the county has the written contract or a record of the oral contract in its possession.
  - Current position.
  - Title.

- Current salary.
  - Date and amount of each increase or decrease in salary with that county.
  - Date and type of each promotion, demotion, transfer, suspension, separation or other change in position classification with that county.
  - ~~date~~Date and general description of the reasons for each promotion; with that county.
  - ~~date~~Date and type of each dismissal, suspension, or demotion for disciplinary reasons; ~~and, taken by the county. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal.~~
- ~~the~~The office to which the employee is currently assigned.

In certain circumstances, other information may be shared with specific persons or institutions.

## **5.6. Promotions, Transfers, and Reassignments**

Promotions:—Henderson County continually strives to promote employees and fill job vacancies on an equal opportunity basis. Promotions are based on an objective evaluation of each vacancy and the candidates involved. Vacancies will be advertised, and Henderson County will give fair opportunity to current employees with the necessary qualifications and skills for vacant positions, unless outside recruitment is deemed to be in the best interest of the County. You must complete the appropriate Henderson County Application for Employment.

Transfers and Reassignments: It is the policy of Henderson County Government that it may, at its discretion, initiate or approve employee job transfers.

You may request a voluntary job transfer by applying for a posted open position. However, to be eligible for a voluntary transfer, you must be able to meet the requirements of the vacant position, must complete the appropriate Henderson County Application for Employment, and there will be considerations of any adverse disciplinary actions during the last twelve (12) months.

## **5.7. Progressive Discipline Procedure**

In cases where an employee displays inappropriate conduct or poor performance – and the activity does not in the judgment of County administration call for automatic dismissal or other sanction – Henderson County follows a progressive discipline process. This is a system that consists of corrective action, documentation, and adverse action. The three steps of progressive discipline include the following; however, any step may be skipped depending upon severity.

All employees are expected to:

- Adhere to the County's core values.
- Carry out the duties and responsibilities defined in their official job description and as directed by their supervisor.;
- Uphold a high standard of professionalism, honesty, integrity, and personal accountability in all work-related activities.;
- Employees are expected to abstain from the falsification, alteration, or misrepresentation of any organizational records.
- Contribute to a collaborative and respectful workplace.;
- Consistently meet established performance objectives and deadlines.;

Maintain regular and punctual attendance, except when on an approved leave such as FMLA or another authorized absence. Comply with all agency policies, procedures, and applicable laws and regulations. Refrain from poor communication, insubordination, or any hostile or disrespectful conduct, as these behaviors will not be tolerated.

- Verbal – The first step is usually a verbal warning from the supervisor to identify the problem and to state the corrective action needed. The supervisor documents this step on a [Henderson County Disciplinary Action Form](#), including dates, times, and details of incidents of improper conduct or poor performance and the date the warning was given. The supervisor sends this documentation to the Human Resources Director who will review it and place it in the employee's personnel file. The employee may submit a separate written statement for the file, if desired.
- Written – The second step in the process is a written warning with specific examples cited. The supervisor prepares a [Henderson County Disciplinary Action Form](#) that may state a specific time frame in which the employee must improve and gives the exact consequences of failure to improve or act in a different manner. Prior to issuing the form, the supervisor must review it with his/her department head. A copy of the form is forwarded by the supervisor to the Human Resources Director for review prior to issuance to the employee, and for placement in the employee's personnel file. The employee has the option of submitting a written statement which may also be placed in the file.
- Adverse Action – If attempts at corrective action fail to produce satisfactory results, some form of adverse action may be taken. The term "adverse action" means actions involving suspension, loss of pay, or dismissal. Before any adverse action becomes effective, the supervisor must obtain written approval from the County Manager's designee.

## **5.8. Suspensions**

You may be suspended without pay for matters of inappropriate conduct or violations of work-safety or other rules. You may not take vacation leave or sick leave, or other non-productive hours while on suspension.

## **5.9. Demotions**

A demotion is an assignment to a job at a lesser base pay rate or classification by pay grade. There are two kinds of demotions: (1) demotions for cause and (2) voluntary demotions. A demotion may be made for cause including, but not limited to, violations of rules, failure to perform job duties adequately, misconduct, or neglect of duty.

## **5.10. Immediate Discipline**

Some acts may be so serious as to merit immediate disciplinary action, which may include dismissal.

## **5.11. Separation from Employment**

You may separate from service with the County for reasons such as retirement, dismissal, resignation, reduction in force, or other reasons. You must return all items of County property in your possession to your immediate supervisor prior to your last day of employment. Items may include, but are not limited to keys, computers, cell phones, credit cards, vehicles, and other equipment. Failure to return County property will result in the value of the unreturned items being deducted from your final pay. Your last day worked is your effective date of separation from employment and is not extended by use of holiday, sick, vacation, or other non-productive paid hours.

### **5.11.1 Resignations**

If you want to resign your position, you must notify your immediate supervisor or the department head in writing no less than ten (10) working days before your expected termination date. This notice period also applies to retirements. Failure to provide such a notice will be recorded in your personnel file and may constitute grounds for ineligibility for rehire. After you give notice, your department head may release you from the job in less than ten (10) working days. Your last day worked is your effective date of resignation from employment and is not extended by use of holiday, sick, vacation, or other non-productive paid hours.

### **5.11.2 Reduction in Force**

A reduction in force is the release of an employee or group of employees due to lack of funds, curtailment of work, or reorganization. If you are discharged because of a reduction, you are considered separated due to reduction in force.

The County Manager will determine when a reduction in force is warranted, and which employee(s) will be released. The decision about individual employees is made with consideration of job knowledge, skills, and work performance. If you lose your job through a reduction in force, you may apply for other posted positions, now or in the future.

The progressive discipline process is not followed when there is a reduction in force and the appeals process is not available.

### **5.12. Garnishments and Levies**

In the event that garnishment, wage withholding, or similar proceedings are instituted against an employee, Henderson County Government follows all Federal and North Carolina law, and will deduct the required amount from the employee's paycheck.

### **5.13. Safety**

Henderson County is concerned for your health and safety in the performance of your job. You must observe all safety rules. Violation of a safety rule may result in disciplinary action, up to and including dismissal. Any workplace accidents, incidents, or injuries must be reported immediately to your direct supervisor and [the Risk Manager in the Human Resources Department](#). For more detailed information, reference the [Henderson County Work-Related Injury Policy](#) in its entirety in the Henderson County Administrative Manual.

The County also sponsors a Safety Committee which advises both management and employees on matters of safety and health.

For additional information about any safety concern, please consult the "Safety Policies and Procedures" manual or the Human Resources Department.

### **5.14. Drug Free Workplace Policy**

Henderson County adopts this substance abuse policy in order to protect all employees' right to a workplace free of drugs. This policy requires all employees to be free from the effects of drugs, alcohol, and other job impairing substances. Henderson County adopts this substance abuse policy as required by The Drug-Free Workplace Act of 1988, 102 Stat. 4305-4308, Pub. L. No.100-690 (Nov. 18, 1988), pursuant to the authority granted it by N.C.G.S. Chapter 153A. For more detailed information, reference the Substance Abuse Policy in its entirety in the Henderson County Administrative Manual.

Employees must notify their supervisor of any arrest or conviction under a criminal drug statute for violations occurring on or off county property or whether on or off the job within five calendar days.

### **5.15. Tobacco Use**

### **5.16. Travel Policy**

All County employees, except those who are paid an automobile allowance, will be paid a rate per mile reimbursement for any required work-related travel when using their private vehicle. The rate of reimbursement will be at the established IRS rate as notified by the Finance Director. Travel from home to work is not allowable mileage unless in a call back status. The County encourages meaningful out-of-county travel and pays for reasonable expenses for County Employees attending out-of-county training sessions, conferences, conventions, and other authorized meetings which will, through knowledge gained by those attending, benefit the County. For more detailed information, reference the [Henderson County Travel Policy](#) in its entirety in the Henderson County Administrative Manual.

### **5.17. Business Credit Card Use**

Henderson County issues a business credit card for Department Heads and authorized department employees to use when emergency and non-emergency travel, hotel accommodations and other expenditures occur that may require prepayment. For more detailed information, reference the [Henderson County Purchasing Card Policy](#) in its entirety in the Henderson County Administrative Manual.

### **5.18. Information Technology**

Internet and cloud-based services are provided by Henderson County to support open communications, the exchange of information and the opportunity for collaborative government-related work. Henderson County encourages the use of electronic communications by its agencies and employees. For more detailed information, reference the [Henderson County Information Technology Policy](#) in its entirety in the Henderson County Administrative Manual.

### **5.19. Appeals Process**

If you feel wronged by an employment action or decision, including disciplinary action, you may file an appeal on the [Henderson County Employment Action Appeals Form](#) 4 (“Appeals Form”). Items for which an appeal may not be filed include salaries, benefits, hours of work, and reduction in force. Probationary employees cannot file an appeal. All appeals will be granted a hearing within a reasonable amount of time.

There are three basic steps in the appeals process:

- Give a copy of the Appeals Form to your immediate supervisor, and the Human Resources Director. This must be done within ten (10) working days of the action or decision.

A meeting will be coordinated by the Human Resources Director between the employee and the supervisor, to attempt to mediate the matter.

If such a meeting is unable to resolve the matter, the Human Resources Director will coordinate a hearing before your department head. The supervisor and the employee will each be present and will provide informal evidence to the department head. Neither the supervisor nor the employee will be represented by an attorney or other representative. The department head may seek additional information or may question other people involved in the case. The department head will send you a letter or memo within ten (10) working days to inform you of the department head's decision.

- If you are not satisfied with the decision of the department head, you may advance your appeal to the County Manager. This must be done no later than ten (10) working days from the date of the department head's written decision. You must make this request in writing on an Appeals Form (with the department head's written decision attached) and send it to the Human Resources Director.

The County Manager will meet to hear your appeal within thirty (30) days of your request unless all parties agree to a different date.

- At the hearing, you, your supervisor and/or Department Head, and a representative of the Human Resources Department will be present. You will have the opportunity to present your side and offer evidence. Neither you nor the supervisor and/or Department Head may be represented by an attorney at this hearing. The supervisor and/or Department Head will also present evidence. The County Manager and the representative of the Human Resources Department may ask questions. The County Manager will uphold or change the original action or decision, but notify you, in writing, within ten (10) working days.

The decision of the County Manager is final.

If any step in the appeals process cannot be taken, as in the case of the absence of a person who is to consider an appeal, the appeal will be advanced to the next step.

## **5.20. Workplace Violence Prevention**

Henderson County has a "zero-tolerance" position regarding any form of workplace threat or violence that is directed at any employee in the performance of their job duties. This workplace violence prevention policy promotes a violence-free, safe workplace for the employees. For more detailed information, reference the [Workplace Violence Prevention Policy](#) Henderson County Workplace Violence Prevention Policy in its entirety in the Henderson County Administrative Manual.

## **5.21. Identification Badge**

Henderson County ~~recognizes the need to provide proper~~provides official identification for its employees and other select individuals that represent the County to the public. For more detailed information, reference the Identification Badge Standard Operating Procedure in its entirety.-

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## Chapter 6. Leave Policies

You will receive pay for all actual hours worked, including overtime hours, in each work week. Any difference between actual hours worked and your normally scheduled pay period hours, including overtime hours, should be covered by ~~a paid~~ approved leave type. The maximum number of leave hours and your actual hours worked may not exceed your normally scheduled pay period hours. The total of actual hours worked and holiday pay in a pay period may exceed your normally scheduled pay period hours. ~~If you are not covered under FMLA or military leave of absence, you must exhaust all sick, if appropriate, and vacation leave prior to going into a leave without pay status.~~

### 6.1. Vacation Leave / Vacation

You accrue vacation leave if you occupy a benefit-eligible regular or project position and are regularly scheduled to work at least 19.5 hours per work week. The following guidelines apply to vacation leave:

- You may take vacation leave anytime during the calendar year (with prior approval of your supervisor via the designated method). You are encouraged to submit a request at least two weeks in advance of the leave. You will be notified of the approval or denial of your leave request.
- Vacation leave may only be used to receive pay up to your regularly scheduled workday, work week and/or pay period.
- You accrue leave based on your normally scheduled hours. Accruals may be adjusted for a pattern of consistently working less than your standard hours.
- You will be granted 100% credit for the purpose of accruing vacation leave for prior benefit-eligible employment with Henderson County.
- If you have prior benefit-eligible local, state, or federal government agency ~~work~~ experience, or eligible military service, you may be granted credit for up to fifty percent (50%) for the purpose of accruing vacation leave. ~~Beginning June 4, 2023 Henderson County began granting 50% credit for eligible military service for the purpose of accruing vacation leave as defined below.~~ — You will be required to provide proof of prior creditable experience/service from the prior employer(s) and/or agency(ies) within 3 months of your benefit eligible date.
- Documentation must be provided by each prior benefit eligible local, state, or federal ~~—~~ government agency on the [Henderson County Request for Verification of Benefit-Eligible Employment](#) form. The County will determine if prior work experience and/or military service is eligible to receive credit for vacation leave accrual purposes. If you terminate employment with Henderson County and are rehired at a later date, you will be required to submit new documentation for prior non-Henderson County benefit eligible local, state, or federal government agency employment.
- Military service must meet the following criteria for eligibility:

1. Must have ended honorably. That includes an honorable discharge or a discharge under honorable conditions (general) or transfer to the inactive reserves under honorable conditions; and
  2. Must have been active duty in at least one of the following services:
    - a. Armed Forces (Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force) including the Commissioned Officer Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration; or
    - b. Reserves - includes active duty for training, but does not include weekly or monthly assemblies or drills; or
    - c. National Guard - includes active duty for both Federal and State orders and training, but does not include weekly or monthly assemblies or drills
- Employees must submit written documentation verifying dates of creditable service, generally using one of the following forms:
    - a. DD214 - Certificate of Release or Discharge from Active Duty
    - b. National Guard Deployment Orders
    - c. Statement of Service – Verification of Status of Commissioned Officers of the U.S. Public Health Service
    - d. NOAA Form 5616 – Report of Transfer or Discharge
  - Your accrual rate increases as shown on the table below, based on your leave accrual date.

YEARS OF AGGREGATE SERVICE TO THE COUNTY	Vacation hours earned, 75 hour regularly scheduled 2 workweeks	Vacation hours earned, 10.5 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 11 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 12 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 80 hour regularly scheduled 2 workweeks	WORKDAYS of Vacation Accrued Annually
Less than 2 years	2:54 hours	4:03	4:14	4:37	3:07 hours	10
2 to 5 years	3:28 hours	4:51	5:05	5:33	3:42 hours	12
5 to 10 years	4:23 hours	6:04	6:21	6:56	4:37 hours	15
10 to 15 years	5:12 hours	7:16	7:37	8:19	5:33 hours	18
15 to 20 years	6:07 hours	8:29	8:54	9:42	6:28 hours	21
Over 20 years	6:56 hours	9:42	10:10	11:05	7:24 hours	24

- You may not take vacation leave before you have earned it. You may not convert vacation hours into cash. You may not choose to take leave without pay (LWOP) if you have a vacation leave balance unless you are in an approved FMLA and/or military status.

- Vacation leave requested and approved in advance may not be changed to sick or other non-productive leave hours due to circumstances that may arise during this scheduled time off, aside from qualifying FMLA events.
- The maximum number of accrued leave hours to be used for one day of leave is equal to the number of scheduled paid hours of work for that day of leave.
- You may take vacation leave in the current calendar year or you may carry it over for use in later years. However, there is a limit to the amount of vacation leave you may carry over to the next calendar year. Leave rolls over on January 1<sup>st</sup> of each calendar year. The limit is the number of hours equivalent to thirty (30) working days of your schedule. Any amount of vacation leave accrued at the end of the calendar year in excess of the number of hours equivalent to thirty (30) working days is converted to sick leave.
- Authorized days off for vacation leave will not be considered as working time for calculating weekly overtime. Overtime is calculated on actual hours worked in a work week in accordance with the Fair Labor Standards Act.
- When you terminate employment, you are entitled to payment for any unused vacation leave that has accrued. Your last day worked is your effective termination date and is not extended by use of vacation accruals. Payment is based on the rate of compensation received at the time of termination. Vacation hours payout is included in your last paycheck and/or when all appropriate recordkeeping has been completed. No checks are issued in advance.

## 6.2. Sick Leave

You accrue sick leave if you occupy a regular or project employment position and are regularly scheduled to work at least 19.5 hours per work week. The following guidelines apply to sick leave:

- You may take sick leave anytime during the calendar year. To be eligible for sick leave with pay, you must give your supervisor as much advance notice of an absence as possible. Notification must be no later than thirty (30) minutes after the scheduled start time of your work day, or earlier as required by your department and its needs. You must speak directly to your supervisor on each day of absence (unless a multi-day sick leave is approved in advance). If your supervisor is not available, you must speak directly to the manager or department head, or to the person designated by your supervisor.
- You may use accrued sick leave with pay for authorized absences due to your own illness or injury. With proper documentation, you may be permitted to use accrued sick leave to attend to, or provide care for, certain family members who are ill or injured for whom you are a primary caregiver. Those family members include your: spouse; parent; child; brother, ~~or~~ sister; aunt, uncle, grandparent; grandchild; step-relatives of the above categories; in-laws of the above categories; and any person residing in your household.

- ~~If you are absent for three (3) consecutive workdays, you must provide a healthcare provider's statement. Your~~ After consulting with the Human Resources Department, your supervisor has the discretion to require that you provide a healthcare provider's statement ~~at other times~~ as they deem appropriate. ~~Your supervisor must forward all medical certifications~~ All medical documentation should be forwarded to the Human Resources Department.
- If you have been absent for more than three (3) consecutive workdays ~~due to your illness or injury or that of a family member's and~~ you may qualify for protection under the Family and Medical Leave Act (FMLA); ~~you and your supervisor,~~ Your supervisor or designated HR liaison must notify the Human Resources Department. The Human Resources Department is responsible for ensuring all FMLA guidelines are followed.
- You accrue sick leave based on your normally scheduled hours. Accruals may be adjusted for a pattern of consistently working less than your standard hours.

- You will accrue sick leave on the basis of:

Sick hours earned; 75 hours regularly scheduled 2 workweeks	Sick hours earned; 10.5 hour shifts per regularly scheduled 2 workweeks	Sick hours earned; 11 hour shifts per regularly scheduled 2 workweeks	Sick hours earned; 12 hour shifts per regularly scheduled 2 workweeks	Sick hours earned; 80 hours regularly scheduled 2 workweeks	WORKDAYS of Sick Accrued Annually
3:28 hours	4:51	5:05	5:33	3:42 hours	12

- You may not take sick leave before you have earned it. You may not convert unused sick leave into cash, personal holidays, or vacation leave.
- Unused accumulated sick hours are not paid when employment terminates. Your last day worked is your effective date of termination and is not extended by use of sick leave accruals. If you retire from Henderson County Government, the North Carolina Local Governmental Employees' Retirement System may use your accumulated unused sick hours to determine certain retirement benefits.
- You may receive credit for verified unused sick leave from another state or local government agency which participates in one of the retirement systems administered by the North Carolina Department of State Treasurer. ~~Sick leave transfers may not exceed the equivalent of thirty (30) standard working days as defined by the position's standard hours.~~ Documentation must be provided by each prior benefit eligible local or state government agency on the Henderson County Request for Verification of Benefit-Eligible Employment form, within 3 months of your benefit eligible date. ~~There is no "cap" or maximum on the amount of sick leave you can accrue.~~
- You may use accrued sick leave for medical appointments such as doctor, dental, or optical appointments, or for assessments or treatment prescribed by your

healthcare provider. This includes medical appointments for your family members as described above.

- Authorized days off for sick leave will not be considered as working time for calculating weekly overtime.
- Sick leave may only be used to receive pay up to your regularly scheduled workday, workweek, and/or pay period.

### **6.3. Child School Leave**

You are entitled to a maximum of four (4) hours of Child School Leave per calendar year. Child School Leave must be taken at a time mutually agreed upon by you and your department head. You must request this leave at least 48 hours in advance of leave commencement. Such request is subject to your department head's approval. It is within your department head's discretion to waive the 48-hour notice requirement in emergency situations.

When taking Child School Leave, a Non-Exempt Employee must exhaust vacation leave in order to be eligible for Child School Leave. If vacation leave has been exhausted, a Non-Exempt Employee may go on a leave-without-pay status up to the four (4) hour maximum allowance. Vacation leave, and/or leave without pay for Child School Leave purposes must be documented on the designated timekeeping system.

### **6.4. Bereavement Leave / Funeral Leave**

In order for you to have time off to handle arrangements and/or attend services, you may be eligible for a period of bereavement up to three (3) scheduled workdays per event at regular pay (not including overtime) with no deduction from your other leave balances due to the death of any of these relatives: parent, step-parent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, step-brother, sister, sister-in-law, foster sister, step-sister, grandparent, son-in-law, daughter-in-law, grandchild, aunt, uncle, niece, nephew or other person who resides in the same household. The Department Head may approve a variance to the consecutive days consideration given the circumstances of the situation of the arrangements, however, three (3) days will remain the maximum allowed. Any variances must be approved by the Department Head in consultation with the Human Resources Director in advance. In addition, subject to the approval of your supervisor, you may use up to three (3) additional workdays of sick leave, totaling six (6) days of leave. If no sick leave remains, you must use vacation leave. If no vacation leave remains, you must take unpaid leave for these additional days.

Any bereavement period that is expected to ~~go over the six (6) workday limit~~ exceeds six (6) workdays requires approval from your supervisor and you must use your vacation leave.

Your Department Head will make the final decision, in consultation with the Human Resources Director, on the number of approved days for bereavement leave based on

factors such as required travel and level of involvement in funeral arrangements. Other factors may also be considered.

Death of any other person: You may use up to three (3) consecutive days of accrued sick leave for the bereavement of other persons significant in your life not listed above. If no sick leave remains, you must use vacation leave. If no vacation leave remains, you must take unpaid leave. As stated above, your Department Head, in consultation with the Human Resources Director, will make the final decision on the number of days approved for this leave.

Bereavement leave must be documented in the designated timekeeping system with the notation of relationship to employee in the note section.

## **6.5. Holidays**

Henderson County observes holidays on a schedule set by the Board of Commissioners each year. You are eligible to be paid for these holidays if you occupy a regular or project employment position and are regularly scheduled to work at least 19.5 hours per workweek.

If you are eligible for a holiday and in a paid status immediately preceding the holiday, you will receive pay for the holiday – whether or not you are scheduled to work on that date. Holiday pay will be ~~limited equal to no more than 7.5 hours of pay for a position where a regular workweek is 37.5 hours, or 8 hours of pay for all other full-time positions your standard scheduled workday.~~ For part-time positions, the amount of pay is prorated to the number of hours you are regularly scheduled to work each week. This means you will receive the same amount of pay for each holiday. However, for part-time positions that are otherwise scheduled to work a full work-day on a holiday, or for alternate-scheduled positions, the employee may, with the approval of the employee's supervisor, use accrued vacation leave to receive their regular amount of pay for the week, or may work additional time in order to receive their regular amount of pay for the week. You will need to arrange any schedule changes with your supervisor and receive advance written approval.

If you wish to observe a religious holiday which is not a county holiday, contact your supervisor to make arrangements. Any accrued vacation leave must be used for time off taken for religious holidays.

Your last day worked is your effective termination date and is not extended by holidays that occur after your last day worked. You are not paid for holidays that occur after your last day worked.

## **6.6. General Leave of Absence**

If you are not entitled to FMLA leave, or if all FMLA leave to which you are entitled has expired, and you still need time off for personal or health reasons, you may apply for ~~a leave of absence for a period of~~ General Leave. If there is an unknown return to work date, you may apply for a leave of absence for up to three (3) months. ~~General leave is~~

~~generally granted, which is typically approved~~ in thirty (30) day increments. The request for leave must be given to your supervisor on a [Henderson County General Leave/Special Leave Request Form](#) and your department head at least thirty (30) days prior to the start of the requested leave ~~unless the leave is an emergency~~ if possible.

~~Any compensation~~ Compensation during ~~this leave of absence will be deducted first from your sick leave balance, if appropriate. If no sick leave remains, or if sick leave is not appropriate, you must use vacation leave. If no vacation leave remains, you will be on leave without pay (LWOP) for any remaining portion of this leave. your approved~~ General Leave will be dependent upon your reason for your request. If the request is an extension of FMLA or is based on a medical condition, there will be a deduction from your available sick leave balance. If sick leave is exhausted you must use vacation leave. If vacation leave is exhausted, you will enter into leave without pay (LWOP) for any remaining portion of this leave. If the request is not based on a medical condition, there will be a deduction from your available vacation leave balance. If vacation leave is exhausted, you will enter into leave without pay (LWOP) for any remaining portion of this leave. Sick leave cannot be used for a non-medical condition.

Your ~~supervisor (or department head)~~ may or may not approve your request for ~~a leave of absence. Some of the matters~~ General Leave. Matters considered in approving the request are your length of service, employment record, the reason for the absence, and the likeliness of a return to work based on the request and supplied documentation.

~~While you might originally request a leave of absence for a period of up to three (3) months, it is possible that extensions may be granted. However, the total leave and extensions for any one cause cannot exceed one (1) year.~~

You do not accrue sick and vacation leave while you are on an unpaid approved leave of absence. If you are in an unpaid status you will be responsible for all medical, dental, and voluntary insurance premiums. Payment arrangements for medical and dental can be made upon your return to work. Voluntary insurance products do not qualify for payment arrangements and therefore will be collected based on the duration of your leave, ~~;~~

You must notify ~~your supervisor of the anticipated date of your~~ the Human Resources Department of your anticipated return to work ~~prior to that date. Your supervisor is responsible for immediately notifying the Human Resources Department or any changes to that date.~~

When you return from ~~a leave of absence, you~~ General Leave, effort will be ~~placed~~ made ~~to place you~~ in your previous position or a similar position, if available. If the same or similar position is not available, you will receive preference for employment in any available position for which you are qualified.

If you fail to return to work at the conclusion of your leave of absence, you will be terminated from employment. The termination date will be reviewed and determined at that time. If you are unable to return to work, you are responsible for requesting an extension (in advance) from your supervisor or department head.

There may be changes in your employee benefits during a leave of absence. You must contact the Human Resources Department to determine what changes you may experience.

## **6.7. Shared Leave Pool**

Henderson County allows employees to donate vacation hours to a Shared Leave Pool to assist fellow employees experiencing a major medical crisis. Benefits under this Policy are not a right of employment. Rather, it is intended by the County to allow employees to assist one another in truly extraordinary crises. Receipt of benefits under this policy is necessarily a subjective decision made by Henderson County employees on behalf of participating Henderson County employees. For more detailed information, reference the Henderson County Shared Leave Policy in its entirety in the Henderson County Administrative Manual.

### **6-7-6.8. Military Leave**

Henderson County complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). It prohibits employers from discriminating against any employee or prospective employee because of past, present, or future application for, or membership in, a uniformed service. Uniformed services covered are: Army, Navy, Marine Corps, Air Force, or Coast Guard as well as Reserve units for these services; Army National Guard and Air National Guard; commissioned corps of the Public Health Service; North Carolina State Defense Militia; and any other category of persons designated by the President in time of war or an emergency.

Service may include active duty, active duty for training, initial active duty for training, inactive duty training, full time National Guard duty, and absence from work for an examination to determine your fitness for any type of duty or to perform funeral honors duty.

For military leave:

- You must make the request to your department head on a [Henderson County General Leave/Special Leave Request Form](#) , attaching a copy of your military orders, on your next scheduled workday after the receipt of your orders. The approximate beginning and end date should be clearly stated in the request. You should provide advance notice of the leave, unless circumstances make it impossible for you to do so.
- You may be eligible for up to two (2) of your regularly scheduled workweeks per calendar year with no deduction from your leave balances due to eligible military service. Military leave does not have to be taken consecutively and should be recorded in the designated timekeeping system. Additional leave for military service is unpaid unless you wish to use available leave time. The Act allows use of vacation or sick leave for this purpose. You must tell your department head whether you wish to use accrued vacation and/or sick leave, and how much. You

will not accrue additional vacation or sick leave during the period of military leave that is unpaid.

- Your paycheck will continue to be direct deposited to a bank designated by you. A copy of the orders should be sent to the Human Resources Department with the [Henderson County General Leave/Special Leave Request Form](#) . Please contact the Human Resources Department for any clarifications and discussions about benefits.

If your military leave will be less than thirty-one (31) days, you will continue to be covered for health benefits with no change to premium levels. This means Henderson County will continue to pay the County's portion of your individual health premium (prorated for part-time), and you will continue to pay for your portion of your individual and dependent health insurance premiums. If your military leave will extend beyond thirty-one (31) days, you will be offered continuation of benefits through COBRA up to eighteen (18) months.

In general, you will be reinstated to your same position upon return. There are, however, specific time frames for certain instances and other details in the Act that may require case-by-case review. You and your department head should contact the Human Resources Department when you are aware of the need for military leave.

### **6-8-6.9. Civic Duty Leave**

When you must miss work due to jury duty, you will be excused from your job, but will be paid as civic duty leave for hours served during your scheduled worktime. Immediate notice and documentation must be given to your direct supervisor and properly recorded on the designated timekeeping system.

At any time during jury duty if you complete your assignment during regular work hours, you are expected to return to work immediately.

Remittance of juror pay is not required.

### **6-9-6.10. Family and Medical Leave**

The Family Medical Leave Policy grants eligible employees a maximum of twelve (12) weeks of paid and/or unpaid leave during any period of twelve (12) consecutive months for circumstances of medical need, the birth or adoption of a child, and the care of a child, spouse or parent who has a serious health condition, all in accordance with the Family Medical Leave Act of 1993 (Title 29, Part 825 of the Code of Federal Regulations). For more detailed information, reference the [Henderson County Family Medical Leave Policy](#) in its entirety in the Henderson County Administrative Manual.

### **6-10-6.11. Administrative Leave**

Henderson County recognizes there are circumstances in which limited amounts of paid Administrative Leave is appropriate. Department heads may grant up to two (2) days of paid Administrative Leave at their discretion, subject to review by the Human Resources Director. Requests for paid Administrative Leave must be submitted to the Human Resources Director on the Request for Administrative Leave form for review and approval. Requests for greater than two (2) days of paid Administrative Leave must be reviewed and approved by the Assistant County Manager or County Manager. Paid Administrative Leave is not intended to be used in place of or as an extension of bereavement, sick, or vacation leave. All Administrative Leave must be recorded in the designated timekeeping system.

Employees of the Sheriff's Department may be placed on paid or unpaid Administrative Leave for investigatory purposes as mandated by statute and professional standards boards governing law enforcement agencies or as the Sheriff deems necessary. Such paid Administrative Leave must be authorized by the Sheriff and communicated to the Human Resources Department for record keeping purposes, as well as documented in the designated timekeeping system.

#### **6.11.6.12. Community Service Leave**

In recognition of the County's diverse needs for volunteers to support local or regional schools, communities, citizens and non-profit organizations, and recognizing the commitment of County employees to engage in volunteer service, Department Heads may grant up to one (1) day of paid Community Service Leave per fiscal year at their discretion, subject to review and approval by the Human Resources Director. The County Manager may make exceptions to extend the Community Service Leave for particular community service projects or programs. Community Service Leave may be granted for volunteer activity in a school, public university, community college or community service organization. An employee may not receive Community Service Leave pay from Henderson County and compensation from the community service agency for services rendered.

Requests for paid Community Service Leave must be submitted in advance to the Human Resources Director on the ~~Request~~request for Community Service Leave Form for review and approval. One (1) day of paid Community Service is defined as up to a maximum of ~~7.5 hours each fiscal year for a position where a regular work week is 37.5 hours, or 8 hours for all other full-time positions. For part-time positions, the amount is pro-rated to the number of hours you are regularly scheduled to work each week.~~one (1) standard scheduled workday Community Service Leave pay shall not exceed the employee's normal workday, work week, and/or pay period hours. All Community Service Leave must be recorded in the designated timekeeping system.

## **Chapter 7. Employee Benefits**

### **7.1. Benefits Eligibility**

You are eligible for benefits when you occupy a regular or project employment position and are regularly scheduled to work at least nineteen and one half (19½) hours per workweek. In addition, any person holding an elected position, or is otherwise appointed by the Board of County Commissioners to the position of County Attorney, Clerk to the Board, or County Manager or Tax Administrator shall be deemed benefit eligible. Some voluntary insurance benefit options may require a greater minimum number of hours for eligibility.

If your hours drop below nineteen and one half (19½) hours per week on a regular basis you will lose eligibility for health insurance and you and all covered dependents will be offered COBRA.

If you do not work your regularly scheduled hours, you must use available accrued leave hours (sick or vacation as appropriate for the circumstance). If you are paid for less than your scheduled hours for the pay period and are not on approved FMLA Leave, your accruals and benefits premiums may be adjusted accordingly. You may accrue no or a pro-rated amount for sick and vacation leave and may be responsible for up to the full portion of your health insurance premium for individual coverage that the County currently pays.

You are responsible for only enrolling dependents that are eligible as defined by the plan rules. If a covered dependent becomes ineligible based on the plan rules, it is your responsibility to notify the Human Resources Department immediately. You must notify the Human Resources Department of any changes in status within thirty (30) days of the status change. This includes: dependent status change, address changes, divorce, marriage, birth, adoption, reduction in work hours, or any other change that could affect benefit plan eligibility.

### **7.2. Retirement Health Insurance Benefit**

Henderson County provides health insurance, on the same plan coverage terms for deductibles, co-pays, dependent eligibility, and cost as for regular employees, for certain retired employees (“eligible retirees”). For more detailed information, reference the [Henderson County Retiree Health Insurance Program](#) policy in its entirety in the Henderson County Administrative Manual.

### **7.3. Health Insurance Benefit**

If you are benefit-eligible and wish to enroll for health benefits, you must enroll for health insurance coverage upon initial employment or within thirty (30) days of an eligible qualifying event. Information about current health care plans and premiums is available from the Human Resources Department. Part-time benefit-eligible employees pay a pro-rated portion of their individual health insurance premium.

Henderson County Human Resources Department will determine the effective date of coverage. For new hires, health insurance is effective the first of the calendar month following thirty (30) days of continuous benefit-eligible employment. Payment for medical, dental, and whole life insurance plans are remitted a month in advance. You may be responsible for paying back premiums when making changes to these coverages.

Generally, health insurance ends the last day of the month following the month in which your benefit-eligible employment ends. If you do not receive paychecks to cover the entire month (and have health insurance premiums deducted), your monthly premiums may be deducted from your last payroll check, or you may be required to submit a personal check to cover your portion of benefit costs.

### **7.4. Benefit Premiums/Payroll Deductions**

You are responsible to ensure the appropriate benefit deductions have been made from your pay and must contact the Human Resources Department to correct any errors. Information on the timing of deductions and the beginning of coverage is available from the Human Resources Department.

If you miss a paycheck due to a leave without pay status, you are responsible for payment. Please refer to section 6.6.

### **7.5. COBRA**

If you lose health insurance coverage and/or your flexible spending account benefit due to a termination of employment, a reduction in work hours, or other qualifying event, you and your covered dependents may be eligible to continue coverage through the Federal Comprehensive Omnibus Benefits Reconciliation Act (“COBRA”).

For a full explanation of COBRA terms and eligibility, contact the Human Resources Department or refer to the “General COBRA Notice” received at or near the time of employment.

### **7.6. Open Enrollment Period**

Benefit plans and premiums are subject to change each plan year. Announcements concerning changes for the upcoming plan year are made during annual open enrollment period. It is your responsibility to review all notices, mailings, memos and/or other

information about benefits for the upcoming fiscal year and to complete all required actions by the established deadlines. Elections made during open enrollment are effective July 1<sup>st</sup> of each fiscal year and are generally for the entire fiscal year unless you experience a qualifying event, report, and complete all documentation and change forms within thirty (30) days of the qualifying event. Contact the Human Resources Department to determine if you have experienced a qualifying event.

### **7.7. Employee Assistance Program**

Henderson County provides certain confidential and professional counseling assistance options at no cost to you to help resolve difficult issues and problems that are affecting you or your family.

You or your family (immediate members of your household) may utilize the Employee Assistance Program (EAP) on a self-referral basis. You may also be referred by your supervisor when personal problems affect your job performance or if work-related issues may be addressed with assistance from the EAP services. Time attending a mandatory EAP counseling session is considered paid time, otherwise an appropriate leave time should be recorded for any time away from work for services.

In addition, the EAP provides online internet resources to bring you 365/24/7 access to information that can help you every day to manage real work-life issues.

If you have questions about EAP services and/or behavioral health services offered at the Wellness Clinic, contact the Human Resources Department.

### **7.8. Flexible Spending Accounts**

Flexible spending accounts allow an employee's medical out-of-pocket expenses and dependent care expenses to be paid with "before tax" dollars. Henderson County offers a benefit option that utilizes a debit-type card to access your medical plan dollars.

If you elect this benefit, you choose a dollar level based on your individual or family needs and a portion of this amount is deducted from each paycheck. There are maximum deduction limits to this benefit.

You do not have to be enrolled in Henderson County's health plan in order to participate in a flexible spending account.

You may enroll at the time of initial employment and during the annual open enrollment period. Re-enrollment is required each year to continue participation.

### **7.9. Supplemental Retirement Plans /Deferred Compensation**

Henderson County offers you the opportunity to participate in two (2) supplemental retirement /deferred compensation plans to complement your retirement income. You are

eligible to enroll in a State-sponsored NC 401(k) and/or a NC 457 at any time during your employment. Employees hired prior to November 1, 2014, and who have a Nationwide 457(b) account are eligible to participate in the Nationwide 457(b) account.

For benefit-eligible employees, if you elect to participate in one or more eligible deferred compensation plans, Henderson County will match up to a total of two percent (2%) of your eligible compensation. The County's match generally is credited to the account maintained under your name in the plan where you decide to defer your plan-eligible wages. If you decide to defer wages to more than one plan, the County's match may be credited to one or more plans based on the governing plan documents and your rate of deferral in each plan. The County's match starts at the beginning of the month following thirty (30) days of continuance service in a benefit-eligible position.

For more information, contact the Human Resources Department.

### **7.10. Supplemental Benefits**

Henderson County offers other supplemental voluntary insurance products through independent vendors. Premiums for these additional benefit options can be payroll deducted. Supplemental benefits are offered to benefit-eligible employees only.

Supplemental benefits are subject to change without notice. For more information, contact the Human Resources Department.

### **7.11. Workers' Compensation**

You are protected under the State of North Carolina's Workers' Compensation Law for injuries and occupational diseases that result out of and in the course of employment. ~~This includes injuries that take place when you are performing tasks you were hired to perform at times and in places where you were hired to work.~~ For more detailed information, reference the [Henderson County Work-Related Injury Policy](#) in its entirety in the Henderson County Administrative Manual.

### **7.12. ~~Shared Leave Pool~~**

~~Henderson County allows employees to donate vacation hours to a Shared Leave Pool to assist fellow employees experiencing a major medical crisis. Benefits under this Policy are not a right of employment. Rather, it is intended by the County to allow employees to assist one another in truly extraordinary crises. Receipt of benefits under this policy is necessarily a subjective decision made by Henderson County employees on behalf of participating Henderson County employees. For more detailed information, reference the Henderson County Shared Leave Policy in its entirety in the Henderson County Administrative Manual.~~

### **7.13. Tuition Reimbursement**

An employee may receive reimbursement for one (1) course at a time taken outside of working hours which will better equip the employee to perform assigned duties or career progression within department or within Henderson County, subject to the advance written approval of the Department Head and availability of funds. The County may reimburse the employee for tuition, fees, and books for the course, provided the employee submits a receipt of course expenses and a notice of successful completion (passing grade or better) of the course. Some specific work-related courses may be paid for by the County in advance and directly to the institution such as to the NC School of Government or other group related classes. Depending on the coursework, credit or certification, there maybe a payback requirement if the staff member voluntarily leaves Henderson County within one (1) year after completion. Please consult with your Department Head regarding these situations.

### **7.1413. Local Governmental Employees' Retirement System**

Henderson County participates in the North Carolina Local Government Employee Retirement System and the North Carolina Local Government Law Enforcement Officer Retirement System. Each employee occupying a regular or project position who is scheduled to work at least 1,000 hours each calendar year is covered by this system and must contribute six percent (6%) of their pre-tax earnings to this system. Further information on this system can be obtained from the Human Resources Department.

### **7.1514. Credit Union**

CIVIC Federal Credit Union is open to County employees and their immediate families. Further information can be obtained at [CIVIC's website](#). Employees of Social Services and Public Health may open accounts at the State Employees Credit Union. Further eligibility information can be obtained at [SECU's website](#).