

i

WEBSTER COUNTY ADMINISTRATIVE CODE

**Adopted by:
Action of Webster Fiscal Court**

DATE ADOPTED: July 1, 2025

**WEBSTER COUNTY
ADMINISTRATIVE CODE
TABLE OF CONTENTS**

SECTION 1	PAGE	GENERAL PROVISIONS
Section 1.1	3	Short Title
Section 1.2	3	Definitions
Section 1.3	3	Amendments
SECTION 2	3	GENERAL ADMINISTRATION
Section 2.1	3	County Judge
Section 2.2	4	Procedures for Organization/ Reorganization of County Departments And Agencies
Section 2.3	5	Special Districts
Section 2.4	5	County Representation on Boards and Commissions
Section 2.5	5	Appointed Positions
Section 2.6	6	Procedures for Appointment/Removal Of Administrative Personnel and Member of Boards and Commissions
Section 2.7	6	Webster County Procedures for Administrative Agencies
SECTION 3	7	OPERATION OF FISCAL COURT
Section 3.1	7	Procedures for Meetings of Fiscal Court
Section 3.2	7	Presiding Officer
Section 3.3	7	Quorum
Section 3.4	7	Disturbing Meetings
Section 3.5	8	Order of Business
Section 3.6	8	Fiscal Court Minutes
Section 3.7	8	Ordinances, Orders and Resolutions
SECTION 4	9	FINANCIAL MANAGEMENT
Section 4.1	9	Budget Preparation Procedures
Section 4.2	10	Duties and Procedures of the Webster County Budget Committee
Section 4.3	11	County Budget Hearing Procedures and Requirements
Section 4.4	11	County Procedure for County Treasurer
Section 4.5	13	Webster County Procedure for

		Fiscal Court Administration by the County Judge
Section 4.6	13	Claims Against Webster County
SECTION 5	14	PERSONNEL ADMINISTRATION
Section 5.1	14	Personnel Policy of Constitutional Officers
Section 5.2	14	Applicants
Section 5.3	15	Supervision
Section 5.4	15	Discipline Procedures
Section 5.5	15	Affirmative Action
Section 5.6	15	Scope of Coverage
Section 5.7	16	Definitions
Section 5.8	17	Classification of Employees
Section 5.9	17	Hours of Work
Section 5.10	18	Personnel Records
Section 5.11	18	Employee Records
Section 5.12	18	Personal Conduct
Section 5.13	18	Safety
Section 5.14	18	Credentials
Section 5.15	18	Selection and Appointment
Section 5.16	19	Methods of Filling Vacancies
Section 5.17	19	Recruitment, Evaluation and Certification
Section 5.18	19	Announcement of Vacancies
Section 5.19	19	Applications
Section 5.20	20	Appointments
Section 5.21	20	Transfer
Section 5.22	20	Promotion
Section 5.23	21	Employee Retainment Incentive
Section 5.24	21	Attendance, Leave and Fringe Benefit Provisions
Section 5.25	21	Holidays
Section 5.26	22	Vacation
Section 5.27	23	Paid Time Off (PTO)
Section 5.28	26	Family and Medical Leave Act (FMLA)
Section 5.29	28	Bereavement Leave
Section 5.30	29	Short Term Disability
Section 5.31	29	Special Leave
Section 5.32	29	Maternity Leave
Section 5.33	30	Military Leave
Section 5.34	30	Civil Leave
Section 5.35	31	Court Appearance
Section 5.36	31	Overtime/Compensation Time
Section 5.37	31	County Vehicles
Section 5.38	31	Health and Hospital Insurance
Section 5.39	32	Kentucky County Employees

Section 5.40	32	Retirement Program Employee Relation Procedures Training And Career Development
Section 5.41	33	Performance Evaluation
Section 5.42	33	Disciplinary Action
Section 5.43	34	Demotion
Section 5.44	34	Suspension
Section 5.45	34	Separation
Section 5.46	34	Dismissal
Section 5.47	35	Resignation
Section 5.48	35	Layoff
Section 5.49	35	Reinstatement
Section 5.50	36	Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on the Basis of Handicapped Status
Section 5.51	37	Miscellaneous Provisions
Section 5.52	37	Political Activity
Section 5.53	37	Harassment Policy
Section 5.54	38	Sexual Harassment
Section 5.55	39	Drug Free Workplace
Section 5.56	46	Expense Reimbursement
Section 5.57	47	Time Cards
Section 5.58	47	Physicals
SECTION 6	47	COUNTY ROAD DEPARTMENT
Section 6.1	47	Establishment of Department
Section 6.2	47	Duties of Road Supervisor
Section 6.3	47	Road Department Property
Section 6.4	48	County Road Inventory/Condition
Section 6.5	48	Procedures for County Road Repairs And Maintenance
Section 6.6	49	Miscellaneous Requirements
SECTION 7	47	COUNTY PROPERTY
SECTION 8	49	PURCHASES AND CONTRACTS
Section 8.1	49	Authorization of County Contracts
Section 8.2	50	Selection of Vendors and Contractors (Procedures for sealed bids)
Section 8.3	51	Procedures for Determination of Qualification of Bidders
Section 8.4	51	Procedures Prerequisite to Use of Negotiated Process
Section 8.5	51	Procedures for Negotiated Process
Section 8.6	52	Small Purchase Procedures

Section 8.7	52	Hold Harmless Clause
Section 8.8	52	Storage and Inventory Control
Section 8.9	52	Disposition of County Surplus Property
SECTION 9	53	BOARDS AND COMMISSIONS
Section 9.1	53	Maintenance of Records of Administrative Agencies and County Departments
Section 9.2	54	Regular Meetings
SECTION 10	54	SPECIAL DISTRICTS
Section 10.1	54	Procedures for Dissemination of Information
Section 10.2	54	Procedures for Dissolution
Section 10.3	55	Removal and Appeal Process
Section 10.4	56	Single County Special Districts
Section 10.5	56	Multi-County Special Districts
SECTION 11	57	COUNTY SERVICES
Section 11.1	57	Police and Protection Services
Section 11.2	57	Public Works Department (Road Department)
Section 11.3	57	County Road System
SECTION 12	57	INTERNET AND E-MAIL POLICY
Section 12.1	57	Acceptable Uses of the Internet and County E-Mail
Section 12.2	57	Unacceptable Uses of the Internet and County E-Mail
Section 12.3	58	Communications
Section 12.4	58	Social Media Policy
Section 12.5	59	Software
Section 12.6	59	Copyright Issues
Section 12.7	59	Security
Section 12.8	60	Violations
SECTION 13	60	MEDIA
Section 13.1	60	Media Contacts

Employee Agreement Signature Page
 County E-Mail & Internet User Agreement Signature Page
 Introduction/Purpose and Authority

INTRODUCTION

PURPOSE AND AUTHORITY

The General Assembly of the Commonwealth of Kentucky enacted KRS 68.005 in 1978 for the purpose of promoting efficient administration of County government. KRS 68.005 requires the Fiscal Court to adopt a County administrative code which includes, but not limited to, procedures and designation of responsibility for the following:

- (1) General administration of the office of County Judge-Executive (hereinafter ‘County Judge’), County administrative agencies and public authorities;
- (2) Administration of County fiscal affairs, including budget formulation; receipt and disbursement of County funds, preparation of records required for the County audit, and for filing of claims against the County;
- (3) Personnel administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the County affirmative action program;
- (4) County purchasing and award of contracts; and
- (5) Delivery of County services.

The County Judge, as the chief executive officer of the County, is responsible for the organization and management of the administrative functions of County government. The Fiscal Court sets the County’s policies and priorities. The County Judge must execute these policies and priorities. The statute provides only general guidance as to the form and substances of a County’s internal administrative organization. For this reason, the Fiscal Court of Webster County enacts the following County Administrative Code.

Webster County Administrative Code

Webster County Fiscal Court does hereby establish a County Administrative Code; dividing the administrative service of Webster County into department under the County Judge; prescribing administrative policy and procedure; prescribing the function and duties of administrative units and officials of the government; prescribing the administration of fiscal affairs and procurement procedures; and prescribing for the delivery of County services.

BE IT ADOPTED BY THE FISCAL COURT OF WEBSTER COUNTY:

SECTION 1 GENERAL PROVISIONS

SECTION 1.1 Short Title

- A. This document shall be known and may be cited as the “Webster County Administrative Code”.

SECTION 1.2 Definitions

- A. As used in this Code, unless the context otherwise requires:

- (1) *Chief Executive* is the County Judge of Webster County.
- (2) *County* is Webster County, Kentucky, a governmental entity.
- (3) *Fiscal Court* is the County body vested with the legislative powers of Webster County.
- (4) *Elected Official* means the Judge Executive, County Clerk, Sheriff, Jailer and County Attorney.

SECTION 1.3 Amendments

- A. The Fiscal Court shall review the Webster County Administrative Code annually during the month of June and may by a two-thirds (2/3) majority of the entire Fiscal Court amend the Webster County Administrative Code at that time. The County Judge may at other times prepare and submit amendments to the Webster County Administrative Code for approval by the majority of the Fiscal Court.

SECTION 2 GENERAL ADMINISTRATION

SECTION 2.1 County Judge

- A. The Webster County Judge shall be the Chief Executive and Administrative Officer of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution, Kentucky Revised Statutes and the Fiscal Court.
- B. The responsibilities and/or duties of the Webster County Judge, as defined by the KRS 67.710, are as follows:
 - (1) Provide for the execution of all ordinances and resolutions of the Fiscal Court, execute all contracts entered into by the Fiscal Court, and provide for the execution of all laws by the state subject to enforcement by him or by officers who are under his direction and supervision;

- (2) Prepare and submit to the Fiscal Court for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revision periodically or at the request of the Fiscal Court;
- (3) Furnish the Fiscal Court with information concerning the operations of the County departments, boards, or commissions, necessary for the Fiscal Court to exercise its power or as requested by the Fiscal Court;
- (4) Require all officials, elected or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County to make a detailed annual financial report to the Fiscal Court concerning the business and condition of their office, department, board, commission, or special districts;
- (5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the Fiscal Court and annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
- (6) Keep the Fiscal Court fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the Fiscal Court or as he deems necessary;
- (7) Exercise with the approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); and
- (8) With the approval of the Fiscal Court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the Fiscal Court, charter, law or ordinance may create. The requirement of Fiscal Court approval must be designated as such in the County administrative code or the County charter.

SECTION 2.2 Procedures for Organization/Reorganization of County Departments and Agencies

- A. The County Judge may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that the County Judge submits a written plan for the reorganization to the Fiscal Court.
- B. The reorganization plan shall state the need, how the reorganization will meet the need, the services and functions to be expanded, abolished, or reduced as a result of the plan, the long and short term costs, and the plan's impact on existing and/ or proposed personnel and services.

- C. The plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court. If not disapproved within sixty (60) days, the plan shall become effective. The plan shall be subject to public inspection at least 60 days prior to its effective date.
- D. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

SECTION 2.3 Special Districts

- A. The County Judge may, with approval of the Fiscal Court, create any special district; or abolish or combine any special districts, provided such district was created solely by the County.

SECTION 2.4 County Representation on Boards and Commissions

- A. The County Judge shall assure the representation of the County on all boards, commissions, special districts, and joint city-County programs in which County participation is required.
- B. Every independent board, commission, agency or special district which requires participation by County government shall submit a copy of its by-laws and a list of its governing members to the County Judge and the Fiscal Court within thirty (30) days of the start of the County term of office. The independent board, commission, agency or special district shall submit a revised copy of its by-laws within 30 days of their approval when amended. When a vacancy exists, the list of governing body members should be submitted to the County Judge no later than thirty (30) days before the County Judge nominates a candidate for the vacancy.

SECTION 2.5 Appointed Positions

- A. The County Judge may appoint an executive secretary to assist with the execution of his administrative duties.
- B. The County Judge may appoint a Deputy County Judge/Executive.
- C. The County Judge may appoint, subject to the approval of the Fiscal Court, a budget officer to assist with the County fiscal affairs.
- D. The county Judge may appoint, subject to the approval of the Fiscal Court, other personnel to assist with the County administrative and fiscal duties.

E. A member of the Fiscal Court may be appointed by a majority of the Fiscal Court to temporarily assume the duties of the County Judge, where both the County Judge and the Deputy County Judge/Executive, if a Deputy County Judge/Executive has been appointed, are absent from the County during an Emergency, or where both are incapacitated due to sickness, injury, or mental incompetence.

SECTION 2.6 Procedures for Appointment/Removal of Administrative Personnel and Members of Boards and Commissions

- A. The County Judge shall inform the Fiscal Court of any open position on County Boards or Commissions, or in designated administrative positions.
- B. The county Judge shall appoint qualified individuals to administrative positions and to Boards and Commissions in writing, with the writing submitted to Fiscal Court.
- C. If the Fiscal Court rejects the nomination, the County Judge shall submit an additional nomination(s) for each position.
- D. The appointment shall be filed and entered into by index into the Webster County Order Book which are maintained in the Office of the County Clerk.
- E. The Webster County Fiscal Court may require a nominee to appear at a public hearing for the purpose of questioning the nominee about matters relating to the appointed position. The nominee shall be notified by mail if this is the intention of the Fiscal Court. The Fiscal Court shall provide the nominee with an opportunity to make a statement to the Fiscal Court concerning his nomination and qualifications.
- F. No person shall be selected as a member of a board or commission or for an administrative position if the person holds or is employed in an incompatible position.

SECTION 2.7 Webster County Procedures for Administrative Agencies

- A. Each Webster County Agency shall maintain the following records:
 - (1) A financial record of the agency's activities.
 - (2) Within thirty (30) days after the close of each fiscal year, each administrative agency shall make full report to the County Judge and to the Fiscal Court. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.
 - (3) Each administrative agency requesting Webster County budget funds shall submit a detailed annual budget request to the County Judge by April 1st of each year.

(4) Each administrative agency of Webster County shall keep minutes of its meetings to reflect on record its official actions.

SECTION 3 OPERATION OF FISCAL COURT

SECTION 3.1 Procedures for Meetings of Fiscal Court

- A. The County Judge shall annually set the dates and times for all regular Fiscal Court meetings via Executive Order. The Executive Order shall be issued no later than January 1st of each year, except in the first year of the term of office, when the Executive Order shall be entered no later than one week from the date the term begins.
- B. All meetings of members of Fiscal Court at which any public business is discussed or any action taken shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).
- C. The County Judge may call a Special Meeting of the Fiscal Court for the purpose of transaction any business over which the Fiscal Court being able to call a special meeting.
- D. Whenever the County Judge is unable, or refuses to call a Special Meeting, a majority of the Fiscal Court may call a Special Meeting.
- E. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).

SECTION 3.2 Presiding Officer

- A. The County Judge shall be the presiding officer of the Fiscal Court at all regular and special meetings.
- B. If the County Judge is not present or unable to preside, a majority of the magistrates shall elect one of their members to preside.

SECTION 3.3 Quorum

- A. Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business
- B. No proposition shall be adopted except with the concurrence of at least a majority of the members present; with the exception that passage of an ordinance requires a majority of the entire Fiscal Court.

SECTION 3.4 Disturbing Meetings

- A. It shall be unlawful to disturb any meetings of the Fiscal Court or to behave in a disorderly manner at any such meeting.
- B. Any person violating any provision of this section may be prosecuted under the appropriate provisions of the Kentucky Penal Code.

SECTION 3.5 Order of Business

- A. At each regular meeting of the Fiscal Court an agenda will be presented prior to the meeting. This agenda shall be followed unless dispensed with by a majority vote of the members presented.
- B. At each Special or Emergency Meeting of the Fiscal Court, the agenda shall be followed with no other topics presented or discussed during the Special or Emergency Meeting.
- C. The County Judge shall prepare an itemized list of all valid bills requiring Fiscal Court approval.
- D. No bill shall be approved for payment unless contained in the itemized list for the meeting.
- E. A majority of the Fiscal Court members may vote to forgo Section 3.5(D) and approve payment of bills not included on the itemized list of valid bills as a whole unless there is an objection voiced to any specific item.
- F. The Fiscal Court may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

SECTION 3.6 Fiscal Court Minutes

- A. The Webster County Clerk or designated clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keeps a full and complete record of its proceedings.
- B. The Webster County Clerk shall keep an index of all Fiscal Court records and make such index of all Fiscal Court records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chp. 61).

SECTION 3.7 Ordinances, Order and Resolutions

- A. An “ordinance” means an official written act of the Fiscal Court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the County; or a lawful appropriation of money.

- B. All ordinances shall be introduced in writing; relate to one subject only; and contain a title which expresses the subject; such as, "An Ordinance relating to..."
- C. There shall be inserted between the title and the body of each County ordinance an enacting clause writing in the following manner: "Be It Ordained by the Fiscal Court of the County of Webster Commonwealth of Kentucky,"
- D. County ordinances shall be amended by ordinance and only by setting out in full each amended section;
- E. No County ordinance shall be passed until it has been read on two separate days, unless an emergency is properly declared, but ordinances may read by title and a summary only.
- F. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. Publication shall include the time, date and place at which the County ordinance will be considered, and the place within the County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial meeting to a subsequent date, no further publication is necessary provided that each meeting, the time, date and place of the next meeting is announced.
- G. All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the Fiscal Court. All County ordinances must be presented for recording in the County Clerk's Office and become a permanent record.
- H. An order or resolution may be utilized for action by the Fiscal Court where the action is specific in nature, not for an uncertain time period, and which is enforceable within county boundaries. Examples of where an order or resolution may be appropriately used include: (1) Approval of claims against the county; and (2) Approval of a question to be to the electorate for the creation of a taxing district where there is statutory authority for a referendum.

SECTION 4 FINANCIAL MANAGEMENT

SECTION 4.1 Budget Preparation Procedures

- A. By April 1st of each fiscal year, the County Judge shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.
- B. The County Judge shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
- C. The County Judge shall review the expenditures in each classification of each fund for the preceding year and for the current year.

- D. The County Judge may obtain from the Webster County Treasurer receipts for actual expenditures made during the current fiscal year.
- E. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.
- F. The County Judge shall obtain from the sheriff an annual settlement showing County taxes collected, not later than October 1 of the current year and by April 1 of each year of the Webster County Property Assessment levels from the Webster County Property Valuation Administrator.
- G. The County Judge shall submit the completed proposed budget to the Fiscal Court not later than May 1 of each fiscal year.

SECTION 4.2 Duties and Procedures of the Webster County Budget Committee

- A. The Budget Committee shall consist of the County Judge, the County Attorney, the County Treasurer and Webster County members of the Fiscal Court.
- B. The Budget Committee shall review in detail the proposed budget that the County Judge has prepared and submitted to the Fiscal Court.
- C. The Budget Committee shall include such budgets as may be required by the activities of the County.
- D. The review shall be conducted at a meeting or meetings held not later than May 21 of each year.
- E. Immediately upon approving a proposed budget for the County, the Budget Committee shall forward a copy of the proposed budget to the Fiscal Court. The committee must notify any changes from the budget proposals submitted by the county office or agency. The Webster County Fiscal Court shall make comments, amendments, and tentatively adopt the proposed budget prior to the County Judge submitting the budget to the Kentucky State Local Finance Officer.
- F. Following action by the Fiscal Court, but not later than June 10, the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification.
- G. The Webster County budget approved by the State Local Finance Officer shall be submitted to Fiscal Court for adoption, in the form of an ordinance not later than July 1.

H. The County Judge shall cause a copy of the proposed budget to be posted in conspicuous place in the courthouse near the front door not less than seven (7) days before final adoption.

- (1) A summary of the County budget shall be published in accordance with KRS Chp. 424 before final adoption by Fiscal Court.
- (2) A summary of the County budget shall be published in accordance with KRS Chp. 424 within 30 days after adoption by Fiscal Court.
- (3) The County Judge shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

SECTION 4.3 County Budget Hearing Procedures and Requirements

A. County Road Aid Fund (CRA):

- (1) Publish notice of the proposed use hearing on the CRA fund shall be published not less than seven (7) days in advance of the scheduled hearing.
- (2) The County Judge shall conduct the proposed use hearing.
- (3) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge as public record.

B. Prior to adoption of the County budget and submittal to the State Local Finance Officer, the Fiscal Court shall conduct a budget hearing on the entire County budget to show the relationship of LGEA fund uses to other funds and uses. The date of the final budget hearing may be immediately prior to the first reading of the budget ordinance.

C. Notice of the budget hearing shall be published in at least one (1) newspaper of general circulation and other news media in the community shall be advised. The preceding shall be as follow:

- (1) Published notice of budget hearing not less than ten (10) days prior to the scheduled hearing;
- (2) The Fiscal Court shall conduct the budget hearing;
- (3) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge as public record.

SECTION 4.4 County Procedures for County Treasurer

A. County Treasurer shall receive and deposit all funds due the County.

- B. County funds shall be paid out only on order of Fiscal Court.
- C. No expenditures may be made in excess of revenues or for purposes other than appropriated.
- D. No appropriations may be made which exceed adopted budget amounts.
- E. The Treasurer shall keep an Appropriation Expenditure Ledger. The ledger shall be a record of each budget appropriation, all expenditures from the appropriation and each budget fund.
- F. The Treasurer shall maintain general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Local Government Economic Aide, etc.) has a complete balancing set of general ledger accounts. Control accounts are established for the Cash Receipts Register and the Appropriation Expenditure Ledger.
- G. The Treasurer shall maintain a Cash Receipt Register containing columns for total cash received, source of revenue and miscellaneous revenue for each fund.
- H. The Treasurer and budget officer shall maintain an Appropriation Expenditure Ledger. This ledger is a group of accounts supporting in detail the appropriation and expenditure accounts of the General Ledger. An account must be provided for each appropriation made in the budget. The original appropriation and all amendments and transfers authorized by order of the Fiscal Court shall be entered. All expenditures shall be charged to an appropriation account.
- I. The Treasurer and budget officer shall maintain a record of all warrants paid (except payroll) in chronological order in a Warrant Distribution Register. Columns shall provide for date, payee, warrant number, appropriation expenditure account number and amount. Separate columns shall provide for each fund so that one register serves all funds.
- J. The Treasurer or Finance Officer shall maintain a Payroll Authorization Book, designed to facilitate convenient preparation and certification of the payroll. Once order of the Fiscal Court may be made to authorize payment for all employees for more than one payroll period.
- K. The Treasurer or Finance Officer shall maintain an Individual Earnings Record for each employee, including gross earnings, deductions and net pay at the time computed.
- L. The Treasurer shall maintain a Notes Payable Register which provides information on notes for temporary loans in anticipation of the current year's revenue, indication the principal amount, interest rate, due date, fund and other necessary details.

M. The Treasurer shall maintain a Bond Register which records the history and authorization of each bond issue, whether general obligation bonds, revenue bonds or special levy bonds. A separate sheet shall be prepared for each issue.

SECTION 4.5 Webster County Procedures for Fiscal Court Administration by the County Judge

- A. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each account.
- B. As expenditures are made during the year, the amount of the expenditure is subtracted from the free balance to keep an accurate record of the exact amount of the unused appropriation at any time.
- C. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.
- D. The County Judge shall write and sign all warrants directing the Treasurer to make payments authorized by Fiscal Court. The County Judge shall maintain a record of all warrants.
- E. At the close of each fiscal year the County Judge will be responsible for the preparation of records necessitated by the annual County audit and audit of the County Judge's office. The annual audits of the books, accounts, and paper of the County and the County Judge shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

SECTION 4.6 Claims Against Webster County

- A. The County Judge shall account for all claims against the County
- B. All claims for payment from the County shall be filed in writing with the County Judge
- C. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.
- D. Each order of Fiscal Court approving a claim shall designate the budget fund and classification from which the claim will be paid and each warrant shall, specify the budget fund and classification.
- E. The payroll for county officials and regular County employees and recurring utility expenses are hereby preapproved. Other recurring expenses may be preapproved by the Fiscal Court upon authorization of the State Local Finance Officer.

- F. The depositor of Webster County funds shall not honor any warrant on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign.
- G. All offices collecting County or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County. County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless written waiver is given by Fiscal Court.

SECTION 5 PERSONNEL ADMINISTRATION

It shall be the policy of the County to maintain equal employment opportunities for its labor force which will be in compliance with applicable federal and state laws. The County is an at-will employer and is not subject to merit system governance or regulations. As an Equal Opportunity Employer, the County is committed to nondiscrimination in hiring, promotion, discharge, pay, fringe benefits and other aspects of employment, on the basis of race, color, religion, sex, disability, age, national origin, veteran status, sexual orientation, gender identity, genetic information or ancestry, or because the individual is a smoker or nonsmoker, as long as the person complies with any workplace policy concerning smoking. Should you have any questions regarding this matter, please contact your Department Head or the County Judge.

SECTION 5.1 Personnel Policy of Constitutional Officers

- A. Each Elected Official shall develop a personnel policy for the operation of their respective office.
- B. In the alternative, each Elected Official may choose to adopt the personnel policies approved by Fiscal Court for the operation of their office (Chp. 5). Should the Elected Official elect to utilize the personnel policies of the Fiscal Court, the Elected Official shall designate same, in writing, and deliver same to the County Judge.

SECTION 5.2 Applicants

- A. Each applicant shall fill out and sign a standard written job application form, and each application shall be kept on file for one (1) year. All applicants shall sign a release authorizing the County to download and review the applicant's Kentucky Driving History Record or the Driving History Record for the state in which the applicant is licensed.
- B. No employee may be hired until having been interviewed by the Department Head or Immediate Supervisor.
- C. The County Judge or each Elected Official shall make the selection, subject to approval of Fiscal Court, and notify the applicant and supervisor in writing of the selection

- D. Equal Employment Opportunity (EEO) information may be obtained from the applicant but shall not be used to exclude any person from employment.
- E. All part-time and temporary employees, funded through state or federal programs, shall be recruited and selected in accordance with the appropriate program guidelines.
- F. Any Employee hired shall be subject to the probationary period as defined in Section 5.7.

SECTION 5.3 Supervision

The County Judge is responsible for the supervision of County employees. This responsibility may be delegated to appropriate department heads and supervisors. Each elected official shall be responsible for the supervision of all employees working within their particular office.

SECTION 5.4 Discipline Procedures

- A. The County Judge or each Elected Official shall discipline County employees by written reprimand, suspension or discharge in the best interest of the County.
- B. Any employee who is disciplined by the County Judge may appeal by written statement to the Webster County Fiscal Court at any time within fifteen (15) days after said action.
- C. The Webster County Fiscal Court shall conduct whatever investigation it believes the appeal warrants and render a written decision within thirty (30) days after said appeal has been made.

SECTION 5.5 Affirmative Action

- A. The County Judge shall develop and maintain an Affirmative Action Plan consisting of
 - (1) A statement of Policy
 - (2) Methods of Dissemination of the Policy
 - (3) Workforce Analysis
 - (4) Goals and Timetables
- B. The County Judge is responsible for the implementation of the affirmative action policy of the County.

SECTION 5.6 Scope of Coverage

A. The following County employees are expressly exempted from coverage:

- (1) The County Judge, Fiscal Court members, Constables and all Elected Officials.
- (2) All members of boards and commissions of the County.
- (3) Consultants, advisors and counsel rendering temporary professional advice.
- (4) Independent contractors.
- (5) Employees of the Webster County Elected Officials.
- (6) Employees made available to County by other agencies.

B. All County employment positions not expressly exempted from coverage by this section shall be subject to the provisions herein.

SECTION 5.7 Definitions

Where used within these personnel rules, the following words and terms shall have the meaning indicated below:

Allocation: The assignment of an individual position to specific class of work based on the kind, difficulty, skill and responsibility of the work performed.

Appointing Authority: The person or body having authority under the laws of the Commonwealth of Kentucky to make appointments to positions. Unless otherwise specified, the Appointing Authority shall be construed to mean the County Judge.

Appointment: The act of appointing authority by which a position is filled.

County Employees: Those employees supervised by the County Judge.

Demotion: Changing one employee from one class of work to a different class of work at a lower pay grade.

Elected Official: Any elected official holding one of the constitutional County offices.

Performance Rating: An appraisal or evaluation of an employee's work performances.
Position: An individual job within the County's personnel system.

Position Description: A detailed written description of the specified duties assigned to and performed by a particular employee.

Probationary Period: A working test normally established as sixty (60) days, during which an employee is required to demonstrate by actual performance, his or her fitness to

perform the duties of the position to which appointed. Upon justification to the appointing authority and written notification to the employee involved, a department head may extend the Probationary period beyond sixty (60) days. The probationary period does not apply to transfers from another department.

Termination: The separation of an employee from the County personnel system by resignation, retirement, layoff, dismissal or death.

Dismissal: The termination of an employee

Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.

Resignation: The voluntary termination of employment by an employee.

Retirement: The termination of employment and transfer to retired status of an employee.

SECTION 5.8 Classification of Employees

- A. All employees of the County workforce shall be classified as full-time, part- time, seasonal or temporary.
 - (1) Full-Time Employee: An employee who works 40 hours per week on a regular scheduled basis
 - (2) Part-Time Employee: An employee who works less than 40 hours per week
 - (3) Seasonal Employees: Temporary positions which coincide in duration with a particular season or seasons of the year and that may recur regularly from year to year, in which case the period of time shall not exceed six (6) months.
 - (4) Intermittent Employee: are a non-full time employee without a regular schedule.
 - (5) Temporary Employee: are positions of employment with a participating agency for a period of time not to exceed twelve (12) months and not renewable (full or part-time)/

SECTION 5.9 Hours of Work

- A. An employee's work hours shall be assigned by the Department Head or Direct Supervisor.
- B. Overtime work shall be approved in advance by the County Judge or the Department Head, except in necessary circumstances where the County Judge shall be required to approve the overtime work after the overtime work has occurred.

SECTION 5.10 Personnel Records

Beginning the first day of employment, all new employees shall report to an office designated by the County Judge to supply any information needed to complete personnel records, execute payroll withholding authorization and enroll in the employee benefit program.

SECTION 5.11 Employee Records

It shall be the obligation of the employee to maintain current information by notifying his or her Department Head of all changes in personal or family statutes, home address, home telephone number, or any other changes which would affect payroll withholding or employee benefits.

SECTION 5.12 Personal Conduct

Images presented and statements made by all employees of the County can affect the entire organization; therefore, employees are expected to be friendly, courteous, appropriately dressed at all times and acting in accordance with the County Drug Policy.

SECTION 5.13 Safety

The health and safety of all County employees is of major importance. The County is striving to make everyone's job safe in all respects; therefore, all employees shall report in writing all hazardous conditions in their work area at once to their immediate supervisor. All injuries should be reported immediately to their supervisor and within 24 hours to the County Judge's office.

SECTION 5.14 Credentials

If it should come to the attention of the County Judge that an employee was hired on the basis of false credentials, said employee will be subject to immediate demotion or dismissal. All employees shall be a high school graduate or GED recipient; otherwise approved by the Fiscal Court.

SECTION 5.15 Selection and Appointment

- A. Each applicant shall fill out and sign a standard written job application and each application shall be kept for at least two (2) years.
- B. County Employees. The County Judge or appointed Elected Official shall select job candidates to be submitted to Fiscal Court for approval. Fiscal Court shall approve all salaries or appropriate salary schedules.
- C. All employees whose positions are funded through state or federal programs shall be recruited and selected in accordance with the appropriate program guidelines.

SECTION 5.16 Methods of Filling Vacancies

If it is determined by the County Judge or appointed Elected official that no current County employee meets the education, experience and skill requirements set forth in the classification description, the positions shall be filled through applications on file. If no applicant on file meets the requirement, open public recruitment will be used to fill the position.

The County Judge may transfer or promote an existing employee into a vacant position where that employee meets all qualifications for that position. The County Judge may fill vacant positions from applications already at hand or by any means which does not violate the state law. The County is not required to advertise any employment vacancies prior to filling a position. In compliance with state law, most employee appointments made by the County Judge require Fiscal Court approval or the employment shall be considered invalid.

SECTION 5.17 Recruitment, Evaluation, and Certification

The County Judge or designee shall be responsible for:

- (1) Accepting complete application forms from the applicants.
- (2) Conducting interviews, reference checks, and evaluation of training, experience and credentials.

SECTION 5.18 Announcements of Vacancies

- A. Notice of employment opportunity and necessary examinations, if any, may be publicized at the County Judge's discretion.
- B. Such notices shall:
 - (1) List the vacant position(s).
 - (2) Specify for each position its position title, nature of work to be performed, and qualifications for employment in the position.
 - (3) Tell when and where to file applications for employment in the position.

SECTION 5.19 Applications

- A. All applications shall utilize the Webster County Application form, adopted by the County. The applicant shall provide:
 - (1) Information about the applicant's training, experience and character.

- (2) Whatever additional information the County Judge deems pertinent to an evaluation of the applicant's fitness for the position for which he applies.
- B. The County Judge shall review each application to ascertain the applicant's qualifications for the position.

SECTION 5.20 Appointments

- A. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:
 - (1) Job related performance (internal candidates);
 - (2) Information provided on the Application;
 - (3) Interview(s);
 - (4) References;
 - (5) Other appropriate means;
- B. Where a declaration of emergency has been declared in accordance with KRS 39B, the County may hire employees on a temporary basis for emergency purposes without Fiscal Court approval. Most other employees are to be recommended by the County Judge to the Fiscal Court with Fiscal Court approval required for all hiring decisions. No employee should start work prior to Fiscal Court Approval being granted, except in accordance with KRS 39.B.

SECTION 5.21 Transfer

Any full-time employee may request a transfer from one position to another such position provided the position to which the employee transferred is one for which he possesses the qualifications, and provided that the position applied for is vacant.

SECTION 5.22 Promotion

- A. An employee may be promoted from one position to another only if the employee has the qualifications for the higher position. These qualifications shall be ascertained on the basis of job-related information, interview, and evaluations of performance, training and experience. The same procedure as those authorized for ascertaining his qualifications for initial appointment to a position shall be followed.
- B. In the filing of a vacancy in a position above the entrance level, preference shall be given to promotion of present employees at the time the vacancy occurs. If, however, the County

Judge deems that the best interests be outside the current workforce, he may fill the position by appointment of a person from outside the current workforce.

- C. When such a vacancy occurs, the names of all persons who qualify for promotion to the vacant position shall be presented to the County Judge for consideration in filling the vacancy by promotion.

Section 5.23 Employee Retainment Incentive

Webster County Fiscal Court provides a length of service wage step-increase for full time based on years of employment. Effective with the fiscal year beginning 07/01/2025 employees with the following years of employment will receive:

- 10 years - \$.50/hour
- 15 years - \$1.00/hour
- 20 years - \$2.00/hour

Future increases will be effective each fiscal year.

SECTION 5.24 Attendance, Leave and Fringe Benefit Provisions

- A. The standard work week for County employees shall be forty (40) hours per week, unless otherwise prescribed by the Fiscal Court. Specific departmental work schedules shall be prescribed by department heads, with the approval of the County Judge. Work schedules for seasonal, temporary, and part-time employees shall be specified by the County Judge according to the needs of the County and the rules and schedule stipulated for regular employees.
- B. Employees shall be at their places of work in accordance with prescribed schedules. The direct job supervisor shall maintain daily attendance records of all employees.
- C. Only full time Employees shall be eligible for Life Insurance and Short-Term Disability Benefits at the first of the month following sixty (60) days from their hire date.

SECTION 5.25 Holidays

The Fiscal Court shall adopt a holiday schedule prior to commencement of each calendar year and shall distribute same to all County employees and department heads. The current holiday schedule is:

1. New Year's Day --- January 1st
2. Martin Luther King Day --- 3rd Monday in January
3. Good Friday --- Friday Before Easter
4. Memorial Day --- Last Monday in May
5. Independence Day --- July 4th

6. Labor Day --- First Monday in September
7. Veteran's Day --- November 11th (actual day)
8. Thanksgiving Day --- Fourth Thursday in November
9. Christmas Day --- December 25th

An extra day each is allotted for the Thanksgiving, Christmas, and New Year Holidays.

- A. Each elected county official shall follow the same holiday schedule for its employees as adopted by the Fiscal Court.
- B. If a scheduled holiday falls on a weekend day, the County will abide by the State Schedule for that holiday.
- C. In order to receive holiday pay, an employee must work their last scheduled day prior to and their first scheduled day after said holiday, unless previously approved by supervisor.

SECTION 5.26 Vacation

- A. All regular full-time employees shall be entitled forty (40) hours of vacation time after one year of service. All regular full-time employees with two (2) years of service or more shall be entitled to eighty (80) hours of vacation time. After ten (10) years of service, all regular full-time employees shall be entitled to one hundred twenty (120) hours of vacation time, will take effect January 1, 2018. After twenty (20) years of service, all regular full-time employees shall be entitled to one hundred sixty (160) hours of vacation time, will take effect January 1, 2018.
- B. Part-time employees, Seasonal employees, and Temporary employees shall not be eligible to earn Vacation leave.
- C. During the first two (2) years of service, vacation time will be awarded at the anniversary hire date. For years thereafter, vacation time will be awarded on January 1st, on a calendar year basis.
- D. No employee will be permitted to take Vacation leave that has not been earned unless at the discretion of the department head/elected official. Vacations shall be at full pay at the current rate of salary.
- E. Vacation will be scheduled on anticipated "slack" time in a manner that does not interfere with the functions and services of the office. Employees shall select vacation dates that do not coincide with dates of other employees. Senior employees shall have first preference. The Department Head shall review all Vacation leave requests and shall forward the Department Head's recommendation to the County Judge / Elected Officials. Approval by the County Judge / Elected Officials or his assignee is mandatory.

- F. The County Judge's office or its designee shall keep records of vacation leave for each individual employee.
- G. All employees may take leave without pay if the leave is approved by the Department Head and County Judge / Elected Officials.
- H. Absences on account of sickness, injury or disability in excess of that authorized for such purposes may, at the request of the employee with the approval of the Department head and County Judge/Elected Official be charged to vacation leave credit.
- I. Employee's will not accumulate unused vacation days or pay for unused vacations days. In the event special work demands prevent an employee from taking all available vacation days a request may be made to carry over no more than five days into the next vacation cycle. To be effective, approval must be in writing and presented to said employee's Supervisor, Department head or Elected Official. Vacation time carried over must be used in 3 months. Salaried employees will make requests in writing to the County Judge Executive except for salaried employee's working under another Elected Official and they will make their request in writing to that official for review.
- J. Earned vacation time will be paid out in the event of employee submitting a two (2) week resignation notice or at the discretion of the department head/elected official.
- K. An Employee that is terminated with cause will not be paid out vacation.

SECTION 5.27 Paid Time Off (PTO)

A. Accumulation of Sick Leave:

- (1) Paid Time Off (PTO) is a benefit, not a right. PTO entitles employees to time off to recuperate from illness or accident, while retaining their employment rights and pay for the time off. Its main purpose is to provide income for employees absent a relatively short time because of personal illness or injury.
- (2) Full-time employees shall be eligible for PTO at the rate of six (6) hours pay per month. Part-time, Seasonal, and Temporary employees are not eligible for sick leave.
- (3) Employees in their first three full calendar months of service shall not be credited with PTO. On the first day of their fourth full month of service, the employee shall be credited with three (3) PTO days. As an example, an employee hired on January 15 shall not be credited with PTO during the month of January, February, March or April. The employee will be credited with three (3) PTO days on May 1.
- (4) PTO may be accumulated from month to month and year to year and may be used at any time as long as the employee is employed by the county. Upon retirement, death or timely two week notice of resignation, one half (1/2) of accumulated PTO days will

be paid at the current rate of pay. An employee that is terminated with cause will not be paid any accumulated PTO days.

B. Use of Paid Time Off:

- (1) Personal illness, injury, or visits to the physician which cannot be accomplished during off-duty hours.
- (2) Enforced quarantine of the employee in accordance with community health regulations.
- (3) Illness in the immediate family (spouse, children, parents, or relatives living in the employee's home), when approved by the office holder.
- (4) A County official may allow three (3) consecutive days of PTO without a doctor's excuse, but any days over a three (3) day period must be accompanied by a doctor's excuse unless otherwise authorized by the Department Head. For the purpose of this section a "weekday" is considered an eight (8) hour day.

C. Reporting Paid Time Off:

- (1) To be paid PTO, the employee has the responsibility to report their inability to be on the job. Failure to notify his office or Department Head prior to the established work time may result in loss of pay for that day and may result in disciplinary action against the employee. If notification is not possible prior to the start of the established work time, the employee shall notify the Department Head as soon as is possible.
- (2) PTO time used will be subtracted on an hour-for-hour basis.
- (3) Upon return to work the employee shall file a Notice of Leave form stating the reasons for the absence, unless the employee filed the form prior to taking PTO. The form must be approved by the Department Head before being charged to PTO. Individual records of all PTO credit shall be maintained by the County.
- (4) A Department Head may require the employee to submit a medical statement, period of treatment, and date that the employee may return to work from PTO when it occurs before or after a holiday or other scheduled day off or when an employee has a record of repetitious usage of short amount of PTO over an extended time period. The employee may be required to take a medical examination on returning from PTO or on such occasions that it is in the best interest of the County. The medical examination shall be given by a physician designated by the County.
- (5) The County Judge, an Elected Official or a designee may investigate the alleged illness of an employee under the Elected Official's supervision absent from work on PTO. False or fraudulent use of PTO shall be cause for disciplinary action, up to, and including, dismissal.

D. PTO Donation Program. An Employee may agree to donate accumulated sick leave under the following conditions:

1. Both recipients and donors must be current employees of the County.
2. A donor may not donate an amount of PTO which would cause his/her sick leave balance to go below 40 hours.
3. An employee becomes eligible to receive donated PTO at the point in time when all four of the criteria below are met:
 - a. The employee or member of his/her immediate family suffers from a “medically certified” illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to go on leave for at least ten consecutive working days;
 - b. The employee’s need for absence is certified by a licensed practicing physician;
 - c. The employee has exhausted all of his/her available paid leave: and
 - d. The employee has complied with administrative regulations governing the use of PTO.
4. Participation in the PTO Sharing Program is at the discretion of the employee and requires approval of the County Judge or Elected Official.
5. Guidelines on PTO Sharing Regulations

In the event of a prolonged or catastrophic illness or injury, or an extended absence due to illness of a family member, eligible employees who accrue PTO and who have exhausted their leave balances may have PTO donated to them by other eligible County employees. The forms needed to receive or donate PTO may be obtained from the County Judge’s or the Elected Official’s office. Listed below is the chronological flow of actions and documents.

1. RECIPIENT COMPLETES APPLICATION AND SUBMITS IT ALONG WITH THE PHYSICIAN ‘S CERTIFICATION TO HIS PAYROLL OFFICER. The payroll officer collects all information, and transmits the appropriate documents to the Appointing Authority.
2. THE APPLICATION IS REVIEWED TO ENSURE THAT THE CERTIFICATION OF THE PHYSICIAN IS COMPLETE AND THE FORM IS CORRECTLY FILLED OUT. Verify that the employee will exhaust his PTO during the projected absence. Note that the employee does not have to have exhausted his PTO before he submits the application. Also, note that the employee does not have to have already been off for 10

days in order to apply, but must have a situation where it is likely to cause an absence for at least 10 consecutive days. A file is created for the recipient by the payroll officer. All medical information must be kept in a locked file separate from the personnel files.

3. **DONOR(S) COMPLETES DONATION FORM AND SUBMITS TO HIS PAYROLL OFFICER.** The donor's payroll officer verifies the donor's PTO balance for eligibility. After the form is signed by the appointing authority, a copy is sent to the recipient's payroll officer. The donor's payroll officer must reduce the donor's PTO balance upon receipt of the memo from the recipient's payroll officer.
4. **RECEIVE AND FILE FORMS.** As the donation forms are received by the recipient's payroll officer, they are stamped with a received date, and the time of receipt is recorded on the form. The recipient's payroll officer will file the donor forms in the file for the appropriate recipient.
5. **PREPARE AND PROCESS PAYROLLS.** Upon certification of eligibility, all donated leave is to be added to recipient's PTO balance. As the employee utilizes PTO for the PTO Sharing qualifying condition he will be paid as usual, reporting PTO used.
6. **SEQUENCE OF PTO USAGE.** Transfer all PTO donated to the recipient at the time of donation, not on a pay period basis, up to the amount requested. As the recipient accrues PTO of his own, his PTO must be used first. He can then use time donated to him. The recipient uses donated PTO in the order in which it is received.
7. **RECIPIENT CAN RETAIN PTO AFTER RETURN TO WORK.** The recipient may retain the donation PTO upon return to work only if the recipient documents that PTO will be needed for continuing treatment relating to the condition which caused the individual's absence. For example, if the employee was absent due to surgery to remove a malignant tumor and returns to work, but will require periodic absences for radiation therapy, the excess PTO may be retained for that purpose. However, the employee may not retain the excess PTO to be used for any unrelated condition.
8. **SEQUENCE OF RESTORING UNUSED PTO TO DONORS.** When the recipient returns to work and the donated PTO is no longer needed for the qualifying condition, excess PTO shall be returned to donors in reverse order of donation (last donor's PTO is returned first). If the donor has left employment, the returned hours should be credited to the inactive record for restoration if the employee is rehired.

SECTION 5.28 Family and Medical Leave Act (FMLA)

- A. FMLA provides entitlement for up to 12 weeks of job protected, unpaid leave, during any twelve-month period for the following reasons:
 - (1) The birth of a son/daughter or care for a newborn child;
 - (2) The placement of a son/daughter for adoption or foster care;

- (3) Care for the employee's spouse, son/daughter, or parent with a serious health condition;
- (4) The employee's own serious health condition.

B. Qualifying Exigency Leave. The FMLA requires that employers provide employees up to 12 weeks of leave in a calendar 12-month period to tend to any "exigency" resulting from a service member's call to duty. The new FMLA regulations clarify that exigency leave may be taken by eligible employees (consisting of not only a spouse, son, daughter, or parent, but also "next of kin" – the next nearest blood relative) while their spouse, son, daughter, or parent is on active duty or call to active-duty status in the National Guard or Reserves. An employee whose family member is on active duty or call to active duty for the Regular Armed Forces does not qualify for this leave. Qualifying exigencies include short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling rest and recuperation, post-deployment activities, and additional activities.

C. Military Caregiver Leave. An eligible employee is entitled to 26 workweeks of leave in a 12-month period to care for a covered service member in the Armed Forces (including the National Guard and Reserves) who becomes ill or injured as a result of his or her military service. The 12-month period begins when the employee starts using her or his leave. This leave may only be taken once per injury, but may be taken again if there are additional injuries. More than one family member may qualify for the leave.

D. If the employee was qualified for health insurance benefits when leave begins, the employer shall maintain health benefits for the employee in the same manner during periods of FMLA leave as if the employee continued to work.

E. However, the employee must exhaust all accumulated sick leave and annual leave time prior to receiving unpaid FMLA leave.

Worker's Compensation shall be designated as FMLA leave as long as the illness or injury also qualifies as a FMLA qualifying event. If the illness or injury qualifies as FMLA leave, then FMLA runs concurrently with the Worker's Compensation Leave.

F. Upon employee being granted FMLA leave, the employee must continue to pay his/her own employee contribution to the health insurance play ordinarily required of an employee. The employer will continue to pay the contribution ordinarily paid by the employer under the current health insurance play. If the employee contribution payment is not paid by the employee, in such event, the employer may terminate the health insurance benefits of the employee during FMLA leave. However, the employee may exercise their rights for COBRA benefits.

G. In order to qualify for FMLA benefits, the employee must have worked for the employer for at least 12 months prior to the commencement of benefits and worked at least 1,250

hours in the prior year. The 12-month period need not be consecutive. Employment prior to a break in service of more than 7 years need not be counted unless the break in service was occasioned by the fulfillment of National Guard or Reserve Military Service Obligations.

- H. Upon the employer granting FMLA leave, the employee receives an entitlement up to 12 weeks of job protected unpaid leave during any 12-month period. The fixed 12 month “leave year” shall commence January 1 of each year and conclude on December 31 of each year.
- I. When the need for leave is foreseeable, the employee must give the employer at least 30 days written notice of his/her intent to receive FMLA leave benefits. If the leave is not foreseeable, the employee must provide written notice as soon as possible. The employer reserves the right to require medical certification of a serious health condition for the employee’s health or a member of his/her family as defined herein. The employer may also require periodic written medical reports during the leave of the employee’s health status, health status of his/her family as defined herein, as well as “fitness-for-duty” certification upon return to work from a health care provider.
- J. “Serious health condition” means an illness, impairment, injury, or physical/mental condition that involves either
 - i) Any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
 - ii) Continuing treatment by a health care provider which includes any period of incapacity that prevents the employee or family member from working, attending school, or any other regular daily activity.
- K. Any employee desiring to benefit from “donated sick leave” must be granted same and utilize same prior to applying for leave without pay under FMLA. Upon FMLA leave being granted to the employee, the employee may not participate in the donated sick leave plan until the employee has returned to work on a regular paid basis with a letter from a physician or health care provider stating that the employee is fit for duty.
- L. Upon the employer granting leave without pay under FMLA, as provided for herein, the County Judge, Elected Official or department head shall authorize same in writing and provide the employee and the County Treasurer a copy of the written approval. All applications for leave without pay and all approvals of same, not in writing, shall disqualify the employee from health benefits otherwise provided herein.

SECTION 5.29 Bereavement Leave

- A. All full-time employees may receive paid bereavement leave in the event of a death in the immediate family. Immediate family for this purpose shall be deemed to include the

Employee's parents, mother-in-law, father-in-law, spouse, children, brothers, sisters, step-parents, step-children, step-grandchildren, grandparents and grandchildren. Leave shall be limited to no more than three (3) work days. One of the three (3) allotted days, with prior supervision approval, may be taken after the date of the funeral within sixty (60) days to attend to business related to the death. All employees will be required to provide a written proof of attendance upon return to work. A workday shall equal an eight (8) hour day.

- B. For brother in law, sister in law, step-brother in law, and step-sister in law, the leave shall be one day of paid time. Unpaid leave due to death of other relatives, be limited to the day of burial only.
- C. This leave must be approved by the County Judge and the Elected Official and is not charged against any leave accumulated. Leave is granted only for the actual time needed. Proof of need of such leave must be provided upon request.
- D. An employee who is unable to work because of death in the immediate family must notify his office or immediate supervisor by telephone or messenger prior to his scheduled time to report.

SECTION 5.30 Short Term Disability

- A. An employee shall exhaust all sick and vacation leave time prior to the utilization of any Short Term Disability Benefits.
- B. Short Term Disability shall also run concurrent with FMLA time.

SECTION 5.31 Special Leave

- A. In addition to authorized leaves, the office holder may authorize an employee to be absent, without pay, for personal reasons for a period or periods not to exceed 120 working days.
- B. Leave of absence without pay will not be granted until all vacation leave has been exhausted.
- C. Request for leave for personal reasons shall be submitted in writing to the County Judge or Elected Official, stating reasons for the request, the date the leave shall begin and the probable date of return.
- D. An employee who has been on leave without pay status for thirty (30) calendar days may be terminated. The County Judge or Elected Official shall have the authority to make exceptions to this rule.

SECTION 5.32 Maternity Leave

- A. The County Judge or Elected Official may grant maternity leave for full-time permanent employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage for a period not to exceed six (6) weeks. An additional period may be extended if requested by the employee's physician.
- B. An employee granted maternity leave shall use any accrued sick leave and vacation time with the remaining periods as time off without pay.
- C. The employee must notify the County Judge or Elected Official as far as possible in advance of the employee's intention to request Maternity Leave, including approximate dates, in order to allow the County Judge or Elected Official time to prepare for any staff adjustments.
- D. The maximum allowable Maternity Leave, including the use of sick leave, sick leave without pay, and leave of absence without pay is six (6) months. If the employee returns to work at any time prior to the six (6) months maximum, she will return to full time pay status at the regular salary without loss of seniority or fringe benefits.

SECTION 5.33 Military Leave

Pursuant to KRS 61.394 and 61.396, all employees of this county, or of any department or agency thereof, who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or of the United States under competent orders as specified in this section. In any one (1) federal fiscal year, officers or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued.

The employee shall give the County two (2) week notice prior to the scheduled leave if time permits.

SECTION 5.34 Civil Leave

- A. Jury Duty: Upon receipt of the order requiring the employee to report for jury duty, the employee must show the order to the Office Holder. There will be no deduction from accumulated leave.
- B. The employee will be allowed to keep pay received for serving on a jury without deduction from full regular salary.
- C. The County will compensate an employee while they are serving on jury duty.

SECTION 5.35 Court Appearance

- A. Upon receipt of the order requiring the employee to make a court appearance, the employee shall make arrangements with the employee's Department Head to comply with the order.
- B. If appearing in an official capacity in connection with the County as an expert witness because of professional or observed knowledge, the employee's court time is considered working time and no charge is made against leave time.
- C. If the employee is involved in a personal case, either as plaintiff or defendant in a suit not resulting from his duties with the County, he may be granted leave, but the time off he takes must be charged to his accrued vacation time, to leave of absence without pay or the employee may be allowed to work alternative hours if approved by the Department Head and County Judge and if the alternative hours are within the same pay period as the needed leave.

SECTION 5.36 Overtime/Compensation Time

- A. The County does not contemplate the granting of compensatory time or the payment of overtime compensation. The supervisor or office holder shall not require overtime of their employees except in extraordinary situations.
- B. The salary of supervisors is "preadjusted" to anticipate "overtime compensation during times of extraordinary or emergency situations such as snow removal, storms and things of a similar nature. Therefore, supervisors shall not be entitled to "overtime compensation" in addition to their regular salary.

SECTION 5.37 County Vehicles

- A. Anyone driving a County vehicle will be responsible for that vehicle in case of an accident. A breathalyzer test, urinalysis, or other testing, or any combination of the three (3), will be required with refusal resulting in automatic dismissal of the County employee. Anyone driving a County vehicle must stay in good standing with the Department of Transportation and further maintain a valid operator's license. Any accident, traffic citation, or driving arrest of an employee in a County vehicle must be reported immediately to the supervisor or office holder.
- B. Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a County vehicle or equipment shall be the subject of immediate dismissal from employment.

SECTION 5.38 Health and Hospital Insurance

All employees averaging over thirty (30) hours per week of the County are encouraged to participate in the county group plan for Health Insurance. Any employee or officer of the County may apply for coverage. The County contribution is subject to change with each annual budget.

Insurance for an employee begins on the first of the month following sixty (60) days after employee is hired at full-time and permanent basis.

The County will provide the Employer contribution for benefits for a disabled employee for a maximum of twelve (12) weeks provided employee remains under a physician's care. If absence extends for a longer period, COBRA continuation coverage will be offered.

If absent due to a work-related injury, the County will provide the Employer contribution for benefits for a maximum of six (6) months provided employee remains under a physician's care. If absence extends for a longer period, COBRA continuation coverage will be offered.

If the employee leaves the employ of the County, he/she may keep the policy under COBRA coverage, for a specified period of time at group rates and pay their premiums directly to the payroll officer before the date of the last payroll of that month.

SECTION 5.39 Kentucky County Employees Retirement Program

The provision of this program may change from time-to-time. The County shall conduct the retirement program in accordance with the guidelines and directives of the Kentucky Retirement System (CER). Pursuant to CERS and Kentucky Revised statutes 78.510 through 78.852, all regular full-time employees shall participate in the County Employees Retirement System, as administered by the Kentucky Retirement Systems, including both employee and employer contributions, at such time as he or she is eligible under this policy. Effective April 1, 2019, each full-time employee and each part-time employee averaging 100 hours or more per month shall be eligible and shall participate the first day of the first month following one hundred eighty (180) days of employment.

Effective April 1, 2019, when a new employee is hired who is already actively participating in the Kentucky Retirement System/ County Retirement System through a previous employer, the employee and the Webster Fiscal Court shall begin immediate collection to the retirement system to insure there is no break in service time toward their retirement. If a break in service exists, the break cannot be greater than one hundred eighty (180) days.

SECTION 5.40 Employee Relation Provisions Training and Career Development

The County Judge may permit or direct the attendance of employees at meetings, conferences, workshops or seminars intended to improve the knowledge, abilities and skills of County employees. The County Judge may release an employee from his regular duties during work days to attend classes at a recognized institution of learning if, in the department head's

judgment, such classes contribute favorably to the County's goals and objectives and the career development of the employees.

SECTION 5.41 Performance Evaluation

The County Judge and each supervisor are responsible for appraising the performance and merit of personnel under their respective jurisdiction.

SECTION 5.42 Disciplinary Action

- A. Grounds for disciplinary action of County employees, ranging from warning to immediate discharge, depending upon the seriousness of the offense in the judgment of the supervisor or office holder, shall include, but not be limited to the following:
 - (1) Dishonesty or falsification of records;
 - (2) Use of alcoholic beverages or drugs which affect job performance. This shall include the consumption of alcoholic beverages or drugs during working hours as well as the abuse of alcoholic beverages or drugs during non-working hours which, as a result of said abuse, affect the job performance of the employee during actual work hours;
 - (3) Unauthorized use or abuse of County equipment or property;
 - (4) Theft or destruction of County equipment or property;
 - (5) Habitual tardiness, unauthorized or excessive absence or abuse of sick leave;
 - (6) Disregard or repeated violations of safety rules and regulations;
 - (7) Unsatisfactory performance of duties;
 - (8) Disobeying a supervisor;
 - (9) Performing outside work during working hours established by the County; or
 - (10) Displaying or distributing campaign material for a political campaign during normal work hours; the placement of any campaign or political material on a County vehicle; or participating in political activities while on the job site or during normal working hours.
 - (11) Six (6) unexcused tardies is excessive and is considered grounds for dismissal
- B. The County Judge or elected official may place an employee on leave, with or without pay, pending investigation of any alleged activity. Fiscal Court shall be notified no later than the next regular meeting.

SECTION 5.43 Demotion

- A. The County Judge may, with Fiscal Court approval, demote an employee provided the employee possesses the minimum qualifications for the position to which he is demoted.
 - (1) For his inability to carry out his duties in accordance with the standards prescribed for his position or these rules;
 - (2) For disciplinary reasons;
 - (3) With the consent of the employee, to a vacant position in lieu of layoff.
- B. Written notice shall be given to the employee prior to, or at the time of the demotion.

SECTION 5.44 Suspension

- A. The County Judge or elected official may suspend, with Fiscal Court approval, any County employee, with or without pay, for not more than thirty (30) calendar days for disciplinary reasons.
- B. Any suspended employee shall receive notice of suspension. The notice shall state:
 - (1) The reason for the suspension;
 - (2) The duration of the suspension.

SECTION 5.45 Separation

An employee may be separated by:

- (1) Dismissal;
- (2) Resignation;
- (3) Retirement;
- (4) Lay off due to lack of work or funds or abolishment of position.

SECTION 5.46 Dismissal

- A. The County Judge or elected appointed official may dismiss an employee.
- B. Written notice shall be given to the employee prior to, or at the time of, dismissal.

SECTION 5.47 Resignation

- A. An employee shall, in order to resign in good standing, give the County Judge or elected official written notice at least two weeks before the date of the resignation is to take effect. The County Judge may agree to a shorter notice because of extenuating circumstances.
- B. A resignation made without the notice required by these rules may be regarded as cause for denying the resigning employee future employment by the County.
- C. An employee's resignation and the circumstances pertinent to it shall be recorded in his personnel file.
- D. The employment date of an employee who resigns and is reinstated or is dismissed and is re-employed shall be the date of re-employment,

SECTION 5.48 Layoff

- A. The County Judge shall submit in writing to the Fiscal Court whenever the County Judge thinks a layoff of County workers is needed. If the court does not act in any manner within thirty (30) days, the County Judge may go ahead with layoff procedures as prescribed herein.
- B. In layoff
 - (1) The order of layoff shall be established by the Fiscal Court on the basis of the needs of the County;
 - (2) Consideration shall be given to both the seniority and merit of the persons considered for layoff;
- C. Two weeks before the effective date of the layoff of an employee, if time permits, the County Judge shall:
 - (1) Notify the employee of the layoff;
 - (2) Explain the reason for the layoff;
 - (3) Certify whether his service has been satisfactory.
- D. A copy of the notice shall be retained in the employee's personnel file
- E. An employee who has given satisfactory service, and is laid off, shall be eligible for re-employment in other positions for which the employee qualifies.

SECTION 5.49 Reinstatement

The County Judge with the Fiscal Court's approval:

A. May re-employ any former employee:

(1)Who has resigned from County employment with a good record;

(2)Who has been laid off because of lack of work or funds;

B. Shall reinstate any employee who has been demoted or dismissed for a reason prohibited by local, state, or federal employment regulations.

SECTION 5.50 Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on Basis of Handicapped Status

A. Any person (employee or citizen) who believes that he or she has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973, may personally or by representative, file a complaint with the Office of the County Judge. A person who has not personally been subjected to discrimination may also file a complaint.

B. When any person, (employee, citizen or applicant) who believes he or she has been adversely affected by an act or decision by the County and that such act or decision was based on handicapped status said person shall have the right to process a complaint or grievance in accordance with the following procedure:

Step One: An aggrieved person must submit a written statement to the County Judge setting forth the nature of the discrimination alleged and facts upon which the allegation is based.

Step Two: The County Judge shall contact the complainant no later than twenty (20) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days nor more than forty-five (45) days after receiving the written statement. The County Judge and the County Attorney's designee shall represent the County during the informal meeting. There shall be prepared written documentation of the discussions at the informal meeting, which shall be preserved in the records of the County.

Step Three: Within fifteen (15) days of the informal meeting, the County Judge shall present to the Fiscal Court a proposed remedy.

Step Four: The Fiscal Court shall approve the proposed remedy, approve a different remedy or choose to take no action. The Fiscal Court shall issue a written decision on the matter within fifteen (15) days.

In the discussion of the grievance, the complaint may designate any person of his choice to appear with him and participate in the discussion. The Fiscal Court shall require the County Judge and the County Attorney or the County Attorney's designee to participate in the discussion of the grievance, when it is brought before the Fiscal Court. The decision shall be the final

procedure for the complainant at the local level. However, should the complainant not be satisfied with the remedy, the complainant may offer an alternate remedy within fifteen (15) days of receipt of the Fiscal Court's written decision. The Fiscal Court has fifteen (15) days to act upon the complainant's alternate remedy or the earlier written decision shall be considered final.

SECTION 5.51 Miscellaneous Provisions

Personnel Records:

- A. For each County employee, a personnel file shall be maintained in the office of the Webster County Judge.
- B. The file shall include, but not limited to:
 - (1) The employee's name;
 - (2) The title of his position;
 - (3) The department or office to which he is assigned;
 - (4) Salary;
 - (5) Past changes in his status as a County Employee;
 - (6) Whatever additional information deemed relevant or required by this Administrative Code;
 - (7) Employee's application for employment.

SECTION 5.52 Political Activity

Any employee while in the service of this County is not required to contribute to any political funding or be denied the rights of political fund or be denied the rights of political activity, as specified by the Kentucky Revised Statutes.

SECTION 5.53 Harassment Policy

It is the policy of Webster County Fiscal Court to provide and maintain a work environment that is free of harassment, exploitation, intimidation, and bullying of any kind. All employees will be treated with dignity and respect and employees are required to treat others with the same dignity and respect. All employees are expected to comply with this policy. Failure to do so may result in disciplinary action and may include termination.

This policy covers harassment or bullying, of any sort, which occurs both in and out of the workplace. It covers bullying and harassment by any employees of other employers, supervisors,

co-workers, and visitors to Webster County Fiscal Court's premises. Employees should always consider whether their words or conduct could be regarded as offensive.

SECTION 5.54 Sexual Harassment

A. Purpose

- (1) To advise employees that sexual harassment is a violation of law.
- (2) To clearly state that employees or employee applicants should not be subjected to unwelcome sexual conduct, on or off the job, regardless of whether such action results from conduct of co employees, supervisory staff, department heads, the public or others.
- (3) To provide for disciplinary action in the event this policy is not followed.

B. Policy

- (1) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of any such conduct by an individual is used as the basis for employment decisions; or
 - c. Such conduct has the result of unreasonably interfering with an individual's work performance or creating an intimidating or offensive work environment.
- (2) Examples of specific conduct, include but are not limited to :
 - a. Visual displays sexually explicit or suggestive materials;
 - b. Sexually explicit or suggestive comments, jokes, etc...;
 - c. Sexually explicit or suggestive gestures;
 - d. Sexually explicit or suggestive e-mail;
 - e. Using the internet to view sexually explicit or suggestive material;
 - f. Viewing or showing sexually explicit videos;

- g. Touching co-workers in sexually or explicit manners;
- h. Removal of clothing that involves actual or threatened physical conduct or that involved a sexually explicit or suggestive element.

(3) The activities described above are prohibited on the part of all employees, Department Heads, supervisors and all elected county officials. It is not necessary that there be a supervisory relationship between the involved persons for the activity to be unlawful

(4) Any employee or employee applicant who feels that he or she has been subjected to any prohibited activity described about, should report the incident immediately to his or her immediate supervisor or the County Judge. If the immediate supervisor is involved in the activity, the violation should be reported immediately to the County Judge. In the event the County Judge is the subject of the problem, the employees should notify the County Attorney. All resulting investigations shall be kept confidential; to the extent possible consistent with taking appropriate steps to stop the behavior that is the subject of the complaint.

(5) Any employee violating this policy will be subjected immediately to disciplinary action ranging from a written warning to discharge, depending upon the nature and severity of the violation in this case.

(6) In addition, capricious and unfounded charges of sexual harassment by an employee may be a cause for disciplinary action. Refusal by a supervisor to act in legitimate cases of harassment may be a cause for disciplinary action.

SECTION 5.55 Drug Free Workplace

A. Policy Reasons:

1. The Fiscal Court has determined that a comprehensive and effective drug use education, training, control and testing program will deter drug abuse and aid in ensuring a work environment that is as productive and safe as possible to all employees and to the public. Abuse of drugs and use of illegal drugs is dangerous to employee health and safety and, in many cases, dangerous to the public as well. Drugs can interfere with an employee's effectiveness on the job and with clear and quick thinking. The effects of drug abuse linger and fester.
2. In addition, the Federal Highway Administration (FHA) has issued regulations which require that mandatory alcohol testing procedures be applied to all County employees subject to Commercial Driver License (CDL) testing and licensing procedures.

B. Drug and Alcohol Test Policy:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about – (1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation and employee assistance programs, and (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will – (1) Abide by the terms of the statement; and (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after each conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted – (1) Taking appropriate personnel action against such an employee, up to and including termination; or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through

implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Introduction

1. The County has determined that the safety of its employees, the general public and its citizenry is a paramount importance.
2. The County also believes that healthy, fit employees contribute to a productive atmosphere and one that promotes an efficient responsible delivery of services; that employees who are physically fit and who project a positive mental attitude have the greatest potential for success with the County and those individuals generally incur less health problems and medical costs.
3. It is in the best interest of the County to institute drug alcohol testing to ensure that employees are free from drug and alcohol impairments, and are capable of fulfilling their job requirements and contributing their best to the County.
4. The general physical condition, positive mental attitude and a fit appearance indicate positive personal habits that will carry over to job performance of all employees, and lifestyles tends to reflect working style;
5. Certain positions within County employment require more mental and physical alertness and coordination so as to not subject the employee filling said position, other employees and the general public and citizenry of the County to potential physical harm, injury or death or result in significant property damage from lack of such alertness and coordination due to the use of drugs or alcohol.

STATEMENT OF PURPOSE

1. **INTRODUCTION.** The purpose of this drug and alcohol test policy is to intervene with employees who may be working in an impaired condition or under the influence that may harm themselves, fellow employees, the public or the County. “Drug or alcohol induced impairment” or “under the influence” under this policy includes impairment as a result of: (a) over-the-counter drugs; (b) prescribed drugs; (c) illegal drugs; or (d) alcohol.
2. **POLICY STATEMENT.** It shall be the policy of the County that an employee found to be in the possession of, under the influence of, impaired by, using, selling, offering for sale, or trading (whether or not for profit or pecuniary gain) drugs or alcohol during working hours or on County property will be subject to disciplinary action, up to and including immediate discharge. Nothing contained in this policy shall make an employee subject to discipline for mere possession of an over-the-counter drug or prescribed drug

for an employee. All employees shall be provided a copy of this policy and procedure. The policy shall be posted on all employee bulletin boards.

DEFINITIONS

1. “Alcohol” means any liquid that has an alcoholic content in excess of one percent (1%) by volume.
2. “CDL Employee” means any employee who is required to have any type of commercial motor vehicle operator’s license to perform his or her job.
3. “Candidate” means any individual tentatively selected for employment with the County or a “CDL” or “designated” employee
4. “Designated Employee” means any deputy jailer employed by the Webster County Jailer, any deputy sheriff with law enforcement responsibilities and/or in possession of firearms for the purpose of carrying out the employment duties and any County police officer.
5. “Drug” means any substance (other than alcohol) capable of altering the mood, perception, pain level, or judgment of the individual consuming it.
6. “Employee” means all hourly and salaried County personnel and employees of the Webster County Sheriff’s Office, Webster County Jailer, Webster County Clerk’s Office , Webster County Coroner’s Office, and the Webster County Attorney’s Office.
7. “He” or “His” also means “She” or “Hers” in appropriate context.
8. “Illegal Drug” means any drug or controlled substance including, but not limited to, substances controlled or prohibited by Federal or State law, the sale or possession of which is illegal.
9. “Positive Alcohol Screen” means positive identification of an alcohol concentration of 0.02 or greater which has been confirmed by the testing procedure described herein.
10. “Positive Drug Screen” means positive identification of an illegal drug which has been confirmed by the testing procedures described herein.
11. “Prescribed Drug” means any substance prescribed for the individual consuming it by a licensed medical practitioner.

12. "Random Testing" means a system of drug testing imposed without reasonable suspicion in which the designated employee to be tested is selected from a statistically random sampling of designated employees.
13. "Reasonable Suspicion" means an articulated belief that an employee is using alcohol or drugs which is based on specific and particularized facts and reasonable inferences from those facts.
14. "Reasonable Suspicion Testing" means a test where an employee will be tested when there is a reasonable suspicion that the employee is under the influence of drugs or alcohol.

TESTING TIMES

1. **Pre-employment Testing.** All candidates shall be subjected to the drug and alcohol testing described herein. Pre-employment testing is mandatory for all employees who will operate county vehicles and/or equipment.
2. **Reasonable Suspicion Testing.** When, through observation, a department head has reasonable suspicion to suspect that an employee is under the influence of drugs or alcohol, the department head, when feasible, will arrange to have another department head, supervisor, or assistant supervisor observe and evaluate the employee's condition. Documentation of the employee's condition or behavior should be made part of the evaluation process. Examples of objective observation influencing work-related behavior include, but are not limited to, any of the following:
 - a. Drowsiness and/or sleepiness;
 - b. Odor of alcohol on breath;
 - c. Slurred or incoherent speech;
 - d. Disorientation;
 - e. Aggressive behavior;
 - f. Work errors;
 - g. Difficulty in performing normal or routine duties;
 - h. Changes in mood;
 - i. Lack of coordination in walking or performing tasks; or

- j. Observation of use or possession of any of the prohibited substances.

If an employee has reasonable suspicion to suspect another employee is under the influence of alcohol or drugs, he shall contact the department head of the employee under suspicion or, the office holder if applicable, or if the department head is unavailable, or if the office holder is unavailable, the employee shall contact the County Judge.

3. Random Testing. Since a designated employee or CDL employee is employed in a position where the consequences of alcohol and drug use would be particularly damaging to said designated employee's safety, the safety of other employees, the general public and citizenry of the County, may result in significant property loss or damage, unscheduled drug testing shall be utilized.

CDL Employees. Federal law requires the County to administer a number of random drug tests equal to at least 50% of the average number of CDL employees every year. For that reason, the County

Road Engineer/Supervisor shall assign each CDL employee a number at random which shall keep said list of names and numbers confidential and on file in his office. The CDL employees shall be placed in a separate pool from the designated employees.

4. Post-Accident Testing. All designated employees and all CDL employees involved in any work-related accident involving a vehicle or resulting in personal injury to himself or others in which his job performance could have contributed to the accident shall be immediately tested for drugs and alcohol.

TEST PROCEDURE

The procedure for directing employees to the testing facility for initial, random and reasonable suspicion drug and alcohol testing and evaluation are:

1. The Department Head shall inform the employees of their need to report for testing at the facility selected by the County.
2. Department Head or designee transports the employee to the testing center designated by the County.
3. The employee shall be asked to sign consent forms to undergo testing and release information to the County. The evaluation will include a breathalyzer test and urine screen.

4. Refusal to sign consent forms or to undergo such testing and evaluation constitutes insubordination and may result in discipline, up to and including discharge.
5. Results of the evaluation and tests will be provided to the County, and to the employee, upon written request.

TESTS

The drug testing will be a urine, blood, or hair follicle sampling process conducted by a recognized and certified testing source as selected by the County.

The alcohol testing will be a breathalyzer conducted by recognized and certified testing source selected by the County.

POST-TEST PROCEDURE

Any employee who has a positive drug screen or positive alcohol screen shall be relieved of duty, without pay, and transported home by taxi, County representative, friend, family, or co-worker. If an employee insists on driving, the department head or County Judge shall: (a) inform the employee that the County will immediately contact law enforcement agencies to report the circumstances and (b) call the law enforcement agencies, should the employee drive despite the warning. The County reserves the right to require a second testing for any positive drug screen or positive alcohol screen in the County's absolute discretion. The County further reserves the right to require a second testing for any drug screen or alcohol screen that the testing center has determined to be inconclusive or suspicious.

SEVERABILITY

The provisions of this Drug and Alcohol Test Policy are severable. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions hereof or applications hereunder which can be given effect without the invalid provisions or application.

PARTICIPATION

Nothing herein shall prevent or prohibit any employee who voluntarily agrees to participate in the random testing program from so participating; nor shall it prevent or prohibit a requirement that any employee who has tested positive on a drug and alcohol

test from being required to participate in the random testing program as a condition of continued employment.

SECTION 5.56 Expense Reimbursement

- A. Subject to budgetary limitations, any officer or employee of the County incurring expenses for approved travel on behalf of the County shall be reimbursed for allowable out-of-County travel expenses as follows:
 - (1) Room Costs: The court will only reimburse the employee for transient and local taxes. However, the employee may pick up a tax exempt form from the Judge Executive's office prior to the travel. Reimbursement for actual amount on receipt (conference rate).
 - (2) Meal costs for overnight travel per diem is a maximum of \$50.00 per day with receipts provided.
 - (3) Mileage: Rate paid by the State rate for any out of county travel if travel by personal vehicle is required. For intra-county travel the employee shall be reimbursed at the Federal rate.
 - (4) Air Fare: Lowest Available fare (unless medical necessity) with County Judge approval required.
 - (5) Other Expenses: Tolls, parking and similar expenses. Expenses shall be necessary and reasonable. No expenses shall be reimbursed which are not directly related to job related purposes or other County business purpose.

B. Authorization

Any out of town travel other than by an elected official shall be approved by the court prior to the travel. Meeting notices supporting travel shall be submitted with the travel request, when available.

C. Reimbursement

- (1) The Request for Reimbursement Form must be completed (including required receipts) and submitted to the County Judge within (30) thirty days after returning from travel.
- (2) The Request for Reimbursement Form must be signed by the employee requesting reimbursement, the department director, and the County Judge.

SECTION 5.57 Time Cards

- A. Each employee shall sign and accurately document their hours at work on time sheets or cards which shall also be signed by their appropriate supervisor. Time sheets must be accurate and legible.

SECTION 5.58 Physicals

- A. Any employee who needs a CDL or other physical will only be reimbursed by the County for the in-network cost of the physical.

SECTION 6 COUNTY ROAD DEPARTMENT**SECTION 6.1 Establishment of Department**

- A. There is hereby created and established a Webster County Road Department consisting of a County Road Supervisor and such other employees of said department as may from time to time be provided for by the County Judge and Fiscal Court.
- B. The County Road Supervisor and shall be appointed by the County Judge with the approval of Fiscal Court, and shall serve a period of two (2) or four (4) years.

SECTION 6.2 Duties of Road Supervisor

The County Road Supervisor shall be the head of the road department subject to the order and direction of the County Judge.

The County Road Supervisor shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the County Road Supervisor.

SECTION 6.3 Road Department Property

- A. Employees of the department shall be responsible for the good care of departmental equipment and property, assigned to their use and keeping and shall promptly report to their supervisor the loss or damage to our unserviceable condition of such property.
- B. No departmental property or equipment shall be used for private purposes or on private property. School bus turnarounds and public cemetery work must be approved, in advance, by the County Judge, after consultation with the County Attorney and only where the turnaround or cemetery road has been placed in the County road system.
- C. Equipment and materials for the road department shall be acquired in accordance with the provisions of this code.

- D. All employees of the road department shall immediately report to their supervisor the loss of any departmental property or equipment that has been furnished to the individual.
- E. No departmental property or equipment shall be used for private purposes or on private property without the prior written authorization of the County Judge.
- F. Any employee found to be using alcoholic beverages during work hours, while using County equipment or on County property, will be dismissed immediately.
- G. Uniforms are furnished to employees of the Road Department by the County. Road Department employees shall wear said uniforms at all times during regular working hours.
- H. Each employee shall be responsible for servicing the equipment operated by the said employee on a regular basis including a regular check of oil levels and the necessity for an oil change. Any equipment problems or deficiencies should be reported immediately to the equipment supervisor. Trucks and equipment shall be cleaned at least once a week or more often as such need arises.

SECTION 6.4 County Road Inventory/Condition

- A. The County Judge shall maintain a map(s) that clearly identifies all County maintained roads.
- B. The County Judge and Road Engineer/Supervisor shall inventory and review all County roads for identification and condition at least annually.
- C. The inventory shall identify all roads by name and/or number; list the number and location of all bridges; and any other information that may identify County roads and the condition thereof.
- D. The Road Supervisor shall contact all area utilities relative to their planned activities prior to surfacing or resurfacing any County road.

SECTION 6.5 Procedures for County Road Repairs and Maintenance

- A. Each magistrate shall inspect roads in his district periodically to determine needs.
- B. Each magistrate may file a road report with the County Judge, including, but not limited to, the following information:
 - (1) Road name and number;
 - (2) Description of work to be performed;
 - (3) Any additional information, which shall be deemed necessary.

- C. The County Judge shall compile all reports from magistrates and present a final report to the Fiscal Court for their action.
- D. When the Fiscal Court makes approval of County road work, the County Judge shall direct the Road Supervisor to perform these activities subject to budgetary constraints.

SECTION 6.6 Miscellaneous Requirements

- A. Vacation time for Road Department employees shall be scheduled at least thirty (30) days in advance or at the discretion of the department head.
- B. Any Road Department employee who notices and deficiencies in the roads maintained by the County shall report them to the Road Department office as soon as possible and no later than the end of the same workday. Any problems noticed during off duty hours shall be reported to the Department office during the following workday.

SECTION 7 COUNTY PROPERTY

- A. Any County employee found guilty of damage to, or destruction of County property or equipment, either through willfulness or negligence, shall be required to pay all costs or repairs or replacement of the property and may be subject to discipline, up to and including dismissal.
- B. Each office holder or supervisor is responsible for the equipment that is used in their office. A list of each office's equipment is to be kept current. A copy of the list shall be sent to the County Judge's office annually or as any changes are made.
- C. It shall be the general policy that no County employee shall allow a "passenger" to ride in a County vehicle unless that passenger is a County employee or the passenger represents County Government. Should an emergency, business purpose or extraordinary circumstance exist, it shall be permissible for a passenger to ride in a County vehicle. However, should such an event exist, the County employee allowing the passenger to ride in the County Vehicle shall report same to his/her supervisor as soon as possible.

SECTION 8 PURCHASES AND CONTRACTS

SECTION 8.1 Authorization of County Contracts

Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge, except for small purchases. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

SECTION 8.2 Selection of Vendors and Contractors (Procedures for Sealed Bidding)

- A. The agency, department or person requiring supplies, services or construction shall submit to the County Judge a request containing specifications and quantities desired.
- B. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.
- C. Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure more than the current the State threshold Amount shall be subject to competitive bidding.
- D. The County Judge shall place an advertisement in the newspaper of the largest circulation in the County at least once not less than seven nor more than twenty-one days before bid opening. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors are to be considered in bid selection, such factors shall be stated in the advertisement.
- E. The County Judge shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.
- F. The County may opt to allow bidders to submit their bids electronically if specified in the advertisement. The e-mail subject line shall acknowledge that the e-mail contains a sealed bid responsive to the particular advertisement. The e-mail shall be opened in accordance with Section 9.2€. Any bid submitted via e-mail that does not include in the subject line information sufficient for the recipient to know that the e-mail contains a sealed bid shall not be considered by the County.
- G. The County may utilize the reverse auction process in the selection of vendors and contractors.

There is a question as to whether this statute would apply to the local government portion of the Model Procurement Code (45A.343-45A.460). However, in the interests of caution it is not recommended that the Reverse Auction process be utilized for the above quoted items. There is an additional question as to whether this prohibition would apply to those counties and political subdivisions utilizing KTS 424.260 for their procurement.

- H. The County Judge shall submit the bid selected to Fiscal Court for approval.
- I. The County Judge shall sign the contract, if one is used.

SECTION 8.3 Procedures for Determination of Qualification of Bidders

- A. The County Judge may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bidding.
- B. Contractors who have demonstrated, by past performance, the ability to perform satisfactory in accordance with the contracts on a timely basis and have shown a sound financial structure may be determined to be qualified and responsible bidders without additional documentation otherwise required of other potential bidders.

SECTION 8.4 Procedures Prerequisite to Use of Negotiated Process

- A. The negotiated process may be used instead of advertisement for bids if the amount exceeds the current State threshold amount in the following circumstances:
 - (1) An emergency exists;
 - (2) Bids exceed available funds; or
 - (3) The contract is for professional services.
- B. Before an emergency is declared the County Judge shall determine whether or not the delay in obtaining bids will result in danger to health, safety or property.
- C. The County Judge shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of the County (the Treasurer).
- D. In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and delay in advertising for additional bids is not in the best interest of the County.
- E. The Fiscal Court must approve all circumstances in which the negotiation process is used.

SECTION 8.5 Procedures for Negotiated Process

- A. When the prerequisites have been met for use of the negotiated process, the County Judge shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
- B. The County Judge shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost and date of contract.
- C. Professional services shall be negotiated with such persons as are properly licensed to perform such services.

- D. Where more than one bid was received and all were in excess of the amount available, the lowest three bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
- E. The County Judge shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.
- F. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.

SECTION 8.6 Small Purchase Procedures

- A. All expenditures of less than the current State threshold amount shall be considered a “small purchase” which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise.
- B. The County Judge determines the need for any item requested and whether or not the contract is for less than the current State threshold amount and the expenditure is provided for in the budget.
- C. For all “small purchases”, as defined herein, any purchase exceeding the amount of \$10,000.00, the County Judge or his designee, shall obtain three quotes from prospective suppliers or vendors, prior to the purchase and then select a purchase most advantageous to the County, in the judgment and discretion of the County Judge.

SECTION 8.7 Hold Harmless Clause

All contracts executed on behalf of the County concerning the purchase of services or products shall contain a “hold harmless clause”, whereby the vendor, provider of services, or seller agrees to hold the County harmless from any liability concerning the use of their product or the receipt of their service.

SECTION 8.8 Storage and Inventory Control (Procedures for Receiving, Storing and Disbursing Repetitive use Items) (new)

The inventory file shall contain an item inventory number, item description, date purchased, condition, purchase amount and office assigned for use.

SECTION 8.9 Disposition of County Surplus Property

- A. Real Property:

(1) In the event the County Judge determines that the County retains surplus real property and that it will be in the best interest of the County to dispose of said real property, the County Judge shall make a written statement:

- (a) The real or personal property;
- (b) Its intended use at the time of acquisition;
- (c) The reasons why it is in the public interest to dispose of it; and
- (d) The method of disposition to be used.

The property may be transferred via the following method:

- (a) Transferred, with or without compensation, to another governmental agency;
- (b) Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b); or
- (c) Sold by sealed bids.

(2) The aforementioned state shall be submitted to the Fiscal Court for their action.

(3) In the event there are no bids for the property, the property shall be sold by the County Judge in the best interests of the County. No County real property shall be sold on a negotiated basis for less than the appraised value.

B. Tangible Property:

- (1) The County office, agency, or person to which responsibility has been assigned by the County Judge to use and take care of a particular tangible item or items will notify the County Judge that a particular item is no longer needed or serviceable. The County Judge shall inquire of other County offices to determine if they have need of, or want to use, the item.
- (2) If no use for the property can be found, the property shall be disposed of in the same manner as Real property except that no appraisal is required.

SECTION 9.1 Maintenance of Records of Administrative Agencies and County Departments

A. All agencies which receive County funding, shall file a copy of the agency's annual budget with the County Judge. It shall also file a copy of each audit required by law with the County Judge and the Webster County Clerk.

B. All agencies which receive County funding shall maintain a financial record of the agency activities containing the amount budgeted for the year, the amount expended to date and the balance available. By the fifty business day of each month, the head of each County agency and each County department shall provide the County Judge with the following information:

- (1) A statement which describes the agencies or departments activities during the month;
- (2) A financial statement for each agency. The financial statement shall contain the total amount of appropriations for the agency, the amount spent and encumbered by the agency during the preceding month, the total amount encumbered during the fiscal year, and the amount of the total appropriation, which is still available for spending;
- (3) A monthly personnel listing of the absent, sick, late, off, and vacation days used and remaining for each employee; and
- (4) A list of any citizen complaints made about the department during the preceding month and the steps taken to correct the situation.

SECTION 9.2 Regular Meetings

- A. All meetings at which County business is discussed by an agency which receives County funds, or any action taken by said agency, shall be open to the public, unless exempt by KRS 61.810.
- B. A majority of the members of the agency board shall constitute a quorum for the conduct of official business.
- C. A record of all motions on official actions taken by the agency shall be kept and made available to the County Judge upon his request.

SECTION 10 SPECIAL DISTRICTS

SECTION 10.1 Procedures for Dissemination of Information

For the purpose of efficient and successful administration of County boards, districts, and commissions, the governing body of such board, district, or commission shall develop and present copies of minutes, audits, and fiscal year budgets to the County Judge for the purpose of sharing information.

SECTION 10.2 Procedures for Dissolution

- A. A plan of dissolution of any special district shall be made by the County Judge in writing and shall be submitted to the Fiscal Court for approval for any district which was created by the County (KRS 67.715).

- B. The County Judge shall notify the Chairperson of the special district which is the subject of the plan of dissolution. The notice shall be in writing and shall be provided at least five (5) days before the plan of dissolution is submitted to the Fiscal Court.
- C. All plans of dissolution shall contain:
 - (1) A list of the reasons for dissolving the special district;
 - (2) A list of the services and functions, if any, which are to be transferred to another special district, agency, board, commission, or department, and the names of which agency, board, etc., is to receive the transferred services or functions;
 - (3) A list of all property owned or controlled by the special district and the method of disposing of such property;
 - (4) A list of all creditors of the special district and a plan for satisfying all creditors.
- D. If a plan of dissolution transfers services or functions to another special district, the goals and objectives (or charter of the recipient district) shall require amendment in order to provide the services transferred.
- E. The Fiscal Court shall vote on the plan of dissolution within sixty (60) days of its submission to the Fiscal Court by the County Judge, provided the Fiscal Court shall not vote on said plan of dissolution during the meeting in which it shall be submitted by the County Judge. If the plan is not disapproved within sixty (60) days, the plan shall become effective.

SECTION 10.3 Removal and Appeal Process

- A. Unless otherwise provided by state law, an appointed member of the governing body of a special district may be removed from office by the appointing authority after a hearing with notice as required by KRS Chapter 424 for inefficiency, neglect of duty, malfeasance, or conflict of interest. The hearing shall be initiated and chaired by the appointing authority, who shall prepare a written statement setting forth the reason for the removal. The member to be removed shall be notified of the proposed removal and the reasons therefore by registered mail sent to their last known address at least ten (10) days prior to the hearing. The person to be removed may be represented by counsel at their own expense. The official record of the hearing shall be made by the appointing authority.
- B. Where the removal of an appointed member of a special district governing body is by the County Judge pursuant to the preceding section, the removal shall be subject to approval by the Fiscal Court.

- C. A member removed pursuant to this section may appeal within ten (10) days of the rendering of a decision or the approval of the Fiscal Court, if required, to the Circuit Court of the County of the appointing authority. The scope of the appeal shall be limited to whether the appointing authority or the Fiscal Court abused their discretion in removing the member.

SECTION 10.4 Single County Special Districts

- A. The governing body of each special district shall annually prepare a budget and shall classify budget units in the same fashion as County budgets are classified pursuant to KRS 68.420 (2) through (5). The state local finance officer shall prepare standard budget forms for district use and shall furnish them to County Clerks for distribution to the district officers.
- B. The governing body of each special district shall at least once every four years, employ an independent certified public accountant, or contract with the auditor of public accounts to perform an audit of the funds in the district budget. The audit shall conform to standard audit programs for governmental accounting which are approved by the Auditor of Public Accounts or to other generally accepted accounting procedures as set forth by the Kentucky Board of Accountancy.
- C. At least once every twelve (12) months, a district shall:
 - (1) File with the County Clerk of each County with territory in the district, a certification showing the name of the district, a map or general description of its service area, the statutory authority under which it was created, and the names and addresses of the members of its governing body and chief executive officer.
 - (2) File a copy of the district budget, financial statement if prepared, and audit when performed, with the County Judge.
- D. Each district commission shall elect from its membership a chairman, secretary, and treasurer.
- E. Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment.

SECTION 10.5 Multicounty Special Districts

- A. Upon approval of the Fiscal Court, the County may join another County to form a special purpose district to fulfill any purpose which the County is authorized to fulfill in the future.
- B. Before the County may participate in a multicounty special purpose district, the Fiscal Court shall determine that participation is feasible and necessary. The

determination shall be made only after a duly advertised public hearing has been held by the Fiscal Court.

C. The membership of the governing body of any new multicounty special districts are to be appointed among the counties in ratio to their population which each County having at least one (1) member on the board.

SECTION 11 COUNTY SERVICES

SECTION 11.1 Police and Protection Services

Goals and Objectives: The Webster County Sheriff's Department is responsible for the performances of various duties relating to the protection of life and property, enforcement of criminal and traffic laws, prevention of crime and prompt dispatching of emergency vehicles.

SECTION 11.2 Public Works Department (Road Department)

Goals and Objectives: The Public Works Department shall be responsible for the maintenance, construction, and upkeep of all roads and bridges in the County Road System, and the construction, maintenance and upkeep of the County parks and recreational areas. The County Road Supervisor shall head this Department.

SECTION 11.3 County Road System

The Fiscal Court shall designate by Resolution which roads in the County will be on the County Road System and maintained by the Public Works Department. Those roads so designated shall include for County maintenance all appurtenant bridges, side ditches, headwalls, culverts, guard rail systems, and traffic control devices unless specifically excluded by an agreement.

SECTION 12 INTERNET & E-MAIL POLICY

SECTION 12.1 Acceptable Uses of the Internet and County E-Mail

The County-provided internet and e-mail access is intended for business purposes only. The County encourages the use of the internet and e-mail because it makes communication more efficient and effective. However, internet service and e-mail are County property, and their purpose is to facilitate County business. Every staff member has a responsibility to maintain and enhance the county's public image and to use County e-mail and access to the Internet in a productive manner. To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the internet. Any improper use of the internet or e-mail is not acceptable and will result in appropriate disciplinary action, up to and including dismissal.

SECTION 12.2 Unacceptable uses of the Internet and County E-Mail

The County internet and e-mail access may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-

rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is allowed to be transmitted through the County's e-mail or Internet system. Electronic media may not be used for any purpose which is illegal, deceptive or against County policy or contrary to the County's best interest. Solicitation of non-county e-mail or Internet for personal gain is prohibited. Employees are prohibited from chat room interchange unless established by government agencies.

SECTION 12.3 Communications

Each employee is personally responsible for the content of all text, audio or images that they place or send over the County's e-mail/internet system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another entity. All messages communicated on the County's e-mail/internet system should contain the employee's name. Excessive personal communications are prohibited.

Any messages or information sent by an employee to another individual outside the County via an electronic network (e.g., bulletin board, online service or Internet) are statements that reflect the County. While some users include personal "disclaimers" in electronic messages, there is still a connection to the County and the statements may be tied to the County.

All communications sent to the employees via e-mail/internet system must comply with this and other County policies and may not disclose any confidential or proprietary information.

SECTION 12.4 Social Media Policy

Webster County Fiscal Court understands that employees may maintain and participate in personal social media accounts such as Twitter, Facebook, Instagram, YouTube, LinkedIn and any other accounts (collectively, "social media").

To protect Webster County Fiscal Court's interests, Webster County Fiscal Court expects employees who participate in social media to abide by the following guidelines:

1. Webster County Fiscal Court time and equipment, including computers and electronic systems, are not to be used for any personal social media, including updating personal websites or profiles, unless they have received prior authorization from their supervisor;
2. When discussing work on a social media website, whether at home, work, or otherwise, employees must always abide with all legal and ethical requirements, as well as the Webster County Fiscal Court's policies, including without limitation our anti-harassment, anti-discrimination, and anti-retaliation policies;

3. Employees may not disclose via social media any of the Webster County Fiscal Court's confidential information, including without limitation information about Webster County Fiscal Court's employees or vendors learned in the course of their employment;
4. Employees should never use their Webster County Fiscal Court e-mail account or password in conjunction with a personal social networking site.

Finally, when using social media, employees must be respectful. Employees may not post discriminatory, defamatory, libelous, or slanderous comments when discussing the Webster County Fiscal Court on any social media. Employees should not use social media as a vehicle for personal attacks. Social media postings by employees that reflect negatively on the Webster County Fiscal Court, its department heads, elected officials, employees or vendors, or that otherwise violate any provision of this policy may result in disciplinary action up to and including termination from employment. As for employees who maintain personal social networking sites, these sites must remain personal in nature and be used to share individual opinions or non-work-related information. This helps ensure a distinction between sharing personal and agency views.

SECTION 12.5 Software

To prevent computer viruses from being transmitted through the County's e-mail/Internet system, there will be no unauthorized downloading of any unauthorized software. All software downloaded must be registered to the County. Employees should contact the County Judge/Executive if they have any questions.

SECTION 12.6 Copyright Issues

Copyrighted material belonging to entities other than the County may not be transmitted by employees on the County's e-mail/internet system. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and shall not copy, retrieve, modify or forward copyrighted material except with permission, or as a single copy, to reference only. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

SECTION 12.7 Security

The County routinely monitors usage patterns for its e-mail/internet communications. The reasons for this monitoring are many, including cost analysis/allocation and the management of the County's gateway to the internet. All messages created, sent or retrieved over the County's e-mail/internet are the property of the County and should be considered public information. The County reserves the right to access and monitor all messages and files on the County's e-mail/internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways. Passwords and sign-on

access codes shall not be shared with anyone including co-workers, family members, or other unauthorized personnel. A County employee will be designated as system administrator for e-mail/internet purposes.

SECTION 12.8 Violations

Any employee who abuses the privilege of County-facilitated access to e-mail or the internet, or violates the County social media policy, will be subject to corrective action up to and including termination. If necessary, the County reserves the right to advise appropriate officials of any suspected illegal violations.

SECTION 13 MEDIA

SECTION 13.1 Media Contacts

Employees should not speak to the media on Webster County Fiscal Court's behalf. All media inquiries should be directed to the Webster County Judge/Executive or the Elected Official of each department.

- All media inquiries are to be handled by the Webster County Judge/Executive or his or her designee, regardless of who the media representative is, whom he or she represents, or how innocuous the request.
- All press releases or other materials are to be approved by the Webster County Judge/Executive or his or her designee prior to dissemination.

WEBSTER COUNTY ADMINISTRATIVE CODE
EMPLOYEE AGREEMENT

I have received a copy of Webster County Fiscal Court's Administrative Code, dated _____.

I understand that it is my obligation to read the Webster County Administrative Code and agree to follow all policies and procedures that are set forth therein. I agree to abide by the standards outlined in the document for the duration of my employment with Webster County Fiscal Court. I understand that this Administrative Code, and my signature below, does not constitute an employment contract and that the County is an at-will employer. Should I have any questions related to the Webster County Administrative Code, it is my obligation to seek assistance from my supervisor, director or department head.

Furthermore, I understand that this ordinance may be amended at any time.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or Designee

Date

WEBSTER COUNTY E-MAIL, INTERNET USER AND SOCIAL MEDIA
EMPLOYEE AGREEMENT

I have received a copy of Webster County Fiscal Court's Policy Guidelines on e-mail/internet and social media acceptable use. I recognize that the County's e-mail/Internet is to be used for conducting the County's business only. I understand that use of this equipment for private purposes is strictly prohibited.

As part of Webster County and user of Webster County's gateway to the internet and e-mail system, I understand that this e-mail/internet County guideline applies to me.

I understand that it is my obligation to read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Webster County Fiscal Court. Should I have any questions related to the Webster County Administrative Code, it is my obligation to seek assistance from my supervisor, director or department head.

I am aware that violations of the County guideline on acceptable e-mail/internet and social media use may subject me to disciplinary action, up to and including dismissal from employment.

I further understand that my communications on the internet, e-mail, and social media reflect on the Webster County Fiscal Court. Furthermore, I understand that this policy can be amended at any time or that I may receive further direction from my superiors related to proper e-mail/internet and social media usage.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or Designee

Date