



**EMPLOYEE
POLICIES AND PROCEDURES
HANDBOOK**

Effective January 6, 2020

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INTRODUCTION

INTRODUCTION AND WELCOME TO CANADIAN COUNTY

Canadian County was formed in 1890, before statehood in 1907. Since then Canadian County has grown to be one of the top thriving counties in Oklahoma today. The dedicated employees who've been privileged with employment have supported Canadian County with loyalty by successfully serving the public. We look for those difference makers and those who uphold and live by the highest values of focusing on the needs of our citizens.

This handbook is designed to familiarize you with the policies and practices that apply to your employment and is not intended to be and does not constitute a contract of employment. This Employee Personnel Policy Handbook has been adopted by Canadian County pursuant to [19 O.S. § 339](#).

The following personnel policies are designed to inform Canadian County Employees of the County's operating policies and practices as they apply to all County employees. Each County employee is responsible to the elected officer, department head or director who hires and/or appoints that employee.

Each office or department may implement additional policies for the operation of that specific office or department provided that these additional policies do not contradict the general personnel policies of Canadian County.

From time to time as conditions change, it will be necessary to change or add rules and procedures governing employees. Where practical or required by law such changes will be posted in advance of their effective date, after which time they will become a part of this handbook. Should you have any questions regarding policies, please ask your supervisor, elected officer or human resources for assistance.

MISSION STATEMENT OF CANADIAN COUNTY

The mission of Canadian County Government is to provide our citizens high quality, innovative and cost-efficient services with integrity, professionalism and transparency.

DEFINITIONS

EMPLOYEES:

EXEMPT: Employees that do not receive overtime pay according to the Fair Labor Standards Act.

FULL TIME: Employees scheduled to work 40 hours a week.

NON-EXEMPT: Employees that are entitled to overtime pay according to the Fair Labor Standards Act.

PART TIME WITH BENEFITS: Employees scheduled to work 20 hours or more per week and more than 1000 hours per year. Employees are eligible for health insurance and retirement benefits. Vacation and sick leave will be pro-rated based on a percentage of the number of hours worked as compared to a 40 hour work week. Holiday pay will be pro-rated in a similar fashion.

PART TIME WITHOUT BENEFITS: Employees scheduled to work less than 20 hours per week and less than 1000 hours per year. Employees are not eligible for health insurance, retirement, leave or holiday benefits. An exception applies to those employees who have previous participating service with OPERS and who have not withdrawn their contributions. These employees are required to continue to pay retirement contributions on their part time wages.

TEMPORARY / SEASONAL: Employees who are hired for short durations and whose total hours do not exceed 1000 hours per year. Employees are not eligible for health insurance or retirement benefits. An exception applies to those employees who have previous participating service with OPERS and who have not withdrawn their contributions. These employees are required to continue to pay retirement contributions on their temporary or seasonal wages.

COUNTY OFFICERS:

The county officers are the three County Commissioners, County Sheriff, County Treasurer, County Clerk, Court Clerk, and County Assessor.

DEPARTMENT HEAD / DIRECTOR:

An employee appointed or hired to administer a department for Canadian County. This includes, but is not limited to, the Secretary of the Election Board, the Children's Justice Center Facility Director, and the Secretary of the Free Fair Board.

GENERAL EMPLOYMENT POLICIES

PROTECTING PUBLIC ASSETS

Canadian County officers and employees are committed to effectively and efficiently meeting the objectives of county government by protecting all public assets under their care. The Elected Officers recognize it is their responsibility to develop and support written policies and procedures that address the security of county owned assets by identifying and mitigating risks to those assets. It is an essential responsibility and job function of every employee to report incidents of fraud, abuse or failure to follow procedure involving public assets to your immediate supervisor, another member of supervision or the Elected Officer. Violations of policy involving abuse, misuse or failure to report or protect county owned assets will be subject to disciplinary action, up to and including dismissal.

HEALTH AND SAFETY

Upon employment with Canadian County, each new employee will be given an initial health and safety orientation. The orientation shall be given to all new employees by either the director of safety or his designee for the county. Each new employee will review a written copy of Canadian County's General Policies and Procedures relating to the Health and Safety Programs. Upon reviewing these policies and procedures the employee will have an opportunity to ask questions and receive clarification on any item that is not completely understood. The new employee will be instructed on their job and any related task to be performed and will include any specific safety or health related hazards that might be associated with the performance of their job. New employees will also review policies and procedures for reporting and proper documentation of all injuries regardless of severity. Once each quarter, the employee will attend a safety training session arranged and / or instructed by the director of safety pertaining to the specific safety hazards that may be associated with their particular job. These policies and procedures are established to help the employee better understand both the employer and employee's responsibilities in creating a safe work place, and to help limit the possible occurrences of job related injuries.

As an employee of Canadian County, it is your right to have the safest working environment as possible. Through continued efforts, Canadian County remains committed to provide each employee a safe work place. An assessment of each position has been conducted and associated hazards have been identified within the safety plan. As an employee of Canadian County, you share in the responsibilities in making safety happen. When observing possible safety hazards or violations, you should correct or report them immediately.

A safety inspection of all County property and facilities will be conducted at least once a quarter. These policies and procedures are established to help the employee better understand both the employer and employee's responsibilities in creating a safe work place and to help limit the possible occurrences of job related injuries.

Upon completion of reviewing the General Health and Safety Rules, employees will sign and date an acknowledgement of agreement and understanding.

CANADIAN COUNTY SAFETY AWARD

Canadian County promotes a safety program which requires each employee to attend a minimum of four safety training sessions each fiscal year (July 1 through June 30).

All current employees that complete four (4) quarterly safety training sessions in a fiscal year will be eligible for a safety incentive award of \$100.00. The award will be paid in the first quarter of each year in recognition of the attendance of safety training sessions in the prior fiscal year.

[19 O.S. § 339\(A\)\(11\)](#)

POLICY AGAINST HARASSMENT AND DISCRIMINATION AND COMPLAINT PROCEDURE

Discrimination, harassment, and/or retaliation in any form constitute misconduct that undermines the integrity of the employment relationship with the County. The County prohibits discrimination and/or harassment regarding race, sex, color, religious preference, national origin, age, gender, sexual orientation, genetic information, physical or mental disability or any other basis protected by federal or state law.

Unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a harassing and/or discriminatory nature will constitute harassment and/or discrimination. Employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sex discrimination and sexual harassment are against the law. The following are some examples of conduct which may be legally actionable sexual harassment:

- Use of any offensive or demeaning terms which have sexual connotation.
- Suggestive or obscene letters, notes or invitations.
- Objectionable physical proximity or physical contact.
- Unwelcome suggestions regarding, or invitations to, social engagements or work-related social events.
- Any indication, express or implied, that an employee's job security, job assignment, conditions of employment, or opportunities for advancement depend or may depend on the granting of sexual favors to any other employee, supervisor, or manager.
- Any action relating to an employee's job status which is in fact affected by consideration of the granting or refusal of social or sexual favors.
- The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.
- The deliberate or careless expression of jokes or remarks of a sexual nature to or in the presence of employees who may find such jokes or remarks offensive.
- The deliberate or careless dissemination of materials (such as cartoons, articles, pictures, etc.), which have a sexual content to employees who may find such materials offensive.

Sexual harassment may occur through various methods, including personal contact, in writing, over the telephone, through email, texting, social media and other electronic forms. Harassment, whether committed by supervisory employees, non-supervisory employees or other third parties in the course of employment, is strictly prohibited.

COMPLAINT PROCEDURE

The County expects that everyone will act responsibly to establish a professional work environment.

It is an essential responsibility and job function of every employee to report any incidents of actual or perceived harassment or discrimination. This includes harassment or discrimination directly involving the employee or where the employee is only a witness. If you believe you have been subjected to any form of harassment and/or discrimination, or believe you have witnessed unlawful harassment or discrimination towards another person, you should report the incident immediately to your immediate supervisor, another member of supervision, the Elected Officer of your department or Human Resources. Employees are not required to approach the person who is harassing and/or discriminating against them, and they may bypass an offending member of supervision. The County takes all complaints of harassment and discrimination seriously and will promptly investigate any such complaints.

The County will conduct its investigation in as confidential a manner as possible. However, the County will not allow the goal of confidentiality to be a deterrent to an effective investigation. A timely resolution of each complaint will be reached and communicated to the employee. Appropriate corrective action, up to and including termination, will be taken promptly against any employee engaging in discrimination and/or harassment. Any corrective action will be proportional to the severity of the conduct. The alleged harasser's employment history and any similar complaints of prior unlawful discrimination and/or harassment will be taken into consideration.

The County prohibits retaliation of any kind against employees, who, in good faith, report harassment and/or discrimination or assist in investigating such complaints. If you feel you have been subjected to any form of retaliation, you should report such conduct to your immediate supervisor, another member of supervision, the Elected Officer of your department or Human Resources immediately. Employees are not required to approach the person who is retaliating against them, and they may bypass an offending member of supervision.

HIRING POLICIES

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The County provides equal employment opportunity for all employees and applicants regardless of race, color, religion, sex, age, national origin, citizenship status, disability, genetic information or veteran status. This commitment to equal employment opportunity extends to all aspects of employment, including hiring, promotion, training, working conditions, compensation and discipline. The County complies with all applicable federal and state equal employment opportunity laws.

RECRUITMENT/JOB POSTING

All job openings shall be posted publicly and/or filled from applications filed with the Elected Official. Postings generally include the title, the salary range, the minimum hiring specifications and the closing date for filing applications.

HIRING PROCEDURES

Each elected official shall be responsible for hiring and/or appointing the employees in his/her office. The number of persons hired or appointed shall be based on the budget appropriation for the fiscal year in which the hiring/appointment is made.

Employees serve at the pleasure of the elected official.

All new employees, upon instruction from the elected official, will report to Human Resources for enrollment as a county employee.

Applicants and employees will be required to demonstrate their eligibility to work in the United States as provided by federal and state laws.

MEDICAL EXAMS AND PRE-EMPLOYMENT DRUG TESTING

As a condition of employment, it may be necessary for job applicants to pass a medical evaluation by a County selected physician after a conditional offer of employment has been made. An applicant who has received a conditional offer of employment and who fails to appear for a medical examination will be disqualified from further employment consideration. Medical exam expenses shall be provided by the County. Applicants who have received a conditional offer of employment will be required to submit to drug and/or alcohol testing. A positive test or a refusal to undergo testing may result in a refusal to hire.

[40 O.S. § 191](#)

NEPOTISM

An elected official shall not hire, appoint or approve the employment or appointment of any person who is related by blood or marriage within the third degree including, but not limited to, spouse, child, step-child, child-in-law, step-child-in-law, grandchild, step-grandchild, parent, step-parent, parent-in-law, sibling, step-sibling, sibling-in-law, grandparent, grandparent-in-law, aunt, uncle, niece, and nephew.

[21 O.S. §§ 481](#)

COMPENSATION POLICIES

TIME RECORDING (NON-EXEMPT EMPLOYEES)

The County is required by law to keep accurate records of the actual hours worked by the non-exempt employees, including hours worked each day and total hours worked each work week. Non-exempt employees must use time clocks, timecards, or other similar means of accurately recording their regular hours worked, meal periods, overtime, absences, holiday and vacations. Time records should be carefully checked for accuracy as paychecks will be calculated according to the information shown on them unless the information is determined to be erroneous.

Non-exempt employees are required to accurately record their time and the following rules must be observed:

1. You should arrive at the workplace allowing sufficient time to clock or check in (if appropriate) and start work on time.
2. Employees should clock or check in or otherwise accurately record their time immediately prior to starting work, immediately before and after their meal periods and when leaving at the end of the work shift or when leaving the premises for approved personal reasons.
3. If appropriate, timecards must be returned to the proper location immediately after being

checked. Employees are responsible for ensuring that their timecards are not lost, mutilated or falsified.

4. Employees are not permitted to clock or check in for another employee or to otherwise record another employee's time.
5. To be valid, corrections or alterations on a time record must be initialed as soon as possible by the employee's supervisor. Employees who fail to clock or check in or out or otherwise accurately record their time may be subject to discipline up to and including immediate discharge.
6. Employees are prohibited from working overtime that is not approved and authorized by a supervisor.

PAYMENT OF WAGES

All County officials and employees shall be paid twice monthly. The first pay period begins at 12:01 a.m. on the 1st day of the month and ends at 12:00 midnight on the 15th day of the month. The second pay period begins at 12:01 a.m. on the 16th day of the month and ends at 12:00 midnight on the last day of the month. Employees of the Children's Justice Center who work shift work in a 24 hour residential program shall have their first pay period begin at 7:01am on the 1st day of the month and end at 7:00am on the 16th day of the month. The second pay period shall begin at 7:01am on the 16th day of the month and end at 7:00am on the first day of the next month. The regular paydays shall be on the 5th and 20th of each month. Pay stubs will normally be distributed by 4:00 p.m. on the regular payday. When a payday falls on a holiday or other non-scheduled workday, employees will normally be paid on the last preceding work day.

PAYROLL DEDUCTIONS

Only deductions required and/or permitted by law and/or authorized by the employee will be withheld from an employee's paycheck. Those required by law are as follows:

- **FEDERAL INCOME TAX**
- **STATE INCOME TAX**
- **SOCIAL SECURITY TAX**
- **MEDICARE TAX**
- **LEVIES**
- **GARNISHMENTS**

Examples of deductions which may be authorized by the employee include:

- **GROUP HEALTH INSURANCE**
- **OPTIONAL INSURANCE PLANS**
- **DEFERRED COMPENSATION**

Any questions about a paycheck should be addressed first to the employee's supervisor or department head, then to the elected official under whom the employee works. The elected official will make further checks, if necessary, with the Payroll Department.

Whenever an employee's employment terminates, the employer shall pay the employee's wages in full, less offsets, at the next regular designated payday established for the pay period in which the work was performed either through the regular pay channels or by certified mail postmarked within the deadlines herein specified if requested by the employee.

[40 O.S. § 165.2](#); [40 O.S. § 165.3](#)

HOURS OF WORK:

The Canadian County Offices will normally be open Monday through Friday from 8:00 a.m. to 4:30 p.m.

Most County employees will follow a normal schedule of forty (40) hours per week plus an unpaid 30 (thirty) minute lunch period each day. Each elected official shall set the lunch periods and break periods, if any, for his/her office, but at no time shall an office be left without adequate staff to perform necessary duties.

The activities of some departments require alternative schedules to meet their work needs. In those departments, the elected official may authorize a deviation from the normal work schedule.

WORK WEEK AND WORK PERIOD:

The work week for all employees, except law enforcement and 24 hour residential program staff commences at 12:01 A.M. on Sunday and ends at 12:00 midnight the following Saturday. For employees of the Children's Justice Center who work shift work in a 24 hour residential program, the work week commences at 7:01am on Sunday and ends at 7:00am on the following Sunday. For law enforcement employees who meet the following requirements:

- 1) A uniformed or plain-clothed member or a body of officers who are empowered by statute or local ordinance to enforce laws designed to maintain public peace and order and to protect both life and property from accidental or willful injury, and to prevent and detect crimes;
- 2) Has the power of arrest; and
- 3) Presently undergoing, has undergone, or will undergo on-the-job training and/or a course of instruction and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigation and law enforcement techniques, community relations, medical aid, and ethics.

29 C.F.R. § 553.211(a)

the work period begins at midnight on Sunday and continues on a 28 day cycle ending at midnight on Sunday four weeks later. This latter work period for all law enforcement is intended to qualify for the exemption permitted under Section 7(k) of the Fair Labor Standards Act, as amended.

EARNING OVERTIME:

Canadian County's overtime policy conforms to overtime provisions of the Federal Fair Labor Standards Act and applicable Oklahoma Laws. Exemptions from these provisions will be claimed only when the necessary basis is established.

Canadian County Employees who are not exempt and who are not law enforcement personnel shall be entitled to overtime payment at the rate of 1 ½ times their regular rate of pay for all hours worked in a work week in excess of 40 hours.

In the case of law enforcement personnel who are not exempt compensatory time will be earned for hours worked in excess of 171 hours in the 28 day period. Such compensatory time will be earned at the rate of 1 ½ times the employee's regular rate of pay.

Note: Only non-exempt employees are entitled to earn compensatory time as described above. Exempt employees are not entitled to overtime pay.

COMPENSATORY TIME OFF FOR OVERTIME:

Canadian County has adopted as its policy, practice and procedure, a method of compensating employees for overtime whereby employees are required to utilize compensatory time off in lieu of cash overtime payments. As an exception to this policy, and at the sole discretion of the elected official, the elected official may decide to make cash overtime payments. Compensatory time off will be granted to an employee at the rate of 1 ½ hours for each hour of overtime worked.

All compensatory time off will be scheduled within a reasonable period after requested, if it does not unduly disrupt operations. Except in the case of law enforcement personnel, each employee can accrue up to 240 hours of compensatory time off in lieu of overtime payment. After the accrual of 240 hours of compensatory time, such employee will thereafter be paid cash payment for overtime.

In the case of law enforcement personnel who are not exempt, each employee can accumulate up to 480 hours of compensatory time off. After the accrual of 480 hours of compensatory time, a law enforcement employee will thereafter be paid cash payment for overtime. In all cases where compensatory time off is authorized, once the employee has utilized compensatory time off to reduce the maximum accrual below the applicable limit, then additional overtime will be paid in the form of additional compensatory time off.

29 U.S.C. § 207(o).

LEAVE BENEFITS

Canadian County has adopted a paid general leave program for regular employees which incorporates forms of leave such as annual (vacation), sick leave, military leave, bereavement leave, and education leave. It is the intent of the general leave program to allow eligible employees greater flexibility in the use and application of paid absence from work while maintaining necessary and appropriate operation levels. Each elected official shall be responsible for keeping records of the leaves taken by his/her employees and shall make monthly reports to the Payroll Department. Such records shall include type and length of leave. All vacation and leave benefits shall be calculated from the date of employment.

MILITARY LEAVE: Full-time employees who are members of any military reserve component will be granted military leave for such time as they are in the military service on field training or active duty for periods not to exceed an accumulation of five (5) years while working for Canadian County. In order to be eligible for such leave, the employee must:

1. Provide Canadian County with advance written or verbal notice of the leave;
2. Return to work or apply for reemployment in a timely manner after conclusion of service; and
3. Have not been separated from service with a disqualifying discharge or under other

than honorable conditions.

During the first thirty (30) calendar days for Canadian County employees in any federal fiscal year, employees shall continue to receive their full regular rate of pay for such military leave of absence. The federal fiscal year is October 1st to September 30th. This time may not be used for weekend drills. Such requested leave shall be supported with copies of the armed forces orders.

The employee must contact the Payroll Department to make USERRA benefit arrangements prior to active duty deployment and upon return. Failure to make USERRA benefit elections prior to deployment may cause a period of ineligibility upon return.

72 O.S. § 48

BEREAVEMENT LEAVE: Employees shall be granted time off with pay not to exceed (3) three consecutive scheduled working days to attend the funeral in the event of the death of the employee's spouse, child, step-child, child-in-law, step-child-in-law, grandchild, step-grandchild, parent, step-parent, parent-in-law, sibling, step-sibling, sibling-in-law, grandparent, or grandparent-in-law. Employees shall be granted time off with pay for (1) one working day to attend the funeral in the event of the death of the employee's great-grandparent, great-grandchild, uncle, aunt, nephew, or niece. Any additional time shall be charged to vacation leave or compensatory time (comp. time).

At the discretion of the elected official, bereavement leave may be granted an employee to attend the funeral service of other relatives.

EDUCATION LEAVE: Full-time employees may be granted leave with pay for attendance at conferences, seminars, or short-courses of instruction designed to advance the technical or professional skills of the person attending. Such education or training leave must be authorized by the elected official prior to the leave being taken and the education or training must be determined by the County to be related to the employee's job responsibilities for the County.

19 O.S. § 130.6

INCLEMENT WEATHER AND UNSAFE WORKING CONDITIONS LEAVE: If Canadian County offices are closed because of an imminent peril threatening the public health, safety, or welfare of county employees or the public, or when county offices are temporarily closed or reduced due to hazardous weather conditions, the person designated by the Board of County Commissioners for Canadian County will place employees who are scheduled to work in the affected work areas on paid administrative leave or, if applicable, shall assign them to work in another location. During their normal duty hours, employees on paid administrative leave due to unsafe working conditions are on stand-by or on-call status. The person designated by the Board of County Commissioners for Canadian County may call employees to return to their normal duties or respond to the demands of the situation as necessary.

Paid administrative leave means leave granted to affected employees if offices are closed because of an imminent peril threatening the public health, safety, or welfare of county employees or the public, or when county offices are temporarily closed or reduced due to hazardous weather. Examples of reasons for temporarily closing an office due to unsafe working conditions are: leaks of toxic fumes in buildings; life threatening damage to building structures; or emergency operations which would be disrupted by the presence of the usual work force; or any other condition which poses a significant threat to the safety of the work force.

Paid administrative leave will be allowed to all affected employees only when a county office is temporarily closed or services are temporarily reduced due to hazardous conditions. The granting of administrative leave applies only to employees scheduled to work during the time period of the closure or reduced services. It does not apply to employees who are absent during the closure or reduction on any previously approved leave. The following rules shall apply to the granting of administrative leave:

- The time period shall be considered a 24-hour period.
- If the employee has already scheduled sick, vacation, or comp. time leave when the courthouse closes, then the scheduled leave stays as sick, vacation, or comp. time leave.
- If the employee takes vacation or comp. time leave to not come to work due to bad weather and then the courthouse closes, the vacation or comp. time leave will be changed to administrative leave.

Employees who are not eligible to accrue leave, such as temporary employees, shall not be granted administrative leave when county services are temporarily closed or reduced due to hazardous conditions.

When the person designated by the Board of County Commissioners authorizes offices or departments to maintain basic minimum services because hazardous weather conditions impede or delay the movement of employees to and from work, employees responsible for providing minimum services shall report to work. The elected or appointed officials of each office will be responsible for determining essential department functions and ensuring that employees who staff such functions are informed. Employees who are considered responsible for basic minimum services and who are required to work when county services are temporarily reduced due to hazardous weather conditions will be entitled to accrue administrative leave on a straight-time basis up to eight hours per day for hours worked in their regularly scheduled work periods during such reduction. Administrative leave accrued under this provision must be taken within 180 days of its accrual or the employee shall be paid for the leave. An extension of the time period for taking the leave may be approved for up to an additional 180 days, providing the elected or appointed official approves. Accrued administrative leave must be used before granting of any vacation leave except when the employee may lose accrued leave.

Employees who are responsible for basic minimum services are expected to report to work as scheduled or if called in. If they cannot report to work, they must call their supervisor and ask to be excused from reporting. If they are excused by their supervisor, they will be allowed to use administrative leave in the same manner and amount as the other county employees who have not been designated “essential staff”.

If they are NOT excused by their supervisor, they must report to work as scheduled. Failure to do so will result in disciplinary action up to and including termination. In addition, they may be required by their supervisor to:

- (1) Charge the absence to accumulated compensatory time;
- (2) Charge the absence to accumulated vacation leave;
- (3) Make up lost time in a manner consistent with the FLSA, if the Appointing Authority determines that office hours and schedules permit.

JURY AND COURT DUTY: Canadian County desires that all employees fulfill their duty to serve as members of juries or to testify when called in Federal, State or municipal courts. Therefore, the following procedures shall regulate when an employee is called for jury duty or subpoenaed to court:

- The employee will be granted a leave of absence when the employee is subpoenaed or directed by proper authority to appear in Federal, State or municipal court as a witness or juror. The employee will be required to provide satisfactory documentation requiring their appearance as a witness or juror.

- The employee will receive his/her regular compensation during the time he/she is serving on jury duty.
- The employee may retain all compensation or fees which he/she receives for serving as a juror.
- If the employee is relieved from court or jury duty during working hours, the employee must report back to his/her worksite.
- The above provisions concerning compensation for time in court do not apply if the employee is involved in private litigation. On these occasions, the employee must take vacation leave, compensatory time or leave without pay.

38 O.S. § 34

LEAVE WITHOUT PAY: Leave without pay of specified length may be granted at the sole discretion of the elected official. While on leave without pay, an employee will not accrue vacation time or sick leave. The employee will not receive the monthly benefit allowance and will be responsible for the payment of any insurance premiums that would have been paid by the county or deducted from the employee's paycheck. Payment of the insurance premiums will be coordinated with the Payroll Department.

An employee granted leave without pay remains a County employee and does not lose his/her work experience status. The absence without pay leave shall not extend for a period in excess of 90 (ninety) days.

FAMILY AND MEDICAL LEAVE (FMLA)

Family/Medical Leave (FML) is provided consistent with the Family and Medical Leave Act (FMLA). Any provisions of Canadian County's policies which are found to be contradictory to the FMLA will be superseded by the FMLA.

- **FMLA Policy.** Except in the case of Military Caregiver Leave (described below), eligible employees may take up to 12 weeks of unpaid FML within any 12 month forward rolling period (described below) and be restored to the same or an equivalent position upon your return from leave. In order to be eligible for FML, you must have worked for Canadian County for at least 12 months, and have worked at least 1,250 hours during the 12 months preceding the beginning of your leave. The 12 month forward rolling period during which time you may take up to 12 weeks of unpaid FML leave is a period measured forward from the date the employee first takes FML leave. For example, if an eligible employee first takes FML leave on May 1, they are entitled to no more than 12 weeks of FML leave through April 30. **Note: For coordination, see the section on Military FML below.**
- **Reasons for FML.** You may take FML for any of the following reasons: (1) the birth of a child; (2) the placement of a child with you for adoption or foster care; (3) to care for a spouse, child or parent with a serious health condition; (4) because of your own serious health condition which renders you unable to perform the functions of your position; (5) because of a qualifying exigency arising out of the fact that your spouse, child or parent is a Covered Military Member on active duty (or has been notified of an impending call or order to active duty) in support of a Contingency Operation; or (6) to care for a Covered Servicemember with a serious injury or illness if the Covered Service member is your spouse, child, parent, or next of kin. Leave because of reasons "1" or "2" must be completed within the 12 month period beginning on the date of birth or placement. **Note: For coordination, see the section on Military FML below.**

- **Military FML.**

- **Military Caregiver Leave.** If you are the spouse, child, parent, or next of kin of a Covered Service member, you may take a total of 26 weeks of unpaid FML within a 12 month period to care for the Covered Service member. **Note: You are entitled to a total of 26 weeks of Military Caregiver Leave during a 12 month period. The 12 month period mentioned in this subsection on Military Caregiver Leave begins on the first day you take FML leave to care for a covered service member and ends 12 months after that date.**

- Certification for Military Caregiver Leave. If you are requesting Military Caregiver Leave to care for a Covered Service member, you must supply appropriate certification completed by an authorized health care provider of the covered service member. When you request Military Caregiver Leave, Canadian County will notify you of the requirement for certification and when it is due (15 days after you request leave). Failure to provide the requested certification in a timely manner may jeopardize your leave or result in denial of leave until it is provided.

- **Military Qualifying Exigency Leave.** You may take a total of 12 weeks of unpaid FML within a 12 month period because of a qualifying exigency arising out of the fact that your spouse, son, daughter, or parent is a on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. **Note: The 12 month period mentioned in this subsection on Military Qualifying Exigency Leave is the period described in the FMLA Policy section above.**

- Certification for Qualifying Exigency Leave. If you are requesting Military Qualifying Exigency Leave, you must provide documentation issued by the military which indicates that the covered military member is on covered active duty or is under a call to covered active duty status in the Armed Forces. You must also provide a statement of facts sufficient to support your need for leave. Such facts should include the type of Qualifying Exigency for which leave is requested and any available written documentation which supports your request. When you request Military Qualifying Exigency Leave, Canadian County will notify you of the requirement for certification and when it is due (15 days after you request leave). Failure to provide requested certification in a timely manner may jeopardize your leave or result in denial of leave until it is provided.

- The term:

- "Covered Active Duty" means –
 - in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
 - in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(3)(B) of Title 10 of the United States Code;
- "Covered Military Member" means your spouse, son, daughter, or parent on covered active duty or call to covered active duty status.
- "Covered Service member" means–
 - a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy;
- "Next of Kin" used with respect to an individual, means the nearest blood relative of that individual;
- "Serious Injury or Illness" means –
 - in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in the line of duty or active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
 - in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period described in paragraph (8)(B), means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran; and
 - the term 'veteran' has the meaning given the term in section 101 of Title 38, United States Code;
- "Qualifying Exigency" means the following:
 - (1) Short-Notice Deployment: (i) To address any issue that arises from the fact that a Covered Military Member is notified of an impending call or order to active duty in support of a contingency operation seven or less calendar days prior to the date of deployment; (ii) Leave taken for this purpose can be used for a period of seven calendar days beginning on the date a Covered Military Member is notified of an impending call or order to active duty in support of a contingency operation;
 - (2) Military Events and Related Activities: (i) To attend any official ceremony, program, or event sponsored by the military that is related to the active duty or call to active duty status of a Covered Military Member; and (ii) To attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a Covered Military Member;
 - (3) Childcare and school activities: (i) To arrange for alternative childcare when the active duty or call to active duty status of a Covered Military Member necessitates a change in the existing childcare arrangement for a biological, adopted, or foster child, a stepchild, or a legal ward of a Covered Military Member, or a child for whom a Covered Military Member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence; (ii) To provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis) when the need to provide such care arises from the active duty or call to active duty status of a Covered Military Member for a biological, adopted, or foster child, a stepchild, or a legal ward of a Covered Military Member, or a child for whom a Covered Military Member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence; (iii) To enroll in or transfer to a new school or day care facility a biological, adopted, or foster child, a stepchild, or a legal ward of the

Covered Military Member, or a child for whom the Covered Military Member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence, when enrollment or transfer is necessitated by the active duty or call to active duty status of a Covered Military Member; and (iv) To attend meetings with staff at a school or a daycare facility, such as meetings with school officials regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors, for a biological, adopted, or foster child, a stepchild, or a legal ward of the Covered Military Member, or a child for whom the Covered Military Member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence, when such meetings are necessary due to circumstances arising from the active duty or call to active duty status of a Covered Military Member;

- (4) **Financial and legal arrangements:** (i) To make or update financial or legal arrangements to address the Covered Military Member's absence while on active duty or call to active duty status, such as preparing and executing financial and healthcare powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), obtaining military identification cards, or preparing or updating a will or living trust; and (ii) To act as the Covered Military Member's representative before a federal, state, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the Covered Military Member is on active duty or call to active duty status, and for a period of 90 days following the termination of the Covered Military Member's active duty status;
- (5) **Counseling:** To attend counseling provided by someone other than a health care provider for yourself, for the Covered Military Member, or for the biological, adopted, or foster child, a stepchild, or a legal ward of the Covered Military Member, or a child for whom the Covered Military Member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence, provided that the need for counseling arises from the active duty or call to active duty status of a Covered Military Member;
- (6) **Rest and recuperation.** (i) To spend time with a Covered Military Member who is on short-term, temporary, rest and recuperation leave during the period of deployment; (ii) Eligible employees may take up to five days of leave for each instance of rest and recuperation;
- (7) **Post-deployment activities:** (i) To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of 90 days following the termination of the Covered Military Member's active duty status; and (ii) To address issues that arise from the death of a Covered Military Member while on active duty status, such as meeting and recovering the body of the Covered Military Member and making funeral arrangements;
- (8) **Additional activities:** To address other events which arise out of the Covered Military Member's active duty or call to active duty status provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave.

- **Notice of Leave.** If your need for FML is foreseeable (e.g. based on an expected birth, placement for adoption or foster care, or planned medical treatment for (1) your or your family members serious health condition, or (2) a serious injury or illness of a covered service member), you must give Canadian County 30 days prior written notice. If 30 days notice is not practicable, you must provide notice as soon as possible and practical taking into account all of the facts and circumstances of your situation. Failure to provide such notice may be grounds for delay of leave.
- **Medical Certification.** If you are requesting FML because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate

medical certification. When you request FML, Canadian County will notify you of the requirement for medical certification and when it is due (15 days after you request leave). Failure to provide requested medical certification in a timely manner may jeopardize your leave or result in denial of leave until it is provided. The county, at its expense, may require an examination by a second health care provider designated by Canadian County, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, Canadian County, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. Canadian County may require subsequent medical certification on a reasonable basis. **Note: For coordination, see the specific certification requirements in the section on Military FML above.**

- **FML is Unpaid.** However, Canadian County will require you to use your accumulated paid leave or compensatory time simultaneously in certain circumstances. You will be required to substitute accumulated and available paid vacation leave and/or compensatory time for any unpaid FML for the birth and care of an employee's child after birth, placement for adoption or foster care, or for the care of a seriously ill family member. Paid vacation, compensatory time and/or sick leave will be substituted as FML for the employee's own serious health condition.
- The required substitution of accumulated paid leave and/or compensatory time as described above will not apply if you are receiving workers' compensation benefits or if you are receiving payments under a short term disability policy.
- The substitution of paid leave time and/or compensatory time for unpaid leave time does not extend the 12 week leave period (or the 26 week leave period in the case of Military Caregiver Leave).
- **Workers' Compensation.** If you sustain an on-the-job injury that qualifies as a serious health condition under this policy, Canadian County will run your FML concurrently with your workers' compensation leave. Canadian County will provide timely notice as required by the Family and Medical Leave Act.
- **Medical and Other Benefits.** During an approved FML, Canadian County will maintain your health benefits, as if you continued to be actively employed. If paid leave and/or compensatory time is substituted for unpaid family/medical leave, Canadian County will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium to Canadian County by the first day of each month. Your health care coverage will cease if your premium payment is more than 30 days late. If you elect not to return to work at the end of the leave period, you will be required to reimburse Canadian County for the cost of the premiums paid by Canadian County for maintaining coverage during your leave, unless you cannot return to work because of a serious health condition, a serious injury or illness of a Covered Service member, or other circumstances beyond your control. If the FMLA absence lasts longer than your period of FMLA leave entitlement, it may be necessary to fill the position with another employee.
- **Intermittent and Reduced Schedule Leave.** Family Medical Leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If leave is unpaid, Canadian County will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave, Canadian County may temporarily transfer you to an alternative position which better accommodates your recurring leave and which has equivalent pay and benefits.

- **Return from Leave.** If you take leave because of your own serious health condition, you are required to provide medical certification that you are fit to resume work. Employees failing to provide the certification will not be permitted to resume work until it is provided.

An employee generally has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave. The taking of FMLA leave cannot result in the loss of any benefit that accrued prior to the start of the leave.

LEAVE SHARING POLICY

A county employee may donate vacation, sick or compensatory leave to another county employee only pursuant to the following conditions:

For the receiving employee:

- The receiving employee must be a full-time employee with one (1) year or more of continuous service with Canadian County.
- The receiving employee has abided by the county policies regarding the use of leave.
- The receiving employee has exhausted, or will exhaust, all vacation leave, sick leave and compensatory time due to illness, injury, impairment, or physical or mental condition, which is of an extraordinary or severe nature, for the employee or the employee's spouse, child, step-child, parent, step-parent or legal dependent.
- The condition has caused, or is likely to cause, the employee to go on leave without pay or terminate employment.
- The elected official or department head of the receiving employee determines that the employee meets the criteria for donated leave.
- The elected official or department head may require the employee to submit, prior to approval or disapproval of shared leave, a medical certificate from a licensed physician or health care practitioner verifying the need for the leave and expected duration of the illness, injury, impairment, or physical or mental condition for which the leave is donated. In lieu of a medical certificate, the elected official or department head shall submit to the Board of County Commissioners a letter of explanation to verify the need for the leave.
- The receiving employee may receive 40 hours of donated leave for each year of county employment.
- Any donated leave may only be used by the recipient for the purposes specified in this policy.
- All forms of paid leave available for use by the recipient must be used prior to using donated leave.
- The maximum amount of shared leave an employee may receive is two hundred sixty-one (261) days of shared leave during their total county employment.
- If an employee's leave is due to their own illness, injury, impairment, or physical or mental condition and the leave continues for more than 30 days, they may be eligible to access their disability benefits. "The employee should contact Payroll & Benefits office at 405/295-6178 for information about filing a claim. A Disability Plan Handbook is available on the State Insurance website at <https://omes.ok.gov/services/employees-group-insurance-division/benefit-coordinator/handbooks>."

For the donating employee:

- An employee may donate vacation, sick or compensatory leave to another employee provided the donation does not cause:

- the vacation leave balance of the employee to fall below eighty (80) hours or
- the sick leave balance of the employee to fall below eighty (80) hours or
- the compensatory leave balance of the employee to fall below eighty (80) hours.
- Any donated leave not used by the recipient during each occurrence as determined by the elected official or department head shall be returned to the donor. The donated leave remaining will be divided among the donors on a prorated basis based on the original donated value and returned at its original donor value and reinstated to the original leave balance of each donor.
- All donated leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating vacation or sick leave for purposes of the leave sharing program.
- Employees may not donate excess vacation, sick or compensatory leave that the donor would not be able to otherwise take.

Donated vacation, sick or compensatory leave may be shared between employees on an hour-to-hour basis irrespective of the hourly wage of the donating or receiving employee. Any shared leave not used by the receiving employee will be returned to the donating employee.

Employees who become elected officials may not donate any unused sick leave to employees after their term of office begins. The elected official's sick leave balance is retained strictly for retirement purposes.

The supervising officials of both the Recipient Employee and the Donor Employee must approve the leave sharing arrangement form before approval by the Board of County Commissioners.

ANNUAL LEAVE

All full-time Canadian County employees shall be entitled to annual leave that is accrued on a monthly basis in accordance with the schedule outlined below:

Accrual Rates – Effective January 1, 2011		
Years of Service	Annual Leave	Accumulation
0 – 5 Years	7.33 hours per month / 88 hours annually	200 hours
5 – 10 Years	10.67 hours per month / 128 hours annually	200 hours
10 – 20 Years	12.67 hours per month / 152 hours annually	200 hours
OVER 20 Years	14.00 hours per month / 168 hours annually	200 hours

Annual leave must be earned before it is taken. No vacation will be longer than 10 consecutive working days without permission of the appropriate elected official. Vacation schedules are subject to elected official approval. Annual leave will be accrued on a monthly basis and pro-rated, as

appropriate, for less than full-time service.

The annual leave year shall be April 1 through March 31. No annual leave shall be accumulated beyond the accumulation limit during the annual leave year period. The annual leave balance shall not exceed 120 hours at March 31. The county adopts a “use it” or “lose it” rule. Any annual leave balance that exceeds 120 hours at March 31 shall be lost.

Upon separation from employment, an employee will be paid for the balance of accrued annual leave up to the accumulation limit.

Holidays that fall during an employee’s annual leave shall not be counted as annual leave.

19 O.S. § 1301

SICK LEAVE

All full-time Canadian County employees shall be entitled to medical leave with pay that is accrued on a monthly basis in accordance with the schedule outlined below:

Accrual Rates	
Sick Leave	Accumulation Limits
10.00 hours per month	1040 hours

An employee may utilize medical leave for the following reasons:

- Personal illness or when the employee cannot work because of sickness, injury, pregnancy, or medical, surgical, dental or optical examination, or treatment, or where the employee’s presence at work would jeopardize the health of the employee or others.
- Personal illness, injury, pregnancy, or medical, surgical, dental or optical examination or treatment of the employee’s spouse, child, step-child, parent, step-parent or legal dependent.

In the event the leave is due to your own serious health condition, or for the seriously ill condition of a family member, the sick leave will also constitute family/medical leave where appropriate. During an approved FML, Canadian County will maintain your health benefits, as if you continue to be actively employed. (See previous section on Family and Medical Leave). If your need for sick leave is foreseeable, you must give Canadian County 30 days prior written notice. Where the need for sick leave is not foreseeable, you are expected to notify Canadian County within 1 or 2 business days of learning of your need for sick leave, except in extraordinary circumstances. Failure to provide such notice may be grounds for denial of the leave as sick leave.

If you are requesting sick leave, you and the relevant health care provider may be asked to supply appropriate medical certification. Failure to provide requested medical certification in a timely manner may result in disciplinary action up to and including termination and/or denial of leave until it is provided. Canadian County, at its expense, may require an examination by a second health care provider designated by Canadian County, if it reasonably doubts the medical certification you initially

provide. Canadian County may require subsequent medical certification on a reasonable basis.

An employee shall not use sick leave for vacation leave. An employee shall not use sick leave before it is accrued. Sick leave will be accrued on a monthly basis and pro-rated, as appropriate, for less than full-time service. Holidays that fall during an employee's sick leave shall not be counted as sick leave.

When terminating employment with the County, an employee may not collect pay for accrued sick leave. Abuse of sick leave is grounds for termination.

If an employee leaves Canadian County employment and is reemployed with Canadian County at a later date, Canadian County will not reinstate any unused sick leave accumulated during the previous employment.

FRINGE BENEFITS

The County pays for unemployment insurance, social security (with the employee paying an equal percentage), and worker's compensation insurance. The County also pays a portion of the premium for health care insurance.

HEALTH CARE INSURANCE

Canadian County provides each full-time employee with a monthly benefit allowance. The benefit allowance is used to pay for the health, dental, basic life and disability coverage for the employee. Any unused benefit allowance may be used for additional life insurance, vision coverage, insurance coverage for dependents, or supplemental health related insurances.

Any unused (leftover) benefit allowance may be received as taxable compensation. If the employee elects to receive the leftover benefit allowance as taxable compensation, such taxable compensation will be paid in equal amounts each pay period over the plan year. The employee shall acknowledge that leftover benefit allowance received as taxable compensation will be reported on the annual W-2 and appropriate taxes will be withheld.

Canadian County provides health, dental, life, disability, and vision insurance benefits through participation with the Employees Group Insurance Division (EGID), a Division of the Oklahoma Office of Management and Enterprise Services. Pursuant to 74 O.S. § 1315 (J), EGID requires all employees to enroll in the health plan offered by Canadian County unless the employee provides proof of other group health coverage or has Indian or military health benefits.

All employees who "opt-out" of health insurance coverage due to other group health coverage, Indian or military health benefits will be required to provide proof of the other group health coverage, Indian or military health benefits at the annual option period.

Failure to provide this proof of other group health coverage, Indian or military benefits will result in the employee being enrolled in the HealthChoice High Option plan. The employee will not be able to change this enrollment until the next annual option period or the occurrence of a recognized midyear Internal Revenue Code Section 125 Qualifying Event.

County's Payment of Employer Share of Health Insurance Premiums During Leave of Absence

If an employee is on medical leave, including workers' compensation leave, the County will continue to pay the County's portion of health insurance premiums for the first 12 weeks of the absence (if the absence qualifies under the County's FMLA policy). For employees on workers' compensation leave exceeding 12 weeks, the County will continue paying the County's portion of health insurance premiums for up to a total of 12 months of the leave - which is the limit of such benefit afforded to State employees under the Oklahoma Personnel Act.

The employee will be responsible to pay their portion of health insurance premiums that would normally be deducted from their paycheck while they are on approved medical leave, including workers' compensation leave. Payment of the employee's portion of the health insurance premiums will be coordinated with the County Clerk's Payroll Department.

RETIREMENT

Canadian County is a member of the Oklahoma Public Employees Retirement System. Please refer to your OPERS Handbook for details.

HOLIDAYS

The Canadian County Commissioners and members of the Canadian County Excise Board shall designate and publish between the 1st and 20th of January each year which holidays the County Offices will be closed.

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. Holiday pay cannot be applied to another day outside the specified scheduled holiday. If employees are not scheduled to work the day of the holiday, they will not receive holiday pay.

[19 O.S. § 350](#)

GUIDELINES FOR APPROPRIATE CONDUCT

As an integral member of the Canadian County team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that both in your business and personal life you refrain from any behavior that might be harmful to you, your co-workers, and/or Canadian County, or that might be viewed unfavorably by the public at large.

Whether you are on duty or off, your conduct reflects on Canadian County. You are, consequently, encouraged to observe the highest standards of professionalism at all times.

Types of behavior and conduct that Canadian County considers inappropriate include, but are not limited to the following. This is **NOT** a complete list and the County reserves the right to investigate, make judgments and take appropriate disciplinary action in each individual incident. The level of severity of any infraction is solely at the discretion of the Elected Official.

- Falsifying employment or other County records.
- Violating the County's non-discrimination and/or sexual harassment policy.
- Soliciting or accepting gratuities.
- Excessive absenteeism or tardiness.
- Excessive, unnecessary, or unauthorized use of County supplies, particularly for personal purposes.
- Reporting to work intoxicated or under the influence of non-prescribed drugs, and illegal manufacture, possession, use, sale, distribution or transportation of drugs.
- Bringing or using alcoholic beverages on County property or using alcoholic beverages while engaged in County business off County premises, except where authorized.
- Fighting or using obscene, abusive, or threatening language or gestures.
- Theft of property from co-workers or the County.
- Disregarding safety or security regulations.
- Insubordination or willful refusal to follow an order.
- Failing to maintain the confidentiality of protected County information.
- Conviction of a crime.
- Falsifying time keeping records with intent to defraud.
- Deliberate or willful misrepresentation of County policy.
- Willful damage or destruction of County property, including digital property.
- Unauthorized installation of software on County computer systems.
- Loafing, loitering or sleeping during work time.
- Neglect of duty or incompetence.
- Unsatisfactory job performance.
- Violation of County policy or a provision of this Handbook.
- Failure to follow supervisory instructions or directions.
- Improper recording of time worked.
- Work performance which is below the standards of performance required by the department.
- Distribution or posting of written or printed matter that is not authorized by the Elected Officer.
- Inefficiency or lack of effort in the performance of duties.
- Careless, negligent or improper use of County property or equipment.
- Thoughtless conduct which results in injury to others or in more than minor property damage.
- Willfully causing damage or destruction of equipment or property belonging to the County or to fellow employees.
- Falsification of records or misrepresentation of material information.
- Thievery.
- Failure to maintain satisfactory and/or harmonious relationships with the public or with fellow employees.
- Refusing to sign a consent form permitting the County to inspect and/or search an employee's personal property on County premises for intoxicants, controlled or illegal substances or any other substance which impairs job performance.
- Abusing the sick leave policy.

Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of Canadian County, based on violations either of the above or of other County policies, rules, or regulations, you will be subject to disciplinary action, up to and including dismissal.

ABSENTEEISM/TARDINESS

Every employee is expected to attend work regularly. Attendance on a regular basis is an absolute essential part of every position at Canadian County. Excessive absenteeism or tardiness shall subject

the employee to discipline, up to and including discharge.

One absence or one tardiness occurrence will be recorded for each day absent or tardy for any reason which is not for an acceptable excuse in the judgment of Canadian County or otherwise excusable by law. Occurrences of absences and tardiness will be documented and considered as grounds for discipline.

Punctuality is essential to the proper functioning of this organization. "Tardy" is defined as not being in the department at the scheduled time ready to begin work or leaving work before the scheduled ending time for any reason which is not an acceptable excuse in the judgment of Canadian County or otherwise excusable by law. Failure to clock in or to clock out will be considered a tardy. Occurrence of tardiness will be documented and considered as grounds for discipline.

Unexplained absenteeism may be considered voluntary termination and the vacant position will be filled.

PERSONAL APPEARANCE AND DEMEANOR

As an employee, you are a representative of Canadian County. Discretion in style of dress and behavior is essential to the efficient operation of Canadian County. Employees are, therefore, required to dress in appropriate attire and to behave in a professional manner.

Your appearance should reflect a professional image to the public. Wearing clean, neat, well-maintained and conservative attire suggests that you care about your appearance. Someone who cares about appearance tends also to be responsible about other details (quality of work, etc.) and thus generally displays a better attitude relevant to the workplace.

While some employees are required to wear uniforms, other employees should dress appropriately for the type of work they are doing. For example, office workers should dress appropriately for a business office. Some offices also observe "Dress Down Friday". This observance is a privilege, not a right. Each elected official or department head is responsible for determining if their office participates in "Dress Down Friday".

In all situations, employees will wear clean and well-maintained attire appropriate to the type of work they do. Shoes are required and must also be well-maintained. Good grooming and hygiene are required. No provocative or inappropriate dress is acceptable. Elected officers and department heads reserve the right to determine the dress code specific to their office environment and/or job description, to determine when dress is provocative or inappropriate and to require that an employee modify his or her dress.

Please use good judgment in your choice of work clothes and remember to conduct yourself at all times in a way that best represents you and the County. Employees are also required to keep their work environment clean and orderly. Before departing in the evening, employees should lock all files and cabinets and clear all work materials from desk surfaces, especially materials of a sensitive or confidential nature.

Employees failing to adhere to proper standards with respect to appearance and demeanor are subject to disciplinary action.

POLITICAL ACTIVITY

No county employee (not including elected officers) shall participate in partisan politics during normal county working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office.

Use of County property, funds or facilities for campaigning is prohibited.

USE OF COUNTY PROPERTY

No County official or employee may use County property for his or her own personal use or for any other use not required by their duties with Canadian County.

CELL PHONE POLICY

The Oklahoma State Constitution places significant restrictions on the use of county-paid cell phones. In addition, the federal Internal Revenue Service Code has significant provisions to determine whether the use of county-paid cell phones (or any other “listed property” under the I.R.S. Code) will be considered as a taxable fringe benefit for individual employees. Therefore, in order to comply with the legal requirements of the Oklahoma Constitution, and in order not to have all cell phones inappropriately viewed as a taxable fringe benefit by the I.R.S., the following policies and procedures must be closely followed by all employees:

- County-paid cell phones will be utilized only for county business. County-paid cell phones will not be used for **any** personal calls (either incoming or outgoing).
- The County will periodically audit the usage of county-paid cell phones to insure that these phones are not being used for personal calls.
- Employees who use a county-paid cell phone for personal calls (either incoming or outgoing) may be committing a violation of the Oklahoma State Constitution and/or the I.R.S. Code and shall be subject to disciplinary action up to and including discharge.
- If an employee wishes to use a cell phone for personal calls, there are two acceptable options available:
 1. The employee may carry two cell phones; a county-paid cell phone exclusively for county business; and an employee-paid cell phone for personal calls; or
 2. The employee may obtain and pay for a personal cell phone which is used for both county business and personal calls.

ELECTRONIC COMMUNICATIONS

The purpose of this policy is to set forth Canadian County's policy regarding access to, use of and disclosure and retrieval of messages sent and/or received by employees who have access to the County's communications systems.

DEFINITIONS

"Communications Systems" refers to systems owned and/or leased by the county to send and receive messages, images, data or content, which include but may not be limited to facsimile systems, telephone systems, computer systems, internet systems, websites, electronic mail, voice mail and pagers.

"Messages" refers to information sent and/or received via Communications Systems including but not limited to electronic messages, text messages, voice messages, written messages, typed messages, documents, drawings, images, photographs, charts, graphs and numbers.

USE OF COMMUNICATIONS SYSTEMS.

Canadian County's Communications Systems should be used for company business purposes only. The Communications Systems shall not be used for personal messages, solicitation or distribution of material that does not further County business purposes. Use of the system to make solicitations other than for County approved purposes, to communicate confidential or privileged information to unauthorized recipients, or for communications of a political or religious nature is prohibited.

Employees are strictly prohibited from sending, or knowingly receiving, electronic communications of a harassing, intimidating, offensive or discriminatory nature. The guidelines set forth in the Policy Against Harassment are fully applicable to electronic communications. Such conduct, or any other conduct in violation of this policy, may result in immediate dismissal or other disciplinary measures.

Messages received through the Communications Systems should not be disclosed except to authorized persons. Except as set forth below, employees are prohibited from accessing each other's E-mail without the express consent of the employee. Each employee has a password which allows access to the E-mail system. Your password is personal and should not be shared with other persons.

Canadian County reserves the right in its discretion to monitor the Communications Systems and access electronic communications, at any time and for any reason without notice to the employees, to assure its property is being used for business or training purposes and to prevent or detect harassment or other improper use. Canadian County further reserves the right to disclose the County employee's electronic communications to others, if the County in its sole discretion determines that such action is warranted.

Employees do not have a personal privacy right in any message created, received, stored in or sent via the County's Communications Systems, and employees should not expect that the Communications Systems and the electronic communications thereon, are confidential or private.

Employees are not permitted to maintain personal information on any of the County's Communications Systems.

Deleting an E-mail message does not guarantee that it has been erased from the system. Canadian County retains backup copies of certain media, including E-mail correspondence, in the normal course of management of the Communications Systems.

Employees should be aware that messages received by outside callers or senders are subject to monitoring.

You should consider E-mail as any other written means of communication. Please do not transmit anything in an E-mail message that you would not be comfortable writing in a letter or memorandum. Remember to exercise good judgment and common sense when creating and distributing messages.

Employees found violating this policy will be subject to the disciplinary process of the company which may include verbal or written warning, probation, suspension or termination.

Employees will be required to sign an acknowledgment and authorization confirming familiarity with this policy permitting the County to monitor all electronic communications.

VEHICLE USAGE

The Oklahoma State Constitution places significant restrictions on the use of county-owned vehicles. In addition, the federal Internal Revenue Service Code has significant provisions to determine whether the use of county-owned vehicles (or any other “listed property” under the I.R.S. Code) will be considered as a taxable fringe benefit for individual employees. Canadian County also has policies for the purpose of limiting liability of the County. Therefore, in order to comply with the legal requirements of the Oklahoma Constitution, in order not to have the use of county-owned vehicles inappropriately classified as a taxable fringe benefit by the I.R.S., and in order not to expose the County to unwarranted liability, the following policies and procedures must be closely followed by all employees.

- County-owned vehicles may only be used for purposes which are solely for the benefit of the county. Employees who use county-owned vehicles for purposes which are not specifically for the benefit of the county shall be subject to disciplinary action up to and including discharge.
- Only County employees on official County business, and official guests of the County, may operate or be a passenger in County-owned vehicles. County employees shall not allow family members or other non-authorized, non-employees to operate or be a passenger in County-owned vehicles.
- Under certain circumstances, employees may be instructed by the appropriate elected official to drive a county-owned vehicle to and from the employee’s home to the employee’s regular place of work. Although, such use may be proper under the Oklahoma State Constitution (under appropriate circumstances), such use may still be considered as a taxable fringe benefit by the I.R.S. Code.
- Except for “Qualified Non-Personal Use Vehicles”, all personal use of county-owned vehicles is considered as a taxable fringe benefit by the I.R.S. Code. This includes normal commuting to and from the employee’s regular place of work, even where at the direction of the appropriate elected official. Under the I.R.S. Code, commuting is personal use even if the county requires the employee to take the vehicle home for a bona fide business reason such as being “on call.”
- “Qualified Non-Personal Use Vehicles” include the following (see U.S. Treasury Regulation 1.274-5T):
 - Clearly marked police and fire trucks driven by police and fire officers;
 - Unmarked vehicles used by law enforcement officers, if the use is officially recognized;

- Ambulances or hearses;
- Vehicles designed to carry cargo with a loaded gross weight over 14,000 pounds;
- Delivery trucks with seating for the driver only;
- School buses;
- Tractors and other special purpose farm vehicles;
- A pick-up truck with a loaded gross vehicles weight of less than 14,000 pounds if it has been specially modified so that it is not likely to be used more than minimally for personal reasons. Modifications must include being marked with permanently affixed decals, painting or other indications of county ownership and either (see IRS Revenue Ruling 86-97):

It is equipped with at least one of the following items:

- a) A hydraulic lift gate;
- b) Permanent tank or drums (filling up the bed size);
- c) Permanent side boards or panels that materially raise the level of the sides of the truck bed;
- d) Other heavy equipment (such as electric generator, welder, boom, or crane used to tow automobiles and other vehicles);

OR

It is used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mining, drilling, timbering, or other similar operation for which it was specifically designed or significantly modified.

- County-owned vehicles (other than Qualified Non-Personal Use Vehicles) will be utilized for personal use (such as commuting to and from work) only in situations where the use is considered by the elected official to be solely for the benefit of the county. If the personal use of a county-owned vehicle has not specifically been determined by the elected official as solely for the benefit of the county, the employee will not utilize a county-owned vehicle for personal use.
- For those employees in positions where the elected official has determined that the personal use of a county-owned vehicle is solely for the benefit of the county, (such as to commute to and from work), each employee will be required to complete a Personal Use of County-Owned Vehicle Agreement. In this Agreement, each employee will select, from among the valuation methods for which they qualify, the valuation method to be used in determining the amount of the taxable fringe benefit (All employees will not qualify for all there of these valuation methods – see IRS Publication 15B):
 - The Cents Per Mile Rule;
 - The Commuting Rule; or
 - The Annual Lease Value Rule

Note: Some employees may not qualify for all three of these valuation methods – see IRS Publication 15B).
- The County will periodically audit the usage of county-owned vehicles to insure that the valuation of the amount of the taxable fringe benefit is appropriate. Adjustments to the amount included on the employee’s wages as a taxable fringe benefit will be made during one pay period each month

and on the Form W-2 at the end of the year.

- Employees who repeatedly under-report the personal usage of a county-owned vehicle, or who knowingly use a county-owned vehicle in excess of the reported usage, may be committing a violation of the Oklahoma State Constitution and/or the I.R.S. Code and shall be subject to disciplinary action up to and including discharge.

UNIFORMS AND SAFETY EQUIPMENT

The Oklahoma State Constitution places significant restrictions on the use of county-provided property. In addition, the federal Internal Revenue Service Code has significant provisions to determine whether the use of county-provided property will be considered as a taxable fringe benefit for individual employees. Therefore, in order to comply with the legal requirements of the Oklahoma Constitution, and in order to not have the use of county-provided uniforms and safety equipment inappropriately viewed as a taxable fringe benefit by the IRS, the following policies and procedures must be closely followed by all employees:

- Uniforms and safety equipment will be provided only to employees in a position where the written, formal job description for that position includes the issuance of county-provided uniforms and/or safety equipment as part of the compensation package. If the issuance of county-provided uniforms and/or safety equipment is not included in the written, formal job description as part of the compensation package, the employee will not be provided with uniforms and (except in emergency situations) will not be provided with safety equipment.
- All clothing and uniforms provided by the county are a taxable fringe benefit except where all of the following conditions are present:
 - a) Clothing or uniforms must be specifically required as a condition of employment; and
 - b) Clothing or uniforms are not adaptable to general use as ordinary clothing; and
 - c) Clothing or uniforms are, in fact, not worn for general use.
- All safety equipment provided by the county (except in emergency situation) is a taxable fringe benefit except where the equipment is specifically determined to help an employee perform his/her job in a safer environment.
- Clothing, uniforms and safety equipment provided by the county shall not be worn or used by employees except in the performance of their county duties and in direct travel to and from their place of employment. Further use of clothing, uniforms and safety equipment may constitute a violation of the Oklahoma State Constitution and/or the I.R.S. Code and shall subject an employee to disciplinary action up to and including discharge.

FIREARMS/CONCEALED WEAPONS

Canadian County wishes to maintain a work environment that is free of unauthorized firearms, weapons, explosives, and other dangerous materials. To achieve this goal, the County prohibits (except by authorized Sheriff's office employees or by other specific authorization) the possession, transfer, sale, or use of the following items on County premises: switchblade knives and knives with a blade longer than four inches, dangerous chemical, and explosives. Other objects carried for the purpose of injuring or intimidating other people may be considered dangerous items. This prohibition includes all handguns even if the individual has a valid license to carry a concealed handgun. Firearms may be present in an employee's vehicle on County property only if the vehicle is locked at

all times. Employees violating this policy will be subject to disciplinary action, up to and including separation. If any employee observes any dangerous items in violation of this policy on County property, the employee is under a duty to report such item to the appropriate elected official.

Pursuant to State and Federal Law, the Canadian County Children's Justice Center prohibits the possession of firearms and weapons in our facility. Statutes allow this protection for our facility under three provisions: Government buildings, the Juvenile Detention Center and the Canadian County Educational Center. Therefore, this policy includes every building on the property and is also inclusive of concealed weapons.

Furthermore, Firearms are only allowed in the parking lot under the following circumstances:

A gun or knife designed for hunting or fishing purposes kept unloaded in a privately owned vehicle and properly displayed or stored as required by law, or a handgun carried in a vehicle pursuant to a valid handgun license authorized by the Oklahoma self-defense Act, provided such vehicle containing said gun or knife is driven onto facility property only to transport a student to and from school and such vehicle does not remain unattended on our property; a gun or knife used for the purposes of participating in the Oklahoma Department of Wildlife Conservation Certified hunter Training education course or any other hunting, fishing, safety, or firearms training courses, or a recognized firearms sports event, team shooting program or competition, or living history reenactment, provided the course or event is approved by the facility director, and provided the weapon is properly displayed or stored as required by law pending participation in the course, event, program, or competition; and weapons in the possession of any peace officer or other person authorized by law to possess a weapon in performance of his/her duties and responsibilities.

Oklahoma Statute defines firearms or weapons as:

... any pistol, revolver, shotgun or rifle whether loaded or unloaded, or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed.

[21 O.S. § 1277](#); [21 O.S. § 1290.22](#)

COMPLAINT RESOLUTION PROCEDURE **(OPEN DOOR POLICY)**

Canadian County believes it is in the best interest of both the County and its employees to promote free and open communication between employees and all levels of management. Canadian County encourages employees to discuss work-related concerns with their supervisor, other management personnel, and elected officials. However, even in such discussions, misunderstandings occur. In order to resolve such instances as quickly and easily as possible, we suggest the following to ensure a policy of free and open communication:

Step 1: Should you have a concern, bring it to your supervisor's attention (if appropriate) verbally or in writing. After reviewing the facts, your supervisor will meet with you to discuss your concerns and to respond.

Step 2: If you are not satisfied with your supervisor's response (or if meeting with him or her is not

appropriate) then you may present your concern to the next immediate supervisor or to the appropriate elected official who will follow the same evaluation process.

Step 3: If you wish to pursue this matter further, then you may present your concern to Human Resources who will investigate the matter and report to a member of the Board of County Commissioners, if necessary.

After considering your position and the available facts, that member of the Board of County Commissioners will make a final determination on how Canadian County will respond to your concern.

STATEMENT OF POLICY REGARDING DRUG AND/OR ALCOHOL USE BY EMPLOYEES

The County is committed to providing its employees with a safe workplace and an atmosphere which allows them to protect property and other assets placed in their care. Employees are expected to be in a suitable mental and physical condition while at work, allowing them to perform their jobs effectively and safely.

Whenever use or abuse of any mood altering substance (such as alcohol or other drugs) interferes with a safe workplace, appropriate action must be taken. The County has no desire to intrude into its employees' personal lives. However, both on-the-job and off-the-job involvement with any mood altering substances can have an impact on our workplace, the County's interests and reputation, and on the County's ability to achieve its objectives of safety and security. Employees are expected to report to the County's premises, work sites, vehicles, client locations or customer work sites with no mood altering substances in their body. Further, the possession, sale or use of mood altering substances at work, or coming to work under the influence of such substances will be a violation of safe work practices and may result in disciplinary action, including possible dismissal.

All employees are prohibited from the unlawful use, sale, dispensing, distribution, possession, or manufacture of illegal drugs or alcoholic beverages on the County's premises, work sites, vehicles, client locations or customer work sites. In addition, employees are prohibited from the off-premises use of alcohol and possession, use, or sale of illegal drugs when such activities adversely affect job performance, job safety, or the County's reputation. All employees will be subject to disciplinary action, up to and including dismissal, for violations of this Policy.

Any employee who is charged and/or convicted under any federal or state criminal drug and/or alcohol statute must notify their supervisor or the personnel department within five (5) days of the charge and/or conviction and may receive some form of disciplinary action, including dismissal.

The proper use of controlled medications or over-the-counter drugs as part of a prescribed medical treatment program of the individual does not constitute, by that fact alone, a violation of this Policy, but it may be important for an employee's supervisor to be aware such use is occurring in order to determine job assignments. Such use may provide a basis for reassignment, a leave of absence or dismissal because of medical reasons. An employee undergoing prescribed medical treatment with a controlled medication that could impair his/her physical, mental or emotional faculties must immediately report this treatment to his/her supervisor. Failure to do so will constitute a violation of this Policy.

The County may also search Employer owned property or premises used by the employees, as well as the personal effects of employees (to include clothing, vehicles, containers, tool boxes, lunch pails, lockers and the like) brought onto the County's property. The County may take into custody any illegal, unauthorized or prohibited items and may turn them over to the proper law enforcement agencies. Refusal to allow a search or interference with a search may result in disciplinary action, including possible dismissal.

EMPLOYMENT SEPARATION

Canadian County offers no employment contracts nor does it guarantee any minimum length of employment. Just as any employee may terminate employment at any time, so may Canadian County terminate an employee at any time "at-will," with or without cause, with or without notice.

There are several types of separation:

RESIGNATION: Employees who find it necessary to terminate their employment with Canadian County are expected to give two weeks notice to their supervisor.

REDUCTION IN FORCE (LAYOFF): An employee may be subject to a non-disciplinary, involuntary termination through layoff in connection with a shortage of funds, abolition of a position, or lack of need for the work performed by an employee or group of employees. The elected official should make every effort to give at least two weeks notice of the layoff. In such case, the employee is eligible to receive the value of their accrued and unused vacation and compensatory leave.

RETIREMENT: Employees planning to retire are required by OPERS (Oklahoma Public Employees Retirement System) to submit an application for retirement 60 days prior to their retirement date. To facilitate the retirement process, employees are advised to contact the County Clerk's Office 90 days prior to their planned retirement date. The County Clerk's Office will notify the employing office of any submitted applications for retirement. The employee will receive the value of their accrued and unused vacation and compensatory leave.

DISCHARGE: In order for Canadian County to carry out its obligations and priorities in the most efficient manner possible, the County adheres to the principles of at-will employment whereby the County and employees alike can terminate the employment relationship at any time and for any reason or for no reason, not prohibited by Federal, State or Municipal law. If an employee is separated for cause (i.e. for misconduct, or for violations of County policy or for continued misconduct after repeated warnings), the employee will receive the value of their accrued and unused vacation and compensatory leave.

Upon separation the employee must report to their employing office for an exit interview and to make arrangements for the final paycheck. The employee may contact the County Clerk's Office for information concerning withdrawal or transfer of retirement benefits and/or continuing their health insurance benefits through COBRA.

AUTHORITY TO SEARCH

Desks, lockers, and other storage devices within the workplace may be provided for the convenience of employees, but remain the sole property of the County. Accordingly, they, as well as any containers or articles found within them, can be inspected by any member of management, at any time, with or without prior notice. Containers may include, but are not limited to, any packet, package, purse, briefcase, or lunch container. Containers are subject to search whether or not they are locked. Canadian County has the right to search containers whether they are locked by a device provided by the County or by the employee.

Canadian County provides a computer network system, including voice-mail, e-mail and Internet access, to employees for business use only. Employees should not expect privacy with respect to any of their activities using County-provided computer equipment, telephone equipment, computer services, or Internet access. Canadian County reserves the right to review any files, messages, or communications sent, received, or stored on the County's computer or telephone systems.

NO SOLICITATION / NO DISTRIBUTION POLICY

Canadian County employees are prohibited from engaging in solicitation to other County employees or the public during the work time of either the employee doing the solicitation or the employee being solicited without the prior approval of the Elected Official. Solicitation includes, but is not limited to, contacting other employees or the public for the purpose of encouraging their participation or support for functions or activities which are not related to the official business of the County. Examples include encouraging participation in or support for political campaigns, fundraisers, raffles, organization membership drives, sales of any product, etc. Solicitation is restricted to non-working hours such as lunch breaks, before work, and after work. Canadian County employees are prohibited from distributing materials that are not work related in working areas during working time. Material of this nature may only be distributed in non-working areas such as lunch rooms or break rooms during non-working times.

SMOKE FREE/VAPE FREE POLICY

All buildings owned or operated by Canadian County are designated as nonsmoking and non-vaping. In addition, smoking or vaping will not be allowed within twenty five (25) feet of any entrance or exit of any building owned or operated by Canadian County. The Children's Justice Center prohibits the possession and use of all tobacco products in the facility or on the premises, including automobiles. Children's Justice Center employees who violate this policy are subject to disciplinary action, including termination.

[21 O.S. § 1247](#)

TELEPHONE USE

Personal phones calls on county telephones or on personal cell phones should be kept to a minimum and must not interfere with County business. Employees are prohibited from making long distance phone calls on County phones for personal or non-business matters.

Violation of the policy will be grounds for discipline, up to and including discharge.

VOTING

If an employee's work day begins three hours or more after the time that the polls are opened, or ends three hours or more before the time the polls are closed, the employee will be expected to vote either before or after work. If an employee's work hours are not within the above schedule, then the employee will be granted two hours of time during the period when the election polls are open in which to vote and will not be subject to loss of compensation or any other penalty for absence, as long as they notify their department head either orally or in writing of the intent to be absent at least one day prior to the election and provide to their department head proof of voting.

[26 O.S. § 7-101](#)