

Conditions of Employment

1.0 Purpose To set the standard of employment for Bladen County.

2.0 Applicability To all employees of Bladen County.

3.0 General Rules of Conduct

The proper conduct of all employees is necessary to ensure a safe, productive and pleasant working environment. Certain guidelines are used to govern improper conduct and to provide uniform disciplinary action when necessary. A County employee is expected to conduct oneself in accordance with the following guidelines:

- To know and observe all established County policies and procedures.
- To perform the job assigned as instructed by the supervisor.
- To be prompt in reporting to work and to devote full attention to work while on duty.
- To know and abide by the published safety rules of the County for one's own protection and that of fellow employees and the public.
- To be fair, courteous and cooperative in dealing with the public and with fellow employees.
- To dress in a neat and professional manner. The County Manager may designate day(s) as dress down or business casual. Dress on these days should be appropriate for an office and professional setting.

The following actions are not permitted. Any employee discovered committing any of the following offenses while on duty is subject to immediate dismissal for Unacceptable Personal Conduct. The following actions are intended as examples of Unacceptable Personal Conduct, but are not all inclusive:

- Failure to maintain certification, credentials, or license required to perform job duties.
- Disrespect or refusing to carry out the instructions of a supervisor or other authorized person.
- Removing County property from the premises without permission from the proper authority.
- Theft or misuse of County property or services (e.g., mailing personal items, personal use of County car, or other county property, etc.).
- Intentionally falsifying County records.
- Bringing alcoholic beverages or illegal drugs onto County property or being under the influence of alcohol or drugs while on duty.
- Fighting or provoking a fight on County property, using abusive, obscene, profane or threatening language or engaging in immoral conduct while on duty.
- *Possessing or carrying mace/pepper spray, as well as* possessing or carrying any weapon as described in N.C.G.S. 14-269(a) or N.C.G.S. 14-415.10 whether open or concealed, in or on any County building and its appurtenant premises, in or upon County motor vehicles, or in any County park. Exception: This does not apply to those individuals exempted under N.C.G.S. 14-269(b)
- Operating a County vehicle without a valid N.C. driver's license.
- Willful violation of safety rules and procedures.

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The above unacceptable personal conduct issues are representative of, but not limited to the above addressed issues.

Failure in Performance of Duties

The following causes relating to failure in the performance of duties or failure in personal conduct are representative of, but not limited to those considered to be adequate grounds for disciplinary action, up to and including dismissal:

- Inefficiency, negligence or incompetence in the performance of duties;
- Improper use of leave privileges;
- Trespassing on the property of any public official or employee for an improper;
- Willful damage or destruction of property;
- Willful acts that would endanger the lives and property of others;
- Brutality while on the job;
- Acceptance of gifts in exchange for favors or influence;
- Betrayal of confidential information to unauthorized persons;
- Engaging in incompatible employment or serving a conflicting interest;
- Taking part in a political activity that is restricted by Section 11.0, of Conditions of Employment.
- Tardiness in meeting job deadlines, reports, job duties.
- Constant errors in job duties.
- Pattern of absenteeism.

Should an employee become involved in activities, which lead to criminal charges, he/she should report such charges to the Department Head. All traffic violations, which would affect one's ability to perform the functions of the job, must be reported to the Department Head, who must notify the Human Resources Director and County Manager.

The following list is an example of items that may fall under both Unacceptable Personal Conduct and / or Failure in Performance of Duties, depending upon the severity and will be adequate grounds for disciplinary action up to and including immediate dismissal:

- Careless, negligent or improper use of County property or equipment;
- Discourteous treatment of the public or other employees;
- Absence without approved leave;
- Pattern of failure to report for duty at assigned time and place;
- Guilty of conduct unbecoming to a public officer or employee;
- Participation in any action that would in any way seriously disrupt or disturb the normal operation of the agency, institution, department or any segment of local government;

4.0 Work week

The standard work week for all employees of the various departments of the County, with the exception of law enforcement, emergency medical service personnel, and communications, shall

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be from 8:30 a.m. until 5:00 p.m., Monday through Friday, with one (1) hour for lunch. Lunch periods should normally be scheduled between 11:30 am and 2:30 pm. For overtime consideration under the Fair Labor Standards Act, the work week begins at 5:01 pm Friday and ends at 5:00 pm Friday. Exceptions are: Communications and Convalescent staff work week starts at **12:01am Sunday** and ends on the following **Sunday at 12:00am**.

Department Heads shall work the hours necessary to ensure the satisfactory performance of their departments, but not less than thirty seven and one-half (37.5) hours per week. When the activities of a particular department require some other schedule to meet work needs, the County Manager may authorize a deviation from the normal schedule.

5.0 Probationary Period

Every new employee will serve an initial probationary period to earn regular employment status. The purpose of the probationary period is to allow the supervisor / manager time to evaluate the performance of a new employee. It is the responsibility of the Department Head, during the interview process to inform the new employee that the probationary period will last for one year and an employee in this status can be dismissed for any reason, as long as it is not unlawful discrimination.

For certain job classifications that fall under the auspices of the Office of State Personnel (OSP), specifically and the Director of Emergency Services shall serve a probationary period of twenty four (24) months. Service in a probationary period is "at will" and an employee can be dismissed for any reason, as long as it is not unlawful discrimination. A probationary employee may be dismissed, without right of appeal. The usual disciplinary procedures established by the state personnel commission do not apply.

Employees of a local entity who are subject to the State Personnel Act provisions must work for twenty-four (24) consecutive months, measured from the date of their employment before they gain a property interest that is protected by due process and allows protection by their respective agency's Disciplinary and Appeals policies. This is commonly referred to as "Career Status". Exceptions to this will be granted for employees who transfer from other counties without a break in service of more than 30 days and had successfully achieved Career Status prior to the transfer.

Annual and sick leave accrues during the probationary period and may be taken at any time with supervisory approval. Employees in trainee or "work against" appointments will have specific time frames established for their probationary period.

During the probationary period, supervisors will conduct a written review of employee's performance and communicate with the employee concerning performance progress on a quarterly basis. Before the end of the probationary period, the supervisor will determine whether or not the employee is performing satisfactory work and meeting job expectations. The employee's progress (accomplishments, strengths, and weaknesses) will be discussed with the employee and a summary of this discussion should be documented in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed.

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Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without right of appeal or hearing.

6.0 Attendance

Regular attendance is essential to department operations. An employee is expected to be present and on time as scheduled. If an employee is going to be late or unable to work because of illness, the supervisor should be notified before the start of the workday or not later than **two (2) hours** after the beginning of a scheduled working day. Notification by another employee, friend, or relative is not acceptable except in an emergency situation where the employee is physically unable to make the notification. Leaving messages is not considered satisfactory notice. This gives the supervisor an opportunity to schedule a replacement or reschedule work, as necessary. Tardiness, excessive absences without leave or notice interferes with department and County objectives and may result in disciplinary action.

7.0 Solicitation

In order to protect employees from unwanted interruptions, it is the policy of Bladen County that solicitation by outsiders for any reason is forbidden. Solicitation by co-workers should be done only with the prior approval of the Department Head.

Solicitation through distribution of literature, written or computer generated, of any kind to employees without the prior approval of the County Manager is not permitted.

This policy does not apply to County-sponsored drives such as the United Way and Blood Drive or others approved by the County Manager.

8.0 Disclosure of Confidential Information

As a County employee, one should not disclose any confidential information concerning the property, government or affairs of the County without prior approval of appropriate Department Head. Under no circumstances should one use such information to advance the financial or private interests of oneself or others. Violation of this regulation constitutes grounds for dismissal.

9.0 News Media

Bladen County has a policy of cooperation with all branches of the news media as they strive to provide citizens with an accurate account of the activities of County government. To ensure the consistency of any statements to the media, all requests should be referred to the appropriate Department Head.

10.0 Gifts and Favors

10.1 No official or employee of the county shall accept any gift, whether in the form of a service, a loan, an article of value, or a promise from any person, firm, or corporation. that in the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the county.

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- 10.2 No official or employee shall accept any gift, favor, or article of value that may tend to influence that employee in the discharge of duties.
- 10.3 No official or employee shall grant any improper favor, service, or article of value in the discharge of duties.
- 10.4 Exempted from the prohibition are "honorariums for participation in meetings, advertising items or souvenirs of nominal value, or meals furnished at banquets". Also exempted are "customary gifts or favors between employees or offices and their friends and relatives" but these have to be reported to department heads.

11.0 Political Activity Restricted

- 11.1 Every employee of Bladen County has a civic responsibility to support good government by every available means and in every appropriate manner. Any employee may join or affiliate with civic organizations of a partisan or 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 the constitution and laws of the United States of America.

However, while on duty, no employee of Bladen County shall:

- a. Engage in any political or partisan activity;
 - b. Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 - c. Be required as a duty or a condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes; employee of the county; or
 - d. Use funds, supplies, or equipment of the county for political or partisan purposes.
 - e. Distribute any campaign items or wear any campaign buttons, etc, while on duty.
- 11.2 Employees subject to the Hatch Act may not be candidates for elected office in a partisan election.
- 11.3 Any violation of this section may subject the employee to dismissal or other disciplinary action.

12.0 Harassment (See separate policy)

Bladen County expressly forbids harassment of employees because of age, race, gender, color, religion, non-disqualifying handicap, national origin or political affiliation. Such harassment constitutes unacceptable personal conduct, and is subject to disciplinary action, up to and including termination. Sexual harassment of employees by supervisors or co-workers is forbidden in any form.

13.0 Outside Employment (See Conflict of Interest Policy)

The work of the County takes priority over other employment interests of employees.

Outside employment is defined as self-employment, contractual work, or providing services to an employer other than the County, which results in earning compensation, profits or commissions.

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All outside employment requires prior written approval by the department head and County Manager. Failure to obtain prior written approval is a violation of policy. The approval form (Request to Engage in Outside Employment) will be retained in the employee's permanent personnel file. This approval is valid until withdrawn or outside employment changes. Any outside employment or personal business commitments during regularly scheduled hours are prohibited unless the employee uses approved vacation leave. Employees of the Sheriff's Department may not work for any organization or private business while in uniform or in a capacity as a law enforcement officer without prior approval of the Sheriff.

A conflict of interest exists when outside employment interferes with the employee performing the job for which employed by the County. In these cases, the department head will provide written notification of conflict to the employee. If the conflict is not resolved, continued outside employment will result in termination in accordance with the disciplinary process.

14.0 Limitation on Employment of Relatives

- 14.1 No two members of an immediate family shall be employed within the same department if such employment will result in one member supervising the other or in one member occupying a position that has influence over the other's employment, promotion, salary administration, or related management or personnel considerations.
- 14.2 The term "immediate family" shall be understood to refer to that degree of closeness of relationship, which would suggest that problems might be created within the work unit, or that the public's philosophy of fair play in providing equal opportunity for employment to all qualified individuals would be violated. In general, this would include an employee's spouse, parent, guardian, child, sibling, grandchild, and grandparent, as well as the various combinations of half, step, in-law, and adopted relationships that can be derived from the family members named herein. It may also include others living within the same household, or otherwise sufficiently closely identified with each other as to suggest that principles of fair play in providing equal opportunity for employment to all qualified individuals may be violated.
- 14.3 The provisions of this section shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with Subsection 13.1 before the adoption of this policy.
- 14.4 Agency heads and department heads may not appoint members of their immediate family to work in county government departments without first obtaining approval from the Board of County Commissioners. This section is applicable to all appointed and elected officials serving as agency or department heads. The Board of County Commissioners shall approve the appointment by the Sheriff or the Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin, as required by Chapter 153A-103(1) of the North Carolina General Statutes.

15.0 Bloodborne Pathogens (see departmental policies for more information)

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Bladen County has adopted plans and procedures to comply with all requisite provisions of the Occupational Exposure to Bloodborne Pathogens Standard issued by the U. S. Department of Labor's Occupational Safety and Health Administration, and the approved plan requirements related thereto which are promulgated by the North Carolina Department of Labor. These plans are located in appropriate departments.

- 15.1 All employees of the county who are occupationally exposed to blood or other potentially infectious materials as defined in the regulations are covered under provisions of this policy.
- 15.2 The County Manager or his designee shall maintain a copy of the exposure control plan, addressing exposure determination, procedures for evaluating the circumstances surrounding an exposure incident, and the schedule and methods for implementing compliance with the various sections of the Standard. This plan is updated on an annual basis.
- 15.3 The Human Resources Director maintains a listing of exposure determination for all job classifications, grouped into two exposure groups. The first group includes classifications in which all classifications have occupational exposure, and the second includes classifications where some employees have occupational exposure associated with specific listed tasks.
- 15.4 All occupationally exposed employees of Bladen County will be provided information and training prescribed under the Standard, which will occur during working hours at no cost to the employee. This training will be provided at initial assignment and at least annually thereafter. Additional training is provided when existing tasks are modified or new tasks are introduced which affect employees' exposure.
- 15.5 Hepatitis B vaccine and vaccination series is available to all employees who have occupational exposure, in addition to post-exposure evaluation and follow up services, as well as any booster doses subsequently recommended by the U.S. Public Health Service. Each of the foregoing services is provided at no cost to employees, at reasonable times and places, and is performed by or under the supervision of a licensed physician or licensed health care professional that is qualified to provide these services.
 - 15.5.1 The hepatitis B vaccine and vaccination series is available within 10 days of initial assignment to employees who have occupational exposure to blood or other potentially infectious materials unless the employee has (1) previously received the complete hepatitis B vaccination series, (2) antibody testing reveals that the employee is immune, or (3) medical reasons prevent the employee from receiving the hepatitis B vaccination series.
 - 15.5.2 All employees will be provided with a copy of a health care professional's written opinion stating whether a hepatitis B vaccination is indicated, and whether the employee has received such vaccination.
 - 15.5.3 All employees with occupational exposure are provided personal protective equipment by the County at no cost to the employee.

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- 15.5.4 Complete and accurate records are maintained for all employees concerning occupational exposure, as prescribed by the Standard, for which the retention period is throughout the period of employment, and for 30 years thereafter.
- 15.5.5 Any employee determined to be occupationally exposed who declines to accept hepatitis B vaccination must sign a declination statement and release of liability after appropriate prescribed training regarding hepatitis B, hepatitis B vaccination, the efficacy, safety, method of administration, benefits of hepatitis B vaccination, and that the vaccine and vaccination are provided free of charge.
- 15.5.6 Any employee who declines vaccination executes a declination and release of liability thereafter and who remains occupationally at risk can request vaccination at a later date. If subsequently requested, the same provisions will apply with respect to receipt of services at no cost to the employee.

16.0 Residency Requirement for Department Heads

- 16.1 Non-County residents recruited and employed as a department or agency head on or after July 1, 2011 shall be required as a condition of employment to reside in Bladen County during his/her tenure of employment as a department or agency head. A person newly appointed or employed shall have six months from the date of the appointment or employment to establish permanent residency. Employment will be deemed conditional until legal residence is established in Bladen County. In the event of hardship in meeting the residency requirement, the Board of County Commissioners may grant an extension for an amount of time.

Following an exhaustive search and having determined that there are no qualified applicants who reside in Bladen County or who are willing to relocate to Bladen County, the Board of Commissioners reserves the right to waive the residency requirement as determined on a case by case basis and majority approval by the County Commissioners.

- 16.2 Personnel currently residing in Bladen County shall be required as a condition of employment to maintain residence in Bladen County during his/her tenure of employment as a department or agency head.
- 16.3 It shall be the responsibility of each employee filling a position subject to this policy to furnish and provide information and documentation to the County Manager to establish the employee's compliance with this policy.
- 16.4 If a current County employee is living outside of Bladen County and promoted to a position subject to this policy, he/she shall relocate to Bladen County within six months.
- 16.5 Any aspect of the residency requirement may be waived at the discretion of the Board of County Commissioners.