



# **GRAND FORKS COUNTY POLICY MANUAL**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**EMPLOYEE ACKNOWLEDGEMENT FORM**

**I understand that this Policy Manual describes important information about Grand Forks County and that I should consult my supervisor regarding any questions not answered in the manual. Since provisions of the manual are subject to change, I further understand that revisions to the manual may supersede or eliminate one or more existing policies.**

**I acknowledge that this Policy Manual is not a contract of employment. I have received, read, understood, and will comply with both the policies contained in this manual and any subsequent revisions.**

**I further acknowledge that acquainting myself with the procedures and work rules within my department is my responsibility and that this information is available from my Department Manager or supervisor.**

**I acknowledge that I may access the Grand Forks County Policy Manual on-line through the County of Grand Forks web site at [www.gfcounty.nd.gov](http://www.gfcounty.nd.gov).**

**I also acknowledge that I am responsible for reviewing this manual on an annual basis by September 30<sup>th</sup> of each year.**

\_\_\_\_\_  
**EMPLOYEE'S SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**EMPLOYEE'S NAME (TYPED OR PRINTED)**

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**POLICY NO. 001-01**

**Eff. 1/3/12**

**MISSION STATEMENT**

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**The mission of the Grand Forks County Board of Commissioners is as follows:**

- 1. To develop, approve and administer yearly budgets and set up appropriate mill levies within statutory constraints.**
- 2. To determine county policy and strategic planning decisions in conjunction with County Department Managers to assure that county services mandated by statute, or determined by policy, are provided equitably to the citizens of Grand Forks County.**
- 3. To assure that property tax assessment and collection is accomplished, as dictated by statute, and determined by service level in serving the citizens of Grand Forks County.**

**In addition, the County Commission shall manage and maintain all county property, purchase and dispose of such property and supervise the electoral process for the citizens of Grand Forks County.**

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**POLICY NO. 001-02**

**Eff. 1/3/12**

**GENERAL DUTIES OF BOARD OF  
COUNTY COMMISSIONERS**

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**Pursuant to North Dakota Century Code 11-11-11, “the board of county commissioners:**

- 1. Shall superintend the fiscal affairs of the county.**
- 2. Shall supervise the conduct of the respective county officers.**
- 3. May cause to be audited and verified the accounts of all officers having the custody, management, collection, or disbursement of any moneys belonging to the county of received in their official capacity.**
- 4. Before March fifteenth of each year, shall have the county Director of Finance and Tax prepare general purpose financial statements in accordance with generally accepted accounting principles. Public notice that financial statements have been prepared and are available for inspection must be published in the official newspaper.”**

**GRAND FORKS COUNTY  
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**POLICY NO. 001-03**

**Eff. 1/3/12**

**POWERS OF BOARD OF  
COUNTY COMMISSIONERS**

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Pursuant to North Dakota Century Code 11-11-14, “the board of county commissioners shall have the following powers:

1. To institute and prosecute civil actions for and on behalf of the county and in its name.
2. To make all orders respecting property of the county.
3. To levy a tax not exceeding the amount authorized by law.
4. To control the finances, to contract debts and borrow money, to make payments of debts and expenses, to establish charges for any county or other services, and to control the property of the county.
5. To construct and repair bridges and to open, lay out, vacate, and change highways in the cases provided by law. But the board may not contract for the construction of bridges costing more than one hundred dollars without first complying with the provisions of chapter 24-08.
6. To establish election precincts in the county in areas outside the boundaries of incorporated cities except as provided in chapter 16.1-04.
7. To equalize the assessments for the county in the manner provided by law.
8. To furnish to the county officers the necessary telephone, postage, telephone and telegraph tolls, and all other things necessary and incidental to the performance of the duties of their respective offices to be paid out of the county treasury.
9. To furnish a fireproof safe in which to keep all the books, records, vouchers, and papers pertaining to the business of the board.

**GRAND FORKS COUNTY  
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**POLICY NO. 001-03**

**Eff. 1/3/12**

**POWERS OF BOARD OF  
COUNTY COMMISSIONERS**

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10. To dispose of property of the county in the manner provided in chapter 11-27.
11. To purchase lands in lieu of those sold.
12. To grant to any person the right of way for the erection of telephone lines, electric light systems, water or wastewater systems, or gas or oil pipeline systems over, under, or upon public grounds, county streets, roads, or highways.
13. To establish a garbage and trash collection system encompassing all or any part of the territory of the county. The words “garbage and trash collection system” include the operation and maintenance of one or more sanitary landfill sites, or other types of processing sites for the disposal of trash and garbage. The board may operate such system in cooperation with any one or more political subdivisions of this or any other state in accordance with chapter 54-40. The board may borrow money by issuing certificates of indebtedness, repayable from fees or special assessments, or both, which may be charged to the proper parcels of land or to persons receiving the direct benefits of the garbage and trash collection system, or repayable in such other manner as may be provided by law, in order to purchase the initial equipment and land necessary for operation of the system. If the board resolves to establish such a system, the expenses of establishing, operating, and maintaining it may be financed by fees charged to persons receiving direct benefits or by special assessment against the parcels of land properly charged therewith, or by both such fees and assessments. The assessment may be made, published, altered, appealed from, and confirmed under the procedures set forth in chapter 11-28.1.
14. To maintain, in its discretion, all public roads and private highways and roads that are being used as part of regularly scheduled public school bus routes.
15. To expend county funds for the purpose of participating in an organization of county governments pursuant to section 11-10-24. This subsection does not authorize a mill levy, and the limitations embodied in section 57-15-06 apply to expenditures under this subsection, which expenditures shall be from the county general fund.

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**POLICY NO. 001-03**

**Eff. 1/3/12**

**POWERS OF BOARD OF  
COUNTY COMMISSIONERS**

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16. To expend county funds to finance in part entirely for county employees a group insurance program for hospital benefits, medical benefits or life insurance, and a group retirement program through either the state retirement program or a private company.
17. To do and perform any other duties prescribed by law.
18. To loan or grant money to and secure a mortgage from individuals, associations, corporations, or limited liability companies and to purchase ownership shares in corporations, limited liability companies, or other business associations as provided through the procedures established by the state's community development block grant program established pursuant to the Housing and Community Development Act of 1974 [Pub. L. 93-383; 88 Stat. 633; 42 U.S.C. 5301 et seq.]. This power applies to all community development block grant transactions of the board of county commissioners, including any transactions prior to July 1, 1987. The county is not lending its funds or extending its credit to any individual, association, or organization under this subsection and no general liability on the part of the county is incurred.
19. To license, tax, and regulate pawnbrokers outside of municipalities.
20. To acquire by lease, purchase, gift, condemnation, or other lawful means and to hold in its name for use and control as provided by law, both real and personal property and easements and rights of way within the county for all purposes authorized by law or necessary to the exercise of any power granted.
21. To participate and enact or adopt ordinances and resolutions necessary for participation in the nation's historic preservation program as a certified local government, as provided by under 36 CFR 61.6.
22. To regulate the confinement and control of dogs, cats, and other household pets, provided the regulations do not conflict with rules adopted by the state board of animal health.

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**POLICY NO. 001-04**

**Eff. 1/3/12**

**CHAIRMAN-ELECTION-DUTIES**

**Page 1 of 1**

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**Pursuant to North Dakota Century Code 11-11-08:**

**“At the first meeting of the board of county commissioners each year, the members of the board shall elect one of their number chairman, who shall act as chairman of such board during the year in which the chairman is elected or until the chairman’s successor is elected, and in case of a vacancy from any cause whatever, the board shall elect another chairman. The chairman shall preside at the meetings of the board. All orders made by the board shall be signed by the chairman and attested by the county auditor as clerk of the board, except that claim vouchers or other orders directed to the auditor as authorization for the issuance of warrants shall not be attested by the auditor.”**

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POLICY MANUAL**

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**POLICY NO. 001-05**

**Eff. 1/3/12**

**MEETINGS OF BOARD**

**Page 1 of 1**

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**Pursuant to North Dakota Century Code 11-11-05:**

**MEETINGS OF BOARD – TIME AND PLACE**

**“The board of county commissioners shall meet and hold regular meetings for the transaction of business at a time and place to be designated by the commission on a date certain published by resolution or ordinance of the commission. The Director of Finance and Tax shall have power to call special meetings when the interests of the county demand it. The chairman of the board, or a majority of the members thereof, may call special meetings that must be noticed in accordance with section 44-04-20.”**

**COMMISSION MEETING SCHEDULE**

**Regular meetings of the Grand Forks County Board of Commissioners shall be held at 4:00 PM on the first and third Tuesday of each month. All meetings of the Grand Forks County Board of Commissioners are held at the Grand Forks County Office Building, unless otherwise stated.**

**ROTATIONAL DEPARTMENT MEETINGS**

**Rotational department meetings are held in the County Commission Room prior to each regularly scheduled meeting of the Grand Forks County Board of Commissioners. The schedule of rotational department meetings will be printed on the County Commission agenda for each meeting.**

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**POLICY NO. 001-06**

**Eff. 1/3/12**

**AGENDA PROCEDURES**

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The agenda procedure shall be as follows:

1. The agenda deadline is Tuesday at 5:00 p.m., seven days before each meeting.
2. Prepare a one or two-page memo or letter outlining your request, addressed to the Grand Forks County Board of Commissioners, and submit to the Director of Finance and Tax by the agenda deadline. It will be determined from the information you submit if an item is ready to be placed on the agenda. An agenda packet will be prepared for County Commissioners prior to each meeting, allowing them full opportunity to review each request and to ask questions prior to the commission meeting.
3. If you are asking the County Board of Commissioners to make a decision based on your supporting material, type “SUGGESTED MOTION” at the end of your memo or letter, and state the action you are requesting the County Commissioners to consider. If you are providing information only and not requesting action, please state that in your letter.
4. If you need to attach a lengthy document to your letter but don’t think it is necessary to make copies for each County Commissioner, state in your letter that full documentation is available for their review in the Director of Finance and Tax’s office.
5. Commission agendas may be amended for “unusual circumstances” as part of the motion to approve the order of the agency by a majority of the County Commissioners present. The portfolio commissioner should have responsibility for placing these items on the agenda.

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**POLICY NO. 001-07**

**Eff. 1/3/12**

**POSTING COMMISSION MINUTES**

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**Department heads and supervisory staff shall keep a current copy of the agenda and minutes conspicuously posted in each office so that it can be easily read by staff and visitors.**

**GRAND FORKS COUNTY  
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**POLICY NO. 001-08**

**Eff. 1/3/12**

**LIMITED DELEGATION OF POWERS**

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The County Commission authorizes the commission chair, or the vice chair in the chair's absence, to review any of the following items without a full meeting of the County Commission. The chair, or the vice chair in the chair's absence, is authorized to approve related permit, disapprove the permit, request a special meeting for the County Commission to address the item, or postpone a decision until the next regularly scheduled County Commission meeting. Any permit approved in this manner shall have the same effect as if approved by the full County Commission. Any permit that is approved or disapproved in this manner shall be placed on the agenda at the next regularly scheduled County Commission meeting for general review purposes.

The permits that may be approved or disapproved in this manner are limited to the following circumstances:

1. Permits for serving alcohol at special events or for use on Sunday, pursuant to NDCC 5-02-01.1 and 5-02-05.1, respectively.
2. Local permits for gaming purposes, pursuant to NDCC 53-06.1-03.
3. Permits for the public display of fireworks, pursuant to NDCC 23-15-03.

All other related statutory requirements must be met.

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**POLICY NO. 001-09**

**Eff. 1/3/12**

**SPEAKING ON BEHALF OF COMMISSION**

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**No County Commissioner shall speak on behalf of the rest of the County Commission without express permission to do so.**

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**POLICY NO. 001-10**

**Eff. 1/3/12**

**TRAVEL REIMBURSEMENT**

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**County Commissioners can receive travel reimbursement by documenting trips on a county voucher for travel to any meeting located outside the metropolitan area.**

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**POLICY NO. 001-11**

**Eff. 1/3/12**

**PER DIEM**

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**All County Commissioners who serve on any county-appointed board that could be paid by the county will not be paid a per diem while they are serving as County Commissioners. This includes weed board, vector control, social services and any other board that may be created.**

**GRAND FORKS COUNTY  
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**POLICY NO. 001-12**

**Eff. 2/21/12  
Rev. 11/19/13**

**STANDBY COMMITTEES**

**Page 1 of 1**

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**To help with the efficient operation of the Grand Forks County Commission, the following standby committees are created with the departments indicated assigned to them:**

**Administrative Services (Commission Chair and Vice-Chair)  
(Commission Vice-Chair will be chairperson of this committee)**

- Finance and Tax (includes Budget)**
- Administrative Services/Human Resources**
- Information Systems**
- Recorder**
- Social Services**
- States Attorney**
- Tax Equalization**
- Veterans Service Office**

**Public Safety and Infrastructure (Other three County Commissioners)  
(Committee chairperson to be elected at first meeting of this committee, annually.)**

- Building Maintenance**
- Correctional Center**
- County Highway**
- Emergency Management**
- Juvenile Detention**
- Planning and Zoning**
- Sheriff**

**Committees will meet when items for discussion are referred to them from the County Commission, or when called by the chair of the committee for items needing discussion before going on to the County Commission. Committees may make recommendations for action to the County Commission on items they review. Committees may act on an item when designated to by a vote of the County Commission. Committees have no direct authority over a Department Manager, as Department Managers report directly to the County Commission as a whole.**

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POLICY MANUAL**

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**POLICY NO. 001-13**

**Eff. 2/21/12**

**Rev. 11/19/13**

**ASSIGNMENT OF COMMISSION  
PORTFOLIOS**

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At the second County Commission meeting of the year, the chairperson elected at the first meeting of the year shall assign the portfolio of each department to a County Commissioner. The assigned County Commissioner is to serve as an advisor and liaison to the County Commission for the assigned Department Manager. An individual County Commissioner has no direct authority over a Department Manager, as each Department Manager reports to the County Commission as a whole.

General policies, as adopted by the County Commission, are the guidance provided to Department Managers for the operation of his/her department. Department Managers may adopt operational policies for his/her department, as long as they conform to the general policies adopted by the County Commission.

The following departments will have a County Commissioner assigned to them:

- Administrative Services/Human Resources**
- Building Maintenance**
- Correctional Center**
- County Highway**
- Emergency Management**
- Finance and Tax**
- Information Systems**
- Juvenile Detention**
- Planning and Zoning**
- Recorder**
- Sheriff**
- Social Services**
- States Attorney**
- Tax Equalization**
- Veterans Service Office**

As needed, County Commissioners may be given additional assignments, i.e. election officials.

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POLICY MANUAL**

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**POLICY NO. 101-01**

**Eff. 2/21/12**

**INTRODUCTORY STATEMENT**

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**Citizens of Grand Forks County elect County Commissioners, the Sheriff and the States Attorney. The County Commission hires the non-elected Department Managers, while with the approval of the County Commission or its established guidelines, non-elected Department Managers interview and hire employees for their work departments.**

**This Policy Manual is designed to acquaint you with Grand Forks County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the Policy Manual. It describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.**

**It is the responsibility of Department Managers to ensure that all employees have reviewed this Policy Manual, and that there is a valid and current Employee Acknowledgement Form in the employee's personnel file.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 101-02**

**Eff. 2/21/12**

**POLICY MANUAL IS NOT A CONTRACT**

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**This Policy Manual has been drafted as a guideline for all county employees. These policies do not form an express or implied contract for employment. Rather, they describe the general policies of the Grand Forks County Commission.**

**GRAND FORKS COUNTY  
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**POLICY NO. 101-03**

**Eff. 2/21/12**

**COUNTY POLICY AND SOCIAL SERVICES POLICY Page 1 of 1**

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**Grand Forks County Social Services is subject to the North Dakota Administrative Code and the policies contained therein. Exceptions or limitations to county policy for employees of Grand Forks County Social Services are listed as “notes” in the appropriate section of this manual.**

**Failure to note a North Dakota Administrative Code exception or limitation in this Policy Manual through oversight or omission does not excuse the employee from compliance.**

**GRAND FORKS COUNTY  
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**POLICY NO. 101-04**

**Eff. 2/21/12  
Rev. 7/17/12**

**ORGANIZATIONAL STRUCTURE**

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**Grand Forks County's organizational chart is posted in the Appendix.**

**All employees are accountable to their designated supervisor, Department Manager and ultimately the County Commission.**

**Department Managers are responsible for the administration of their respective departments, and they report to the County Commission.**

**Additionally, employees who are classified as Appointed Employees are accountable to the elected official appointing them, and serve at the pleasure of that elected official.**

**The following departments are currently recognized within Grand Forks County government:**

<b>Administrative Services</b>	<b>Building Maintenance</b>
<b>Correctional Center</b>	<b>County Commission</b>
<b>County Highway</b>	<b>County Recorder</b>
<b>Emergency Management</b>	<b>Finance and Tax</b>
<b>Information Systems</b>	<b>Juvenile Detention</b>
<b>NDSU Extension</b>	<b>Planning &amp; Zoning</b>
<b>Sheriff</b>	<b>Social Services</b>
<b>States Attorney</b>	<b>Superintendent of Schools</b>
<b>Tax Equalization</b>	<b>Veteran's Service Office</b>

**All Department Managers, supervisors and employees have job descriptions, and are expected to perform their jobs according to those job descriptions. Furthermore, all Department Managers, supervisors and employees are expected to represent the County of Grand Forks in an ethical and responsible manner.**

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**POLICY NO. 101-05**

**Eff. 2/21/12**

**COMMUNICATION WITH  
COUNTY COMMISSIONERS**

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At least semiannually, all Department Managers are expected to report to the Grand Forks County Commission during a regularly scheduled County Commission meeting regarding the operation of their department. The frequency of this report is at the discretion of the Department Manager, except that the County Commission may require such a report more frequently.

It is the sole responsibility of Department Managers to communicate issues of departmental importance to the County Commission. These issues include, but are not limited to, changes in employment status of employees within their department, all monetary matters not accounted for in the department's annual budget, and all matters in which the Department Manager is entering into a contractual obligation with any entity (excluding ministerial contracts entered into in the ordinary course of business).

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**POLICY NO. 101-06**

**Eff. 2/21/12  
Rev. 11/19/13**

**REVIEW OF POLICY MANUAL**

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No policy manual can anticipate every circumstance or question about policy. The County Commissioners reserve the right to revise, vary, change, supplement, or rescind any policies or portion of this manual from time-to-time as they deem appropriate, in their sole and absolute discretion.

Between May 1 - May 31 of each year, Department Managers should solicit comments about the Policy Manual and suggestions for revision of the Policy Manual from employees in their respective departments. These comments and suggestions should be reviewed by Department Managers and presented to the County Commission for their consideration at the two regular County Commission meetings in June of each year. The County Commission should, if possible, have all comments reviewed and acted upon during the two June County Commission meetings.

Department Managers are responsible for insuring that employees within their department are apprised of current Grand Forks county policies and that there is a valid and current Employee Acknowledgement Form signed by the employee within their department by September 30<sup>th</sup> of each year. Signed forms shall be returned to the Payroll Department and filed in the employee's personnel file.

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**POLICY NO. 101-07**

**Eff. 2/21/12**

**PERSONAL IDENTIFYING  
INFORMATION**

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**It is the employee's responsibility to notify their Department Manager, or his or her designee, of any changes in personal data in writing on the Notice of Employee Change form. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, and other such status reports should be accurate and current at all times. The Notice of Employee Change form will be forwarded to the Finance and Tax Department by the Department Manager or designee. (See Appendix for forms)**

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**POLICY NO. 102-01**

**Eff. 2/21/12  
Rev.11/19/13**

**EMPLOYMENT CATEGORIES**

**Page 1 of 2**

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It is the intent of Grand Forks County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Each employee is designated as either **NONEXEMPT** or **EXEMPT** from the federal and state wage and hour laws.

**ELECTED OFFICIALS** are not subject to the Fair Labor Standards Act but are eligible for retirement benefits. However, under NDCC 34-11.1-01, elected officials do not meet the definition of a county employee and are not eligible for internal hire consideration. County Commissioners elected after January 1, 2011, are not eligible for medical benefits.

**APPOINTED EMPLOYEES:** Sheriff's Deputies and Assistant States Attorneys are appointed and serve, under oath, at the pleasure of the elected official.

**NONEXEMPT** employees are subject to federal and state wage and hour laws, including but not limited to overtime pay under the specific provisions of federal and state laws.

**EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws.

**PROBATIONARY:** Employees who are being evaluated to determine whether further employment in a specific position or with the organization is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification. Failure to satisfactorily complete the probationary period may result in disciplinary action to include but not limited to termination of employment.

With the exception of Social Services underfill eligibility workers, Correctional Center and Law Enforcement personnel, and Department Managers, all new and rehired employees work on a probationary basis for the first six months after their date of hire. In the case of Social Services underfill eligibility workers, Correctional Center and Law Enforcement personnel, the probationary period shall be one year after the date of hire. If the Department Manager determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee, the Department Manager may extend the probationary

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**EMPLOYMENT CATEGORIES**

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**period for a specified period, not to exceed six months. In the event of an extension, the Department Manager will notify the employee in question and the Director of Administration in writing, and file the appropriate Employee Status form with the Director of Finance and Tax.**

**NOTE: Probationary Employees are “at will”.**

**TEMPORARY: Terms of employment will be defined in the contract letter.**

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**CLASSIFICATION PROCEDURE**

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- 1. All employment positions with Grand Forks County have job descriptions developed by a consulting firm in cooperation with the employees and the Department Managers. These job descriptions are grouped into classifications.**
- 2. All classifications are assigned to pay grades, which identify the placement of all jobs, within that classification, on the pay matrix. The job descriptions and classifications are developed in accordance with the current plan adopted by the County Commission.**
- 3. To keep the pay grade levels current, the County Commission hires a consultant to review the salary trends and to make recommendations. By direction of the County Commission, the pay schedule will be periodically reviewed by a personnel consultant. The County Commission may accept or reject all or part of the recommendations consistent with the general fiscal condition of the county.**
- 4. Job reclassification requests may be initiated by the County Commission, Director of Administration, the Department Manager, or the employee. Requests for classification reviews must be submitted, in writing, to the County Commission for immediate review and action who in turn will bring to the next Personnel Committee meeting.**

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**EMPLOYMENT APPLICATIONS AND HIRING  
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Grand Forks County is an equal opportunity employer. It is the policy of Grand Forks County to recruit, hire, train and promote employees without discrimination because of race, color, religion, sex, age, creed, status as a veteran or special disabled veteran, status of marriage or public assistance, national origin or physical or mental handicap except where specific age, sex or physical requirements are a bona fide occupational qualification. Grand Forks County abides by all federal and state laws pertaining to employees and their employment to which Grand Forks County is subject.

**Veteran's Preference:** Qualified veterans shall have preference for employment with Grand Forks County as set forth in Chapter 37-19.1 of the North Dakota Century Code.

It is the policy of Grand Forks County to receive and retain only those job applications and resumes received as a result of the county's solicitation of the same. The county may choose to accept and retain any unsolicited applications or resumes.

Grand Forks County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the county's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Department Managers are encouraged to advertise open county positions as broadly as possible, giving due consideration to factors including but not limited to available time to fill the position, departmental and county fiscal constraints, and availability of qualified internal candidates. Additionally, Department Managers are encouraged to utilize the Grand Forks County web site in advertising such positions.

There is no single, prescribed employment application that must be used in filling county positions. If Job Service of North Dakota is utilized in filling a position, the Job Service standard application form should be used unless Department Managers have provided Job Service with an alternative form. Department Managers are permitted to use their departmental application forms, and are encouraged to staff these forms with the Director of Administration.

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Grand Forks County is bound to adhere to NDCC 11-10-25 pertaining to nepotism.

The following steps are required as part of the hiring process:

1. Department Managers will notify the Director of Administration and the County Commission of a vacancy. A vacancy is defined as a position that is unfilled.
2. Department Managers, working with the Director of Administration, have the authority to fill a vacated position. If budgetary constraints occur, the Commission will notify Department Managers that Commission approval will be required to fill any vacant position.
3. Internal notification for county positions, excluding Social Services:
  - A. If the Department Manager, after consulting with the Director of Administration, determines there would be no qualified internal candidates for a vacant position, he/she may proceed directly to external notification.
  - B. Any county employee will be considered as an internal applicant, regardless of employment status. Pursuant to NDCC 34-11.1, The Public Employees Relations Act, elected officials do not qualify as “employees” for the purposes of this manual.
  - C. The Director of Administration will send out a notice of an opening for posting in all departments.
  - D. Interested employees will have three (3) working days to apply by submitting the appropriate county application for employment form or resume to the Department Manager.
  - E. The Department Manager working with the Director of Administration will determine if any internal applicant qualifies for the vacant position.
  - F. If an internal applicant meets the qualifications for the vacant position, the department manager may interview the applicant.
  - G. Selection may be made from the application or resume without an interview, if there is only one qualifying internal applicant. If multiple applicants qualify, interviews will be held.

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- H. For internal hires, the losing and gaining Department Managers will arrange for a transfer date between offices. It would be appropriate to provide two-week notice to the losing Department Manager, so he/she can post for that department's vacant position.
  - I. Department Managers are encouraged to hire qualified internal candidates, but they are not required to do so.
4. External notification for county positions, excluding Social Services:
- A. If county employees do not apply or there are insufficient qualified county employee applicants the Department Manager will notify the Director of Administration.
  - B. The Director of Administration will notify Job Service of the vacancy. The Director of Administration may also advertise the position in the official county newspaper.
  - C. Applicants will fill out the standard Job Service application form or the special department form provided to Job Service.
  - D. Job Service will compile and forward applications, along with any applicant filed resumes, to the Director of Administration.
  - E. The Director of Administration and Department Manager will review and determine qualifying applicants for interview and go through any other departmental hiring procedure.
5. Hiring procedures for Social Services:
- A. If the Director, after consulting with the Director of Administration, determines there would be no qualified internal candidates for a vacant position, he/she may proceed directly to external notification.
  - B. Only Social Services' employees will be considered as internal applicants.
  - C. The Business Manager, working with the State of North Dakota Department of Human Services Human Resource Department (ND DHS HR), will notify all Social Services' employees of any internal vacancies.
  - D. Interested employees will have three (3) working days to apply by submitting the appropriate state application for employment form and resume to the State.

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- E. The ND DHS HR Department will compile, rank and forward applications, along with any resumes and a certificate of eligible internal applicants, to Social Services' Business Manager.**
  - F. Selection may be made from the application through an informal interview, if there is only one qualifying internal applicant. If multiple applicants qualify, formal interviews will be held.**
  - G. While encouraged to hire qualified internal candidates, Social Services is not required to do so.**
  - H. If there are no qualified Social Services' applicants following an internal job posting, the Director or Business Manager will notify the Director of Administration.**
  - I. The Business Manager will prepare and post the job vacancy announcement through the ND DHS HR Department, and may also advertise the position in the official county newspaper. All county employees will be notified via e-mail of the vacancy. Job vacancy information will also be available on the State of North Dakota web site, the county web page and through Job Service.**
  - J. Applicants must fill out the standard state application form available on-line as specified in the job vacancy announcement and forward it to the State.**
  - K. The ND DHS HR Department will compile, rank and forward applications, along with any resumes and a certificate of eligible applicants, to Social Services' Business Manager.**
  - L. The Director of Administration, Director or the Director's designee, will review and determine qualifying applicants for interview and go through any other departmental or merit system hiring procedure required by the State.**
  - M. If hiring a county employee for a Social Services' position, the losing and gaining Department Managers will arrange for a transfer date between offices. Social Services will provide a minimum two-week notice to the losing Department Manager, so he/she can post for that department's vacant position.**
- 6. If after following the appropriate hiring process, the Department Manager makes a decision to hire an applicant, he/she will forward the name to the Departments of Finance and Tax and Administrative Services on the Employee Status Change Form.**

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**EMPLOYMENT APPLICATIONS AND HIRING  
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- 7. The Director of Finance and Tax will place the Employee Status Change Form on the next Commission agenda for approval under the consent agenda.**
  - A. If the hiring process or conditions for employment vary from normal policy, the County Commission must review for approval under a separate action item.**

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**POLICY NO. 102-04**

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**INTER-TRANSFERRING BETWEEN  
GRAND FORKS COUNTY SOCIAL SERVICES  
AND COUNTY POSITIONS**

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**Employees may apply and transfer between Grand Forks County Social Services and Grand Forks County offices. Although employees of both agencies are considered county employees, Social Services must hire under the state merit system. Although hiring criteria may be different, an employee who transfers to another agency within the county will be allowed to transfer all vacation time and sick leave accrued at their previous position. The original date of hire will remain as the service date for purposes of benefit computation and anniversary increases. In addition, the PERS retirement account and health insurance will continue without interruption.**

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**TRANSFERRING BETWEEN  
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**Grand Forks County will not accept any annual leave or sick leave that a new employee accrued when employed by another county or state department.**

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**SEPARATION OF EMPLOYMENT**

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**Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:**

- **DISCHARGE – employment termination initiated by the county.**
- **RESIGNATION - a voluntary act initiated by the employee to terminate employment with Grand Forks County. Resignations must be directed to the appropriate Department Manager, in writing, as far in advance as possible.**
  - **Once the resignation is received, the Department Manager should promptly notify the payroll clerk and the Director of Administration of the resignation. The County Commission shall be notified at its next regular meeting.**
  - **It shall be the responsibility of the Department Manager to work with the payroll clerk to determine the number of hours of accrued vacation and portion of sick leave, if applicable, to be paid in addition to final pay for time worked.**
- **LAYOFF/REDUCTION IN FORCE (RIF) - involuntary employment termination initiated by the county for non-disciplinary reasons.**

**In the unlikely event of the need for a layoff/reduction in force, the need shall be brought to the attention of the County Commission by either a Department Manager or the Director of Finance and Tax. The need shall be so brought to the County Commission's attention at the first regular County Commission meeting after the date that the Department Manager or the Director of Finance and Tax learns of the need for a layoff/reduction in force.**

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**SEPARATION OF EMPLOYMENT**

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The County Commission shall, at that meeting, establish an appropriate process and procedure for the layoff/reduction in force. The process and procedure should consider the urgency of the need for the layoff/reduction in force, and the process should afford due process to the affected employee, given the facts and circumstances of the situation.

- **MEDICAL TERMINATION** - employment termination initiated by the employee or by the county when an employee is unable, for health reasons, to continue to work or meet the requirements of the job description.
  
- **RETIREMENT** – an employee who voluntarily initiates retirement from active employment status. Employees and elected officials who retire, in good standing, after five or more years of service to Grand Forks County, will be presented with a plaque in recognition of and appreciation for services rendered. Grand Forks County shall reimburse up to \$300.00 for the cost of the recognition gathering. When two or more employees and/or elected officials retire, pursuant to the above, the recognition events may be combined with the expenditures not to exceed \$300.00 per retiree. Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

**COMPENSATION**

- 1. Classification Salary Range Assignments:** Grand Forks County has one pay schedule with 25 grades. Each grade has a 13-step salary range. Step 1 will be entry level. The County Commission has the right to award pay increases based upon such factors as performance and market pressures to employees as a whole, department, or individual.

**NOTE:** Social Services employee salaries must be within the assigned salary range for the merit system classification for that position, pursuant to NDCC 54-44.3-12(1).

**Salary Progression (step increases):** Subject to budgetary constraints, salary progression (step increases) shall be based on time-in-position with advancement to the next step to be effective twelve months from the employee's seniority date.

**Seniority date is defined as:** The start date in any given position. If the seniority date falls on or prior to the 15<sup>th</sup> day of the month, the effective date shall be the first of the month. If the seniority date falls between the 16<sup>th</sup> and the last day of the month, the effective date shall be the 16<sup>th</sup>.

**NOTE:** Employees hired prior to 8/18/2015 shall utilize their date of full-time employment as their seniority date.

The first twelve months of employment are not factored into the salary progression formula.

- 2. Voluntary Transfer to a Lower Graded Position:** If an employee voluntarily takes a position of a lesser grade, that employee will be given credit for years of service and will move to the comparable step on the lower grade and the seniority date will change to the date of transfer.
- 3. Lateral Transfers:** If an employee is transferred or transfers to a position that is classified on the same grade as the employee's current position, the employee will not receive an adjustment in pay and the seniority date will change to the date of transfer.
- 4. Transfer or Move to a Higher Graded Position:** If an employee transfers or moves to a higher graded position, the employee shall be placed in the new grade on the next step that is at least 3% higher than the employee's current salary and the seniority

date will change to the date of transfer.

**NOTE:** Correctional Officer I will be eligible for a reclassification to Correctional Officer II upon successful completion of the CO Basic Training or 2080 worked hours, whichever comes first.

5. **Longevity Pay:** After 36 continuous months of full-time regular employment (minimum 2,080 hours per year) an employee shall receive longevity pay of \$3.00 per month times the number of months worked in excess of the first 36 months, not to exceed a total of \$540.00 per year. Longevity is payable, lump sum, in the last pay period in November of each year. To receive payment the employee must be on the active payroll on the date of payment.

**NOTE:**

- A. The first three years of employment are not factored into the formula.
  - B. Social Service employees who have reached the top of their merit system pay grade are not eligible for longevity pay unless ND Human Resource Management Services has approved such a payment.
6. Adjustments in salary may be requested by the employee's Department Manager, the Director of Human Resources or the County Commission. Employees are entitled to request a review of their job description and classification when appropriate. The County Commission may confirm, with a recommendation by the Administrative Services Committee and the Director of Human Resources, an effective date and any adjustments in grade or pay.
  7. **Time Change Compensation:** In the fall when the time change adds one additional hour to the shift, employees who are working will be paid for the additional hour. The additional hour will also count toward the 40-hour or the 171-hour/28 day work period for overtime computation purposes. In the spring when the clock is moved ahead one hour, the county will pay for the lost hour that is actually not worked. However, this hour will not count toward the 40-hour or the 171/hour/28 day work period for overtime computation purposes.

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**ACCESS TO PERSONNEL FILES**

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**Personnel files are the property of Grand Forks County. Access to the information in the files will be restricted according to the laws of the State of North Dakota, including but not limited to the North Dakota open records laws. Pursuant to the laws of the State of North Dakota, there may be a photocopying charge of such files.**

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**POLICY NO. 103-03**

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**PERFORMANCE EVALUATIONS**

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**It is the responsibility of the Department Manager that all information necessary to ensure satisfactory job performance is communicated to employees in a timely and clear manner. An annual performance process may be established following the completion of the consultant review.**

**NOTE: Pursuant to N.D. Admin. Code Chapter 4-07-10, performance reviews must be conducted annually for all Social Services' employees. The reviews must be based on individual job-related requirements, follow a standard form or approach, use performance standards, goals or objectives, review the employee's past performance, and discuss how performance may be improved or skills may be developed.**

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**EMPLOYEE CLASSIFICATION  
AND BENEFITS**

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**Categories of Employees:**

**Full-time employee means an employee employed for forty (40) hours per week or more on a regular basis throughout the calendar year.**

**Part-time employee means an employee employed for less than forty (40) hours per week. Benefits may be prorated.**

**Other employees are employees employed for less than twenty (20) hours per week.**

**Eligible employees in Grand Forks County are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by law.**

**Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this Policy Manual.**

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**EMPLOYEE CLASSIFICATION  
AND BENEFITS**

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The following benefit programs are available to eligible employees:

<b>BENEFIT</b>	<b>FULL-TIME EMPLOYEE</b>	<b>PART-TIME EMPLOYEE</b>	<b>LESS THAN 20 HOURS PER WEEK</b>
<b>Holidays</b>	<b>Yes</b>	<b>Yes, prorated</b>	<b>No</b>
<b>Personal Days</b>	<b>Yes</b>	<b>Yes, prorated</b>	<b>No</b>
<b>Flex Benefits</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Vacation</b>	<b>Yes</b>	<b>Yes, prorated</b>	<b>No</b>
<b>Health Care</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Donation of Vacation</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Sick Leave</b>	<b>Yes</b>	<b>Yes, prorated</b>	<b>No</b>
<b>Retirement Plan</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Leave of Absence</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Witness Duty Leave</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Benefit Conversion at Termination</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>
<b>Longevity Pay</b>	<b>Yes</b>	<b>No</b>	<b>No</b>
<b>Bereavement Leave</b>	<b>Yes</b>	<b>Yes, prorated</b>	<b>No</b>
<b>Uniform Allowance</b>	<b>Designated for various departments</b>		

The Appendix contains enrollment forms and summary plan documents for insurance plans, flex plan, retirement plan and leave forms if applicable.

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**TIMEKEEPING**

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**Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Grand Forks County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all time actually spent on the job performing assigned duties.**

**Overtime work must be approved before it is performed.**

**Tampering, altering, or falsifying time records or recording time on another employee's time record may result in disciplinary action, including discharge.**

**It is the Department Manager's responsibility to monitor employee compliance with timekeeping procedures. It is the employee's sole responsibility, however, for any inaccuracy in their own timekeeping. It is the employee's responsibility to sign their time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.**

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**TIMEKEEPING PROCEDURES**

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Every month an Employee Attendance Record will be turned in to the Finance and Tax Department. This form serves as the time card for county employees. The form will be turned in by the second workday of the succeeding month, signed and dated by the employee(s) and Department Manager or designee. (See examples in the Appendix.)

**NOTE: Social Services employees will complete a Time at Work Record and submit to their Department Manager or designee on a monthly basis.**

Nonexempt employees will annotate hours worked for each day of the month. If a partial or entire day reflects hours other than hours worked (vacation, sick leave, etc.), the Department Manager will log hours worked and hours other than worked with the applicable code found at the bottom of the page. Based on these annotations, deductions for sick leave, vacation, etc., will be compiled and posted to the employee's pay record. This adjustment will be reflected on the first pay statement of the following month. Attendance Records improperly filled out will be returned to the Department Manager for correction.

Exempt and appointed employees will document benefit hours only -- vacation, sick leave etc. Sick leave will be documented in one hour increments. Vacation hours will be logged for entire workdays. The amount of hours will reflect the scheduled workday -- that is 8, 10, and 12 hours etc.

Pay statements will reflect accrued vacation and sick leave for the month on the end of month pay statement.

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**PAYDAYS**

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**All employees are paid twice monthly on or before the 15th and the county's last working day of each month. All employees are required to participate in direct deposit of county paychecks. An employee may designate up to three (3) depositories for direct deposit. Each paycheck will include earnings for all work performed through the end of the current payroll period.**

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**ADMINISTRATIVE PAY CORRECTIONS**

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Except as otherwise provided herein, deduction from regular pay shall be made for the following reasons:

- a. Those amounts required by federal and state law.
- b. Unauthorized absence.
- c. Absence due to illness after all sick leave, vacation time, and compensatory time have been exhausted.
- d. Absence due to suspension from duty without pay pending final decision.
- e. Leave without pay.
- f. Any other absence not authorized by the rules, regulations, or the County Commission.
- g. Previous overpayment of pay or expenses reimbursement. Employee will be billed for the overpayment and will be afforded the opportunity to have a scheduled deduction from their paycheck until the overpayment is paid in full.
- h. Court ordered withholding for child support and/or alimony.
- i. Such other deductions as approved and authorized by the Director of Finance and Tax and requested by the employee.
- j. Employee failing to return county equipment upon termination. This affects the final pay check.

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**PAY DEDUCTIONS**

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The law requires that Grand Forks County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The county also must deduct Social Security and Medicare taxes on each employee's earnings up to a specified limit. The county contributes the amount of taxes as required by law.

Grand Forks County offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks in writing. If you do not understand why deductions were made or how they were calculated, your supervisor can assist in having your questions answered.

Upon written request of ten (10) or more employees, the County Commission may authorize payroll deductions for any program or benefit. Should the number of employees participating in any approved deduction program drop below eight (8), the Director of Finance and Tax may make a recommendation to the County Commission to discontinue the benefit deduction. A list of the deductions normally allowed or taken is available from the Finance and Tax Department.

Pay set-offs involve pay deductions taken by the county, usually to help pay off a debt or obligation to the employer or others.

The Appendix shows examples of W-4's and samples of all voluntary deduction enrollment documents. Employees are encouraged to review their W-4 every January.

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**OVERTIME**

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**When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the appropriate Department Manager's or County Commission's authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.**

**Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions.**

**As required by law, overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of overtime calculations.**

**Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible discharge.**

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OVERTIME PROCEDURES

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1. **Exempt employee:** Exempt employees will be considered exempt per the FLSA.
  
2. **Nonexempt employees.** Nonexempt employees will be considered nonexempt pursuant to the Fair Labor Standards Act. Except in the Correctional Center, Juvenile Detention and Sheriff's Department, the standard work week for full time county employees who are paid for a forty (40) hour work week begins at 12:01 a.m. on Sunday morning, or begins at a time described in the description of the work for which the employee is paid, with Department Manager's approval. Employees have the option to receive compensatory time or be paid for overtime at the rate of one and one-half times the regular rate when required to work in excess of forty (40) hours per work week in accordance with standard operating procedures established by the department. If an employee opts for compensatory time, a statement must be on file with the Finance and Tax Department payroll clerk.
  
3. **Call back** – Nonexempt employees will receive a minimum of three (3) hours pay when asked to return to work or work an unscheduled shift. Only actual hours worked will count towards overtime computation, beginning from the time work is re-initiated or during the time from when an employee leaves their residence and returns to their residence.
  
4. **Sheriff's Department, Correctional Center and Juvenile Detention overtime policy** - Employees are scheduled to work a minimum of 160 hours per departmental 28-day period. The 28 day period shall be a continual period beginning at 12:00 a.m. on the first day and ending at 12:00 p.m. on the last day. For the purposes of computing hours, all hours worked will be considered to have been worked on the day in which a shift begins. Employees will receive overtime pay at the rate of one and one-half the regular rate of pay when hours worked exceed 171 in a 28 day work period. With Department Manager's approval, employees may opt for compensatory time, in lieu of overtime pay, at the rate of one and one-half hours for each hour of overtime worked. Employees must advise in writing their desire to receive compensatory time. This document will be filed in their pay record located in the Finance and Tax Department. Other provisions:
  - Employees will receive straight time for each hour worked between 160 through 171.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 103-11**

**Eff. 2/21/12**

**OVERTIME PROCEDURES**

**Page 2 of 2**

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- **Nonexempt Correctional Center, Sheriff's Department, and Juvenile Detention employees utilizing either personal days or vacation hours within a 28 day period will be paid at straight time when the hours exceed 160 in the pay period. Personal days and vacation hours will be not count towards overtime computation. Sick time does not count towards hours worked threshold (160 hours) nor overtime computation threshold (171 hours).**
- **Call back – Nonexempt employees will receive a minimum of three (3) hours pay when asked to return to work or work an unscheduled shift. Only actual hours worked will count towards overtime computation, beginning from the time work is re-initiated or during the time from when an employee leaves their residence and returns to their residence.**
- **Nonexempt Correctional Center and Sheriff's employees will receive double time (up to eight (8) hours) when working on a holiday. Only actual hours worked are to be computed in the determination of overtime in excess of 171 hours. If any employee is unable to work due to illness, the employee will not be eligible for holiday pay and will not charged for a sick or vacation day.**

**5. The Department Manager shall provide information on overtime paid and provide the names, hours, and pay amount once a month to the County Commission, through the Director of Finance and Tax. Whenever possible, anticipated overtime that would exceed budget allocations for overtime must be brought to the County Commission for prior approval.**

**6. Compensatory time hours shall be reported to the Finance and Tax payroll clerk once each month.**

GRAND FORKS COUNTY  
POLICY MANUAL

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**POLICY NO. 103-12**

**Eff. 2/21/12**

**EMERGENCY OPERATIONS COMPENSATION**

**Page 1 of 1**

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**Disasters may occur and require some exempt county employees to support a natural disaster response effort. Exempt employees whose normal duties do not involve support of disaster operations are entitled to time and one-half for hours worked beyond a 40-hour work week. To be eligible for this payment, these overtime hours must be worked in direct support of the disaster operation. This policy does not apply to Department Managers or elected officials. The Emergency Manager will verify the overtime hours. This policy becomes effective the day of a County Commission disaster declaration.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 103-13**

**Eff. 2/21/12**

**TRAVEL EXPENSE POLICY  
AND PROCEDURE**

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**Employees who are authorized to travel at county expense, and wish to be reimbursed, are required to submit a detailed record of travel expense on a travel reimbursement voucher. Only one voucher shall be submitted each calendar month and each voucher shall cover only one month's expenses. Reimbursement for travel during December must be submitted for payment prior to the second County Commission meeting only for travel outside of Grand Forks City. Mileage to and from work is not reimbursable. The accuracy and integrity of requested reimbursement is the sole responsibility of the employee requesting reimbursement.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 103-14**

**Eff. 2/21/12**

**IN-STATE TRAVEL REIMBURSEMENT**

**Page 1 of 2**

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Employees shall be reimbursed the sum of the IRS rate or the state rate, whichever is greater, for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. (NDCC 54-06-09) Suggested mileage, one way, for in state, is as follows:

<b>Destination</b>	<b>Suggested Mileage (one-way)</b>
<b>Bismarck</b>	<b>280 miles</b>
<b>Dickinson</b>	<b>370 miles</b>
<b>Fargo</b>	<b>80 miles</b>
<b>Jamestown</b>	<b>175 miles</b>
<b>Minot</b>	<b>210 miles</b>

Quarter day reimbursement for meals/lodging is as follows, IAW NDCC 44-08-04(2):

<b>Quarter</b>	<b>Time Period</b>
<b>First</b>	<b>6:00 a.m. to 12:00 Noon Payment will not be made if travel begins after 7:00 a.m.</b>
<b>Second</b>	<b>12:00 Noon to 6:00 p.m.*</b>
<b>Third</b>	<b>6:00 p.m. to Midnight*</b>
<b>Fourth</b>	<b>Midnight to 6:00 a.m. *</b>

\* The employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 103-14**

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**IN-STATE TRAVEL REIMBURSEMENT**

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**If a meal is included in a registration fee, the applicable quarter allowance cannot be claimed for the meal. Receipts are required for miscellaneous items. No receipt is required for taxi or cab fares up to and including \$20.00. A copy of the seminar or workshop brochure must be attached to the reimbursement request.**

**NOTE: Social Services employees are encouraged to use county vehicles, when available, for county business and round-trip travel exceeding 150 miles. Employees choosing to use a personal vehicle when county transportation is available will be reimbursed at the privately owned vehicle reimbursement rate established by the United States General Services Administration and available at [www.gsa.gov](http://www.gsa.gov). If an employee chooses an alternative method of travel for county travel or plans an extended stay following completion of county business, the employee is responsible for the payment of the difference of any additional costs incurred not authorized by the Department Manager.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 103-15**

**Eff. 2/21/12  
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**OUT OF STATE TRAVEL**

**Page 1 of 2**

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<b>Quarter</b>	<b>Time Period</b>	<b>Reimbursement</b>
<b>First</b>	<b>6:00 a.m. to 12:00 Noon Payment will not be made if travel begins after 7:00 a.m.</b>	<b>20% per diem meals rate in the city for which claim is made</b>
<b>Second</b>	<b>12:00 Noon to 6:00 p.m.*</b>	<b>30% per diem meals rate in the city for which claim is made</b>
<b>Third</b>	<b>6:00 p.m. to Midnight *</b>	<b>50% per diem meals rate in the city for which claim is made</b>
<b>Fourth</b>	<b>Midnight to 6:00 a.m. *</b>	<b>The allowance for lodging outside the state must be the actual lodging. Receipts are required.</b>

\* The employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed. A letter shall accompany any excessive reimbursement request.

Reimbursement is based on the Federal rate. The allowance for out-of-state meals within the continental United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees by the United States General Services Administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter and fifty percent to the third quarter. If a meal is included in a registration fee, the applicable quarter allowance cannot be claimed for the meal. Receipts are required for miscellaneous items. No receipt is required for taxi or cab fares up to and including \$20.00. A copy of the seminar or workshop brochure must be attached to the reimbursement request. The web site used for out-of-state travel is <http://www.gsa.gov>.

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POLICY MANUAL**

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**POLICY NO. 103-15**

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**OUT OF STATE TRAVEL**

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**Department Managers will make every effort to project travel with itemized costs attached to their annual budget. If the request is approved with the budget, no further action is required.**

**If a change of travel is requested to offset another budgeted approved travel, the change of travel must be approved by the County Commission prior to the actual date(s) of travel. Emergency approval may be granted by the Chairperson or Vice Chairperson of the County Commission. Prior authorization for out of state travel is not required if the employee will accept the instate reimbursement rates and the distance traveled is not more than 150 miles outside the borders of North Dakota.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-01**

**Eff. 2/21/12**

**Rev. 5/7/13**

**VACATION BENEFITS**

**Page 1 of 2**

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A benefit year is defined as the 12-month period following employment in an eligible category. Vacation time accrues from the date of hire. New employees whose hire date occurs in the first half of the month (1-15<sup>th</sup>) shall earn the full accrual rate of vacation leave for the month. New employees whose hire date occurs in the last half of the month (16<sup>th</sup>-31<sup>st</sup>) shall earn half of the accrual rate of vacation leave.

Vacation pay will be calculated based on the employee's straight-time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked on the day(s) of absence. Vacation pay does not include shift differentials, incentive pay, bonuses, or other special forms of compensation.

Eligible employees will be entitled to take vacation time off as it accrues with approval of their supervisor. Requests will be evaluated based upon various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence.

Employees are strongly encouraged to take earned vacation during the benefit year it accrues. Employees are allowed to carry over a maximum of 240 hours accrued vacation to the next calendar year. Employees who exceed 240 hours on December 31 will lose the excess hours. Exceptions to this policy require department manager and Commission approval prior to December 31<sup>st</sup>.

Upon termination of employment, employees will be paid for vacation benefits that have accrued through the last day of work. Employees whose termination date occurs in the first half of the month (1-15<sup>th</sup>) shall earn half of the employee's current accrual rate of vacation leave for that month. Employees whose termination date occurs in the last half of the month (16<sup>th</sup>-31<sup>st</sup>) shall earn the full accrual rate of vacation leave for that month.

Compensation due an employee due to death shall be paid to the personal representative of the estate.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-01**

**Eff. 2/21/12**

**VACATION BENEFITS**

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The Eligibility Table below defines when vacation benefits become available to full-time regular employees.

**Vacation Benefits Eligibility Table**

<b>Length of Service Accrual Rate</b>	<b>Length of Service Accrual Rate (years)</b>	<b>Days Per Month</b>	<b>Days Per Year</b>
<b>0 -36 months</b>	<b>0 – 3 years</b>	<b>1 (8 hours)</b>	<b>12</b>
<b>37 – 84 months</b>	<b>4 – 7 years</b>	<b>1.25 (10 hours)</b>	<b>15</b>
<b>85 – 144 months</b>	<b>8 – 12 years</b>	<b>1.5 (12 hours)</b>	<b>18</b>
<b>145– 215 months</b>	<b>13 – 18 years</b>	<b>1.75 (14 hours)</b>	<b>21</b>
<b>216 months + over</b>	<b>Over 18 years</b>	<b>2 (16 hours)</b>	<b>24</b>

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-02**

**Eff. 2/21/12  
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**DONATION OF VACATION LEAVE**

**Page 1 of 1**

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An eligible county employee may donate vacation leave to another county employee who is suffering from, or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment or condition that has caused or is likely to cause the employee to take leave without pay or terminate employment. “Severe” or “extraordinary” means serious, extreme or life threatening. These terms do not include conditions associated with normal pregnancy. The employee shall obtain a certificate from the health care provider setting forth the nature of the illness, injury, condition or predicament and the expected duration of the condition.

The receiving employee must have used up all forms of paid leave prior to using donated vacation leave. The employee’s use of donated leave, both vacation and sick, may not exceed 320 hours in any twelve month period. Once leave is donated, it is not returnable. Leave will be donated on an hour-to-hour basis.

The donating employee may donate up to five per cent (5%) of the donating employee’s accumulated vacation leave per instance, but in all instances, the donating employee must maintain an accumulated balance of forty hours of vacation leave.

Approval for donating and receiving vacation leave shall be determined by the Department Manager and the Director of Administration upon recommendation of the employee’s supervisor. Forms are available from the Director of Administration, the payroll clerk, or see the Appendix.

**Definitions for Vacation Leave Donation:**

“County employee” means a permanent employee with over six (6) months’ continuous service with the county. It does not include employees on probationary status or employees on temporary or other limited term appointment.

“Household member” means those relatives who reside in the same home. This term includes foster children and legal wards even if they do not live in the household. Relatives are limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of an employee. Exceptions will require County Commission approval.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-03**

**Eff. 2/21/12**

**HOLIDAYS**

**Page 1 of 2**

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Grand Forks County will grant holiday time off to all employees on the holidays listed below.

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- Presidents Day
- Good Friday
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11<sup>th</sup>)
- Thanksgiving (fourth Thursday in November)
- Friday after Thanksgiving, effective 2005
- Christmas Eve
  - *Unless that day is a weekend or holiday pursuant to Section 1-03-02.1 of the North Dakota Century Code.*
  - *If Dec. 24 falls on a Monday through Thursday, county offices are closed all day.*
- Christmas (December 25)
- Any other day designated by the County Commission.

A recognized holiday which falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

According to applicable restrictions, the county will grant paid holiday time off to all eligible employees immediately. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day, to a maximum of eight hours.

If an eligible employee works on a recognized holiday, they will receive wages at the straight time base pay rate for the hours worked on the holiday and receive another day off with pay upon approval of their supervisor. If the supervisor is unable to provide another day off, the employee will receive holiday pay. Exempt employees will receive another day off in lieu of holiday pay.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-03**

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**HOLIDAYS**

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**If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation or normal day off), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. Paid time off for holidays will not be counted as hours worked for the purposes of determining whether overtime pay is owed.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-04**

**Eff. 2/21/12**

**PERSONAL LEAVE DAYS**

**Page 1 of 1**

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**Eligible employees, with a minimum of one year of service, will receive two (2) personal leave days each calendar year. These personal leave days must be scheduled with prior approval of the employee's supervisor. Days not used by the end of the calendar year or separation of employment are forfeited.**

GRAND FORKS COUNTY  
POLICY MANUAL

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**POLICY NO. 104-05**

**Eff. 2/21/12**

**Rev. 5/7/13**

**SICK LEAVE**

**Page 1 of 2**

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Sick leave is available to all eligible employees and is not a benefit considered to be earned by the employee such as annual leave. It is an insurance that allows employees to build a reserve of days they can use in cases of necessity for actual sickness or disability of the employee, the employee's spouse, parent (natural, adoptive, foster and stepparent), child (natural, adoptive, foster and stepchild) or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.

Employees who wish to attend to the needs of the employee's eligible family members who are ill or to assist them in obtaining other services related to their health or well-being may not use more than eighty (80) hours per calendar year for such purposes.

- **Paternity Leave** – A spouse is eligible to use family sick leave to assist with the care and well-being of a mother and newborn, when a serious medical condition does not exist.

Upon approval of the Department Manager, employees may, per calendar year, take up to an additional ten (10) percent of the employee's accrued sick leave to care for the employee's child, spouse, or parent if the child, spouse or parent has a serious health condition. Grand Forks County may require the employee to provide written verification of the serious health care condition by a health care provider.

Eligible employees will accrue sick leave at the rate of ninety-six (96) hours per year (eight hours per month). New employees whose hire date occurs in the first half of the month (1-15<sup>th</sup>) shall earn eight hours sick leave for the month. New employees whose hire date occurs in the last half of the month (16<sup>th</sup>-31<sup>st</sup>) shall earn four hours of sick leave. Pay for sick leave will be calculated based on the employee's base pay rate at the time of absence and will not include special forms of compensation, such as incentives, commissions, bonuses, or shift differentials for overtime purposes. Sick leave does not count towards hours worked. Eligible part-time employees will accrue sick leave on a prorated basis.

For a pregnancy and delivery, sick leave is allowed until a doctor's release to return to work is issued

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POLICY MANUAL**

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**POLICY NO. 104-05**

**Eff. 2/21/12  
Rev. 5/7/13**

**SICK LEAVE**

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Accrued sick leave may be granted for treatment of alcoholism or substance abuse for the duration of inpatient hospitalization or institutional inpatient treatment at a recognized alcohol or drug treatment facility, provided the employee completes the treatment as certified by the attending physician or an official of the institution.

Employees will request sick leave based on departmental policies. Requests for sick leave may be subject to inquiry or investigation as the Department Manager or County Commission deem necessary. Absences may require medical verification if documented use of sick leave is excessive or may indicate an abuse of sick leave policies. When an absence is for more than three (3) working days or twenty-four (24) working hours, the employee may be required to provide a physician's return to work statement. Based upon the nature of the illness, a return to work statement provided by the physician may be required. As an additional condition of eligibility for sick leave, an employee must apply for any other eligible compensation and benefits. This does not apply to private disability insurance policies.

For nonexempt employees, sick leave will be charged in increments of fifteen (15) minutes. Exempt employees will be charged in increments of one (1) hour. Sick leave hours used will be credited back instead of receiving straight time pay when hours worked exceed the normal work schedule.

Sick leave will be used to supplement any worker's compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings.

Sick leave may accumulate on an unlimited basis. Employees who have five (5) or more years of service with Grand Forks County may sell back to Grand Forks County twenty-five percent (25%) of the first 900 hours, at their current base pay rate, upon their departure from Grand Forks County.

Terminating employees whose leaving date occurs in the first half of the month (1-15<sup>th</sup>) shall earn four hours sick leave for the month. Terminating employees whose leaving date occurs in the last half of the month (16<sup>th</sup>-31<sup>st</sup>) shall earn eight hours of sick leave.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-06**

**Eff. 2/21/12  
Rev. 7/17/12**

**DONATION OF SICK LEAVE**

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An eligible county employee may donate sick leave to another county employee who is suffering from an extraordinary or severe illness, injury, impairment or condition that has caused or is likely to cause the employee to take leave without pay or terminate employment. “Severe” or “extraordinary” means serious, extreme or life threatening. These terms do not include conditions associated with normal pregnancy. The employee shall obtain a certificate from the health care provider setting forth the nature of the illness, injury, condition or predicament and the expected duration of the condition.

The receiving employee must have used all forms of paid leave prior to using donated sick leave. The employee’s use of donated leave, both annual and sick leave, may not exceed 320 hours in any twelve (12) month period. Once leave is donated, it is not returnable. Leave will be donated on an hour-to-hour basis.

The donating employee may donate up to five percent (5%) of the donating employee’s accumulated sick leave per instance, but in all instances, the donating employee must maintain an accumulated balance of forty (40) hours of sick leave.

Approval of donating and receiving sick leave shall be determined by the Department Manager and the Director of Administration upon recommendation of the employee’s supervisor. Donation request forms are available from the Department Manager, the payroll clerk in the Finance and Tax Department or in the Appendix.

**Definitions for Sick Leave Donation:**

“County employee” means a permanent employee with over six (6) months’ continuous service with the county. It does not include employees on probationary status or employees on temporary or other limited term appointment.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-07**

**Eff. 2/21/12  
Rev. 11/19/13**

**BEREAVEMENT LEAVE**

**Page 1 of 1**

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If an employee wishes to take time off due to the death of an immediate family member, the employee shall notify his or her supervisor immediately.

Up to twenty-four (24) hours of paid bereavement leave for a funeral within 300 highway miles and forty (40) hours of paid bereavement leave for a funeral outside a 300 highway mile radius of Grand Forks may be provided to eligible employees, per incident.

**NOTE:** Social Services' employees may receive "an approved absence from work, with pay, of up to twenty-four working hours, provided to an employee to attend or make arrangements for a funeral, as a result of a death in the employee's family, or in the family of an employee's spouse."

Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had he or she worked on the day of absence.

Bereavement leave will be approved unless there are unusual operating requirements within the employee's department.

The employer defines "immediate family" as the employee's husband, wife, son, daughter, father, mother, stepparents, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, stepchildren, foster parents, foster children, mother-in-law, father-in-law, daughter-in-law, and son-in-law.

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-08**

**Eff. 2/21/12**

**JURY DUTY**

**Page 1 of 1**

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**Grand Forks County encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request paid administrative leave for jury duty. Jury duty pay will be calculated on the employee's base pay rate, minus any jury fee paid by the court.**

**Employees must show the jury duty summons to their Department Manager as soon as possible so the Department Manager may make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-09**

**Eff. 2/21/12**

**WITNESS DUTY**

**Page 1 of 1**

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**Grand Forks County encourages employees to appear in court for witness duty whenever summoned to do so. Employees are allowed paid administrative leave to appear in court as a witness.**

**The witness summons should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-10**

**Eff. 2/21/12**

**HONOR GUARD LEAVE**

**Page 1 of 1**

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**Honor guard leave means the approved absence from work, with pay, for up to twenty-four (24) working hours per calendar year for an employee to participate in an honor guard for a funeral service of a veteran.**

**The employer defines “honor guard” as an individual with an essential ceremonial role in the funeral service of a veteran. An “essential ceremonial role” is defined as an individual who is a member of the flag folding team; a firing party, or a bugler performing as part of the official funeral honors.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-11**

**Eff. 2/21/12**

**LEAVE OF ABSENCE WITHOUT PAY**

**Page 1 of 1**

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**A leave of absence without pay may be granted by the Department Manager for periods not to exceed 30 calendar days. Leave without pay exceeding 30 calendar days not to exceed one year needs to be approved by the County Commission. This policy does not apply to military-related or any other absences that are defined by law. Employees who have three unexcused consecutive absences will be considered as resigned from Grand Forks County.**

**Approved leave without pay will affect benefit dates for leave extending beyond one calendar month. The payroll clerk will notify the employee if benefit dates change.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 104-12**

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**MILITARY LEAVE**

**Page 1 of 1**

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**Grand Forks County acknowledges and complies with the Uniform Services Employment and Re-Employment Rights Act.**

GRAND FORKS COUNTY  
POLICY MANUAL

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**POLICY NO. 104-13**

**Eff. 2/21/12**

**FAMILY MEDICAL LEAVE ACT  
(FMLA)**

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It is the responsibility of the Department Manager to communicate family medical leave eligibility to employees within their department. It is the responsibility of the employee, however, to ensure their own compliance with FMLA provisions.

**I. GENERAL OVERVIEW**

**A. Amount and Purposes of FMLA Leave**

The federal Family and Medical Leave Act (FMLA) entitle eligible, qualified employees to a 12-week, job-protected leave of absence within a rolling 12-month period for the following purposes:

- the birth of, or to care for, a newborn child;
- the placement of a child for adoption or foster care or to care for such child;
- to care for a spouse, child, or parent with a serious health condition;
- because of a serious health condition that causes an employee to be unable to perform one or more of the essential functions of his/her job; or
- a qualifying exigency which arises due to the spouse, child or parent of an employee being called into active military service in a foreign country from the Reserves, the National Guard, retired status from either the Reserves or regular career military service, or in the course of regular military service.

Eligible, qualified employees are only entitled to use a total of 12 weeks of FMLA leave during a 12-month period for any or all of these five purposes, regardless of how many of these five purposes arise during this same period.

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POLICY MANUAL**

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**POLICY NO. 104-13**

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**FAMILY MEDICAL LEAVE ACT  
(FMLA)**

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**For purposes of determining how much FMLA leave an employee has available to take at any given time for any of these five purposes, the Department Manager will look back to see how much FMLA leave an employee has taken during the 12-month period immediately before the date the employee's current requested leave is to begin. The method to compute the amount of FMLA available to the employee will be the look-back method.**

**The FMLA also entitles eligible, qualified employees to one 26-week, job-protected leave of absence during a single 12-month period, which shall be measured going forward from the first day an employee takes leave to care for an injured member of the regular Armed Forces, the Reserves, the National Guard who sustains a serious illness or injury in the line of duty while on active duty but who is not either discharged, permanently disabled or retired from the military or which is aggravated in the course of such active duty or a veteran. For veterans, such injuries or illnesses may manifest themselves either before or after the service member becomes a veteran. For purposes of this section, "veteran" means "a person who served in the active military, Naval or Air Service, and who was discharged or released there from under conditions other than dishonorable within five years of when the need for leave arises." Leave to care for such veterans also can only be taken within five years of their discharge/release from the military.**

**In order to qualify for FMLA leave to care for an injured service member or veteran, the employee must be the spouse, parent, child or next of kin of the service member or veteran. Eligible, qualified employees who also need to take FMLA leave in connection with one of the other five purposes which are listed above during the same 12-month period that they are taking FMLA leave to care for an injured service member or veteran will be limited to a total of 26 weeks of FMLA leave during this 12-month period.**

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**B. Eligibility for FMLA Leave**

In order to be eligible for FMLA leave, an employee

- Must be employed with Grand Forks County for at least 12 months. (The 12 months do not have to be consecutive, so it is possible for a former employee to become re-employed and be eligible for FMLA leave if his/her total period of employment is 12 months or more.) and
- Must have worked for Grand Forks County for at least 1,250 hours during the 12-month period immediately prior to the beginning of an FMLA leave.
- Time an employee is employed by a temporary employment agency at Grand Forks County counts toward the employee's 12-month and 1,250-hour requirements for FMLA eligibility.

**C. Defining Terms Used in this FMLA Policy**

An employee requesting FMLA leave may be required to provide documentation showing that the necessary relationship exists in accordance with these definitions and that the FMLA leave request is related to the condition or event described by the employee in his/her FMLA leave request.

- “Spouse” means a (heterosexual) husband or wife.
- “Parent” means a biological parent, an adoptive parent, a stepparent, or one who stood in the place of a parent when the employee was a child, but does not include in-laws.

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- **“Child” means a biological or adopted child and also includes an employee’s foster child, stepchild or legal ward or a child for whom the employee stands in the place of a parent. A child usually must be under age 18 for purposes of FMLA leave (except in the case of FMLA leave relating to military service) but can be 18 years of age or older if he/she is unable to care for his/her daily needs because of a mental or physical disability as this term is defined by the Americans with Disabilities Act.**
  
- **A “serious health condition” is any illness, injury, impairment or physical or mental condition that involves any of the following:**
  - (a) An overnight stay in a hospital, hospice or residential medical care facility and any subsequent treatment relating thereto;**
  - (b) Incapacity to work or perform regular daily activities for more than three consecutive calendar days and treatment by or under the supervision of a health care provider two or more times, or once which results in a regimen of continuing treatment under the supervision of a health care provider (the first treatment must be received within seven days of the beginning of the period of incapacity and any second treatment must be received within thirty days of the beginning of the period of incapacity;**
  - (c) Incapacity to work or perform regular daily activities for any period of time due to pregnancy or prenatal care;**
  - (d) Incapacity to work or perform regular daily activities for any period of time related to a chronic serious health condition that requires periodic treatment by or under the supervision of a health care provider over an extended period of time, such as epilepsy, diabetes or asthma (chronic serious health conditions must be monitored by at least two visits to a health care provider each year);**

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(e) Incapacity to work or perform regular daily activities that is permanent or long-term due to a condition which cannot be cured or eliminated but is continually monitored by a health care provider, such as end-stage terminal cancer, a severe stroke or Alzheimer's disease; or

(f) Incapacity to work or perform regular daily activities for any period of time related to the receipt of or recovery from multiple treatments for restorative surgery after an accident or other injury or for a condition that would be likely to cause a period of incapacity of more than three consecutive calendar days if such treatments were not administered, such as chemotherapy for cancer, dialysis for kidney disease or physical therapy for severe arthritis.

- A “qualifying exigency” is
  - (a) Any reason related to a sudden deployment for which seven or fewer calendar days’ notice is given (leave taken under this item can only be used during the seven-calendar-day period beginning with the date the military service member receives notice of an impending call or orders to report for active duty);
  - (b) An official ceremony, program or other official military or Red Cross sponsored event which is related to the active duty or call to active duty status of a covered military member;
  - (c) To make alternative childcare or school arrangements necessitated by the covered military member’s active duty or call to active duty status;
  - (d) To make financial or legal arrangements necessitated by the covered military member’s active duty or call to active duty status;

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- (e) To attend counseling provided by someone other than a health care provider for oneself (such as the covered military member or a child of the covered military member) provided that the need for such counseling is necessitated by the covered military member's active duty or call to active duty status;
  - (f) To spend time with a covered military member who is on short-term temporary, rest and recuperation leave during a period of deployment (leave taken under this item is limited to a period of five days per each rest and recuperation leave);
  - (g) To attend arrival ceremonies or other post-deployment events or make arrangements related to the death of a covered military member (leave taken under this item can only be taken during the 90 days immediately following the end of the covered military member's active duty status); or
  - (h) Any other event which is agreed upon between a specific employee and Grand Forks County which is necessitated by the covered military member's active duty or call to active duty status (any such agreements must relate to the timing and duration of the leave in addition to the type of event).
- For purposes of injured service member/veteran care leave, "next of kin" means
    - (1) Any blood relative designated in writing by the service member/veteran; or if such designation has not been made in order below --
    - (2) A blood relative who has been named the legal guardian or custodian of the service member/veteran by a court or by law; or
    - (3) The service member/veteran's siblings; or
    - (4) The service member/veteran's grandparents; or
    - (5) The service member/veteran's aunts and uncles; or
    - (6) The service member/veteran's first cousins.

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- For purposes of injured service member or veteran leave, a “serious illness or injury” means a serious illness or injury which is incurred in the line of duty while on active duty or which existed prior to the active duty service but was aggravated thereby and for which the service member or veteran is undergoing medical treatment, recuperation, or therapy; or otherwise is in outpatient status assigned to a military medical treatment facility or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients; or (for current service members) otherwise is on the temporary disability retired list or may be rendered medically unfit to perform the duties of the member’s office, grade, rank or rating. For veterans, this medical treatment, recuperation or therapy must occur within five years of becoming a veteran.

**D. Period for Taking FMLA Leave**

FMLA leave may be taken either continuously or on an intermittent (reduced work/part-time) basis. However, if FMLA leave is taken on a planned intermittent (reduced work/part-time) basis, an employee may be transferred temporarily to an available alternative position that better accommodates this type of leave. In addition, if FMLA leave is taken for the birth of a child, to care for a newborn or for the placement of a child for adoption or foster care, such leave must be taken at one time -- not on an intermittent basis -- and it must be concluded within one year of the birth or placement of the child.

Intermittent FMLA leave cannot be taken in increments smaller than one hour.

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**E. If Both Spouses are Employed by Grand Forks County**

When both spouses work for Grand Forks County and are both eligible for FMLA leave, they are limited to a combined total of 12 weeks of leave during a 12-month period if the leave is taken (1) for the birth or care of a newborn child, (2) for the placement of a child for adoption or foster care and care of the child after placement or (3) to care for a parent who has a serious health condition. Both spouses then would be eligible to use any remaining FMLA leave time for other FMLA-qualifying purposes. If one or both spouses also are separately eligible for additional leave under another federal or state law, each eligible spouse may take the additional leave for which they qualify under that law. An example may be helpful here.

*Example:* Spouse A and Spouse B both request FMLA leave to care for their new baby. Neither spouse is eligible for any other type of leave under federal or state law. Spouse A requests and takes 4 weeks of FMLA leave to care for the new baby. Spouse A then would have 8 weeks of FMLA leave left to use for other FMLA-qualifying purposes. Spouse B also could take 8 weeks of FMLA leave to care for the new baby, since Spouse A only used 4 weeks of FMLA leave for this purpose. Spouse B then would have 4 weeks of FMLA leave left to use for other FMLA-qualifying purposes.

Both spouses also would be limited to a combined total of 26 weeks of FMLA leave during a 12-month period in the event part of this leave is taken in connection with any of the (3) purposes described above along with caring for an injured service member/veteran during the same 12-month period.

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**II. APPLYING FOR FMLA LEAVE**

**A. Employee Notice**

Employees must give the Department Manager at least thirty (30) days' advance notice if their need for FMLA leave is foreseeable. In circumstances where such advance notice cannot be given because the need for leave arises because of a sudden, unexpected medical emergency or other unplanned and unforeseeable event, notice should be given to the Department Manager as soon as possible and within whatever regular timeframes are set by the employee's department regarding providing notice of an absence, unless compliance with such timeframes is not possible. If the employee fails to comply with their department's regular notice requirements, it will be the employee's responsibility to show that such compliance was not possible; otherwise the absence will not be FMLA-certified.

Whenever the need for FMLA leave is foreseeable, the employee must work in advance with their Department Manager to schedule this leave in such a way that it does not disrupt business operations to the extent it is reasonably possible to do so. If the employee's requested FMLA leave will cause a business disruption, the Department Manager may require the employee to reschedule the leave if it is medically possible to do so.

Employees giving notice of the need for FMLA leave do not have to refer specifically to the "FMLA," but they must give sufficient information to let the Department Manager know that their leave is being requested in connection with an FMLA-qualifying event as these are defined in sections I. A. and C. above. This notice requirement applies regardless of whether the employee already has been approved for FMLA leave and is giving notice of the need to be off from work in connection with this prior approval or if the employee is making an initial request for FMLA leave.

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**B. Certifications**

To support a request for FMLA leave, the employee must then provide the Department Manager with the requested certification form or other requested documentation within 15 calendar days of the request for this certification form/other documentation. Blank medical certification and other required forms are available from the Department Manager. If the certification form or other requested documentation is not completed and provided to the Department Manager by the employee within this 15-calendar-day time period, the employee's request for FMLA leave may be denied and, if so, any absences the employee has related to his/her request for leave will be treated as they normally would be under Grand Forks County's regular attendance policies.

Employees who request FMLA leave during more than one 12-month period will be asked to provide a new medical certification form to cover each new 12-month period, regardless of whether their leave request is related to the same illness or injury as was certified for FMLA leave in a past 12-month period.

In certain instances, clarifications and even second and third opinions may be requested by CHA relating to a medical certification form. Failure of an employee (or the employee's ill or injured family member or chosen physician) to cooperate in the clarification and/or second/third opinion process also will be grounds for the denial of a request for FMLA leave.

**C. Designation of FMLA Leave**

Employees will be notified in writing that their request for FMLA leave has been granted. This and any other written notices related to the employee's FMLA leave will be sent to the employee's last known home address if the employee has not returned to work by the time each notice is sent.

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**III. HOW FMLA LEAVE COORDINATES WITH OTHER LEAVES**

**A. Interaction of Unpaid FMLA Leave and Paid Leaves**

FMLA leave is unpaid leave. However, there are certain circumstances in which employees may utilize paid leave in conjunction with their FMLA leave. It is the policy of Grand Forks County that employees (FML) will be required to use applicable sick leave and vacation leave prior to using leave without pay with one exception; an employee has the option to retain up to 40 hours of their vacation leave in their account for their return to work. An employee wishing to retain any vacation hours in their account shall communicate this request in their FMLA request.

**B. Interaction of FMLA Leave and Other Types of Leave**

Employees who qualify for more than one type of leave (for instance, FMLA leave and maternity leave or FMLA leave and leave covered by STD or workers' compensation benefits) must use FMLA at the same time as the other types of leave. In other words, employees cannot "save" FMLA leave until after their maternity leave, vacation, STD or workers' compensation covered leave ends; their FMLA leave will run at the same time as these other types of leave if the employee qualifies for both FMLA leave and one or more of these other types of leave.

**C. Interaction of FMLA Leave and Other Laws**

Employees will be considered for both FMLA and any applicable state family/medical leave at the same time by the Department Manager. Generally, employees who qualify for more than one type of leave will receive the benefits, protections and rights of whichever type of leave provides the more favorable treatment to them. However, leave provided by state or other leave laws will run together at the same time as FMLA leave for any periods an employee qualifies for both types of leave, unless the state or other leave law expressly provides otherwise. Information regarding how another law affects FMLA leave, as applicable, will be provided to employees as part of their final FMLA designation notice.

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**D. Pregnancy-related leave, which may include different kinds of leave;**

1. **Maternity Leave** - For a pregnancy and delivery, sick leave is allowed until a doctor's release to return to work is issued. If the mother chooses to remain on FML after that time, she may use other forms of leave, or unpaid leave, until the expiration of 12 weeks.
2. **Paternity Leave** – The time taken off by a spouse to assist with the care and well-being of a mother and newborn, when a serious medical condition does not exist. Employee is eligible to use up to 80 hours of family sick leave per Policy No. 104-05.

**IV. HOW FMLA LEAVE AFFECTS YOUR JOB**

**A. Status Reports/Recertifications**

While an employee is taking FMLA leave, the employee may be asked to provide periodic status reports to the Department Manager regarding his/her general status and intention to return to work. These reports must be provided to the Department Manager in the form and within the time period stated in such requests.

Employees taking FMLA leave for any medically-related reason aside from injured service member/veteran care also will be required to provide re-certifications from the health care provider who has certified their leave when their original certification forms expire, if patterns or other circumstances which bring their continued need for leave into question arise, and in any event every six (6) months. (If no specific ending date is specified on the original certification form, the employee may be asked to provide a recertification form every thirty (30) days as well.)

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An employee on FMLA leave must notify the Department Manager as soon as practicable upon learning that the status of his/her serious health condition (or other situation, if the leave is not related to the employee's own serious health condition) has changed such that either more or less FMLA leave time is needed than initially was requested. Failure to provide notice of such changes could jeopardize the employee's employment (if he/she does not report being able to return to work earlier than anticipated upon receiving medical advice to do so) and/or cause portions of the employee's leave not to be designated as FMLA leave.

**B. Returning to Work after an FMLA Leave**

Upon returning to work after an FMLA leave, an employee will be given the same job he/she had at the time of beginning the leave or an equivalent job, unless the employee has been designated by Grand Forks County as a "key employee" for FMLA purposes. (Employees will be notified of this designation in their final designation notice if it applies to them.)

If an employee does not return to work by the end of his/her FMLA leave, the right to return to his/her former job or an equivalent one will be lost, even if the employee continues to be on another type of leave after his/her FMLA leave ends, unless job protection also is a requirement of the other type of leave. Questions regarding what other types of leave include job protection should be directed to the Director of Administration. Employees on leave should not assume that just because they are on another approved type of leave that their jobs are being held until they return from leave.

Employees who take FMLA leave in connection with their own serious health condition(s) will be required to provide documentation from their treating physician stating that they have been medically released to perform all of the essential functions of their job (as these functions are defined by the employee's job description) before they will be permitted to return to work.

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For employees who do not return to work after the maximum twelve (12) [or as applicable twenty-six (26)] weeks of FMLA leave, their employment may be terminated, unless they qualify for some other type of leave under state and/or federal law.

**C. Seniority, Evaluations, Merit Increases and Bonuses**

Unpaid periods of an FMLA leave will not count toward determining an employee's seniority. Employees also will not continue to accrue vacation and/or sick leave while they are on unpaid FMLA leave.

If an employee returns to work by the end of their approved FMLA leave period, their annual evaluation will be done at its regular time and any merit increase awarded based on the evaluation will not be pro-rated based on time off from work for FMLA leave. If the employee missed an annual evaluation while out on FMLA leave, his/her evaluation will be completed so as to become effective by the end of the first pay period following the employee's return to work. If an employee is not able to return to work by the end of his/her FMLA leave period (but remains on some other type of leave), his/her annual evaluation may be delayed by the period they have been off from work (excluding the FMLA leave period) so that it will cover a full evaluation period.

An employee who is on, or who has taken, FMLA leave during a period on which a bonus is based will only receive the bonus if he/she meets the objective criteria for the same, even if the reason for the employee's failure to meet these criteria is due to the fact that he/she was out on FMLA leave.

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**D. Company Sponsored Benefit Plans**

Employee health insurance coverage will be maintained for employees who are on FMLA leave during the leave at the same level such coverage was provided at the time the employee went out on leave. However, employees on FMLA leave will need to pay all health and life insurance premiums to Grand Forks County by the first of each month in order to maintain such coverage. The employee may choose to be billed directly by NDPERS life. If the employee fails to pay premiums when due the employee will have to reapply for life insurance with medical underwriting.

When an employee is on FML without pay, NDPERS contributions made by Grand Forks County will cease until such time as the employee returns to work. This break in contributions will affect the number of months worked when the employee retires.

No other employee benefits will be maintained for employees who are on FML leave unless expressly stated otherwise in the employee's final FML designation notice.

**V. QUESTIONS?**

Questions about FMLA leave or how FMLA leave affects other laws, employee benefits or company policies should be directed to the Director of Administration.

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**POLICY NO. 104-14**

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**WELLNESS LEAVE**

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**Wellness activities are available to all county employees in cooperation with the Grand Forks Public Health Department. Participation in these events is voluntary.**

**The Grand Forks Public Health Department will establish wellness events and assign hours that may be earned by attending. Public Health will keep track of employee attendance beginning January 1 of each year and will forward that information to the Payroll Clerk in the Finance and Tax Department. The Payroll Clerk will notify Department Managers of wellness hours for their department prior to January 15<sup>th</sup> of each year.**

**Full-time employees who participate in wellness events may earn up to four (4) hours of wellness leave per calendar year. Part-time employees will earn wellness leave on a pro-rated basis.**

**Wellness hours will be awarded annually on January 16th and must be used within the calendar year they are awarded. Hours not used by the end of the calendar year or separation of employment are forfeited.**

**Wellness hours must be taken in one hour increments.**

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**POLICY NO. 105-01**

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**CONFLICTS OF INTEREST**

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**Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest, specifically those noted in the North Dakota Century Code.**

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**POLICY NO. 105-02**

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**LEGISLATIVE LOBBYING**

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**Any lobbying activity or legislative work done either on behalf of Grand Forks County or on one's own behalf must be done pursuant to the laws of the State of North Dakota. If lobbying activity or legislative work is done on behalf of Grand Forks County, it may be done during work hours and with the aid of county equipment. If lobbying activity or legislative work is done on one's own behalf, it must be done while off duty and without the aid of county equipment. It is suggested that the County Commission be informed of all lobbying activity or legislative work before such lobbying activity or legislative work is undertaken, in order to avoid any appearance of impropriety.**

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**OUTSIDE EMPLOYMENT**

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**Outside employment that constitutes a conflict of interest is prohibited.**

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**POLICY NO. 105-04**

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**WORKPLACE LACTATION POLICY**

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Pursuant to the FMLA “PPACA” (Patient Protection and Affordable Care Act), Grand Forks County allows creative use of normal breaks and earned leave for nursing mothers to pump or breastfeed. Examples of such may include taking shorter meal breaks, using break times, coming to work earlier or leaving work later, etc.

A clean, private space (other than a restroom) will be made available for breastfeeding or pumping. This will include an electrical outlet for electrical breast pumps, a comfortable chair, small table, and enough space available for the equipment used. A clean water source for washing hands and rinsing out any breast equipment must be close to this area if not inside the same room.

Employees utilizing designated areas for expression will be responsible for keeping the area clean for the next user. When more than one breastfeeding employee needs to use a designated lactation room, employees should negotiate milk expression times that are convenient or best meet their needs.

Department Managers are responsible for informing pregnant and breastfeeding employees about workplace lactation policy and areas. Employees expressing milk in the workplace are expected to do so in a discrete and professional manner. The Grand Forks Public Health Department is available to provide breastfeeding services and resources to county employees along with locations for breastfeeding if such a room is not available within a department.

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**SAFETY**

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**Establishment and maintenance of a safe work environment is the shared responsibility of Grand Forks County and its employees. The county will do everything within its control to assure a safe environment and compliance with federal, state, and local law. Employees are expected to obey safety rules and to exercise caution in all their work activities. They are to immediately report any unsafe conditions to their supervisor. Supervisors and employees of the county are expected to correct unsafe conditions as promptly as possible. All accidents that result in injury must be reported to the appropriate supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.**

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**SAFETY PROCEDURES**

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**Employees working in the County Office Building and Courthouse should refer to the Grand Forks County Sheriff's Safety and Security manual for safety procedures in the event of fire, evacuation, warning sirens, severe weather or other conditions. This manual can be found in the States Attorney's and Finance and Tax Department offices.**

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**WORK SCHEDULES**

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The work week for the county shall be defined as beginning at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday. County offices are normally open from 8 a.m. until 5 p.m. each week day, unless an alternate work week schedule is approved by the County Commission.

Work schedules for employees vary throughout Grand Forks County. Supervisors will advise employees of their individual work schedules.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Department Managers may offer flex schedules for their employees. Flexible shifts may be allowed as long as the offices are staffed during reduced hours of operation. Naturally if vacations etc. prevent coverage during 8 a.m. to 5 p.m. other employees would adjust their schedule. As an example here are three potential shift schedules that employees may work.

**8:00 am - 4:30 pm with a half hour for lunch**

**8:00 am - 5:00 pm with one hour for lunch**

**8:30 am - 5:00 pm with a half hour for lunch**

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**POLICY NO. 105-08**

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**PERSONAL USE OF PHONE, FAX  
AND MAIL SYSTEMS**

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**Personal use of telephones, fax machines and county-issued cell phones for long-distance and toll calls is not allowed. Employees should practice discretion in using county telephones when making personal calls and shall be required to reimburse the county for any charges resulting from their personal use of the telephone or fax machine.**

**The use of county-paid postage for personal correspondence is not permitted.**

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**SMOKING**

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**In keeping with Grand Forks County's intent to provide a safe and healthful work environment, smoking in the work place, on county premises or in county vehicles is prohibited. This policy applies equally to all employees.**

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**REST AND MEAL PERIODS**

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**Each workday, full-time nonexempt employees are provided with two 15-minute rest periods one in the morning and one in the afternoon. Supervisors will advise employees of the regular rest period schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their work stations beyond the allotted rest period time.**

**All full-time employees are required to take a meal period of not less than 30 minutes each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees not relieved of all active responsibilities and restrictions during meal periods will be compensated for that time.**

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POLICY MANUAL**

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**POLICY NO. 105-11**

**Eff. 2/21/12  
Rev. 11/19/13  
Rev. 2/18/14**

**USE OF EQUIPMENT AND VEHICLES**

**Page 1 of 2**

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Employees using county-owned vehicles and equipment must exercise care in a proper, law-abiding, non-negligent, non-destructive, safe and reasonable manner. Failure to do so may result in disciplinary action, including but not limited to termination.

The term “county vehicle” includes county, rented or leased/courtesy vehicles used to conduct official county business.

Only county employees are authorized to operate county, rented or leased/courtesy vehicles while conducting county business. Drivers must possess a valid driver’s license.

Drivers may not transport non-employees in county vehicles. With appropriate approval, some non-employees may be authorized to ride in county vehicles if necessary for official county business (i.e. to further the business purpose of the program, agency, or county).

Authorized use of a county vehicle is limited to travel that is necessary in the performance of the employee’s official duties. Activities that are necessary to further the purpose of county business are authorized, i.e. driving to the place where county business is to be conducted, hotel, necessary meals, fueling sites, etc. Activities that are NOT necessary to further the purpose of county business are not authorized, i.e. commuting to and from your home, shopping, site-seeing, visiting friends or relatives, movies, gym/fitness centers, and other personal errands.

Proper maintenance of county-owned vehicles and equipment is the responsibility of the Department Manager of the department responsible for the vehicle/equipment. Each Department Manager will adopt an internal policy for periodic maintenance schedules and/or prompt reporting of damage, defects, and incidents occurring during the use of the vehicle/equipment.

Personal use by employees of county-owned vehicles and equipment is not permitted.

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**POLICY NO. 105-11**

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**USE OF EQUIPMENT AND VEHICLES**

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**NOTE: Social Services employees are encouraged to use county vehicles, when available, for county business and round-trip travel exceeding 150 miles. Employees choosing to use a personal vehicle when county transportation is available will be reimbursed at the privately owned vehicle reimbursement rate established by the United States General Services Administration and available at [www.gsa.gov](http://www.gsa.gov). If an employee chooses an alternative method of travel for county travel or plans an extended stay following completion of county business, the employee is responsible for the payment of the difference of any additional costs incurred not authorized by the Department Manager.**

**Refer to Policy No. 105-16.1 for the Drug and Alcohol Driving Policy.**

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**POLICY NO. 105-11.1**

**Eff. 7/2/13  
Rev. 11/19/13**

**SEAT BELT POLICY**

**Page 1 of 1**

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**It is Grand Forks County policy that seat belts will always be used by both drivers and passengers while traveling on official company business. Employees are strongly encouraged to use their seat belts off the job as well. The purpose of this policy is to establish mandatory belt use as an organizational priority and designate responsibility for implementation and enforcement.**

**Following the seat belt policy is to be considered a condition of employment with Grand Forks County. Failure to abide by this stated policy will be considered a breach of that condition of employment and subject the person in violation to disciplinary action, including suspension and possible termination.**

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**POLICY NO. 105-12**

**Eff. 2/21/12**

**USE OF PERSONALLY OWNED  
VEHICLES AND EQUIPMENT**

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**Employees using personally-owned vehicles and equipment must exercise care in a proper, law-abiding, non-negligent, non-destructive, safe and reasonable manner. Failure to do so may result in disciplinary action, including but not limited to termination.**

**Employees using personally-owned vehicles and equipment must carry appropriate liability insurance on the vehicle/equipment at all times.**

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POLICY MANUAL

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**POLICY NO. 105-13**

**Eff. 2/21/12**

**EMPLOYEE CONDUCT AND WORK RULES**

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**Your First Day of Employment with Grand Forks County:** To help you get started, your supervisor will discuss your job description and the policies of your department. Your Department Manager will arrange for you to in-process at the Finance and Tax Department. There you will meet with our payroll clerk and complete the necessary paperwork for creation of your pay and personnel record.

**Dress Code/Appearance:** Appearance and dress should be in keeping with the job being performed, both for safety reasons and to reflect a positive image for the county. Should an employee arrive for work wearing clothing or accessories that, in the opinion of their supervisor, is inappropriate, they may be required, without pay, to go home and change clothes prior to commencing work.

**Inclement Weather:** In the event of hazardous weather, the Sheriff, or designee may delay the opening or close the county offices from two (2) to four (4) hours. If closure of the county offices for the full day is deemed prudent, the Sheriff or designee will contact, in order of precedence, the County Commission chair, Vice Chair, or the Law Enforcement Commissioner, and upon their concurrence, the Sheriff or his designee may close the county offices except for the Sheriff's Office, the County Highway Department, Juvenile Detention, and the Adult Correctional Center

When the Sheriff or his designee makes the decision to close, non-essential employees shall not be charged with vacation nor incur loss of pay. If an employee has permission to leave early or arrive late, and later the decision is made to close the offices or delay the opening of them, the employee shall only be charged leave time for the period of time not covered by the decision to close or delay the opening of county offices. This policy applies to all departments -- except the Sheriff's Office, County Highway Department, Juvenile Detention and the Adult Correctional Center.

Since the Sheriff's Department, County Highway Department, Juvenile Detention, and the Adult Correctional Center may not close during inclement weather, these departments will appoint storm essential and nonessential employees.

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**EMPLOYEE CONDUCT AND WORK RULES**

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Storm essential personnel are expected to meet their work schedule. Essential employees will be charged vacation or personal time if unable to report to work while the county offices are closed due to inclement weather. Essential employees at work during the time of county office closure will be provided one hour of compensation time for every hour the county offices remain closed during normal business hours.

**Notice to the Public and Employees:** When the Sheriff has delayed the opening or closed the county offices, the following news media will be notified by the Sheriff, if possible prior to 6:00 a.m. Employees who are enrolled in our Reverse 911 program will be notified electronically per their designation, such as through e-mail, text messaging and/or telephone messaging.

Radio	Television
KNOX 1310 AM	KVLY – 11
KKXL 1440 AM	KXJB – 4
KFJM 1370 AM	WDAZ – 8
KCNN 1590 AM	KVRR - 10
K-LITE 104.3 FM	

**Rules of Conduct:** To assure orderly operations and provide the best possible work environment, Grand Forks County expects employees to follow rules of conduct that will protect the interests and safety of all employees and their employer. It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- ❖ Theft or inappropriate removal or possession of property
- ❖ Falsification of timekeeping records
- ❖ Working under the influence of alcohol or illegal drugs

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**EMPLOYEE CONDUCT AND WORK RULES**

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- ❖ **Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the workplace, while on duty, or while operating county vehicles or equipment**
- ❖ **Fighting or threatening violence in the work place**
- ❖ **Boisterous or disruptive activity in the work place**
- ❖ **Negligence or improper conduct leading to damage of county or a customer's private - property**
- ❖ **Insubordination or other disrespectful conduct**
- ❖ **Violation of safety or health rules**
- ❖ **Smoking in prohibited areas**
- ❖ **Sexual or other unlawful harassment**
- ❖ **Possession of dangerous or unauthorized materials, such as explosives, weapons or firearms, in the work place**
- ❖ **Excessive absenteeism or any absence without notice**
- ❖ **Unauthorized absence from work center during the duty hours**
- ❖ **Unauthorized use of telephones, mail system, or other county equipment**
- ❖ **Violation of personnel policies**
- ❖ **Unsatisfactory documented performance or conduct**

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**EMPLOYEE CONDUCT AND WORK RULES**

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**Misconduct can occur either on or off the job. Examples of misconduct on the job are cited above. Examples of misconduct off the job include, but are not limited to involvement in criminal activity or activity involving moral turpitude that, in the judgment of the county, reflects adversely on the image or standing of the county. Employees required to drive as a necessary function of their job, who are convicted, plead guilty or nolo contendere to driving under the influence or reckless driving, on or off the job, are subject to disciplinary action up to and including immediate discharge. Gambling losses, debts, or a reputation for habitual gambling may seriously compromise an employee's image and that of the county and may be considered as a form of moral turpitude. Any and all gambling, sports pools, office pools or other games of chance on county property are strictly prohibited. Any employee found participating in the above may be subject to discipline up to and including discharge. Additionally, the county recognizes that employees may voluntarily admit to having gambling problems that have not resulted in disciplinary action. These employees may be eligible for unpaid time off to participate in a rehabilitation program.**

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**POLICY NO. 105-14**

**Eff. 2/21/12**

**LAP TOP COMPUTERS FOR ISSUE  
TO KEY PERSONNEL**

**Page 1 of 1**

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County Commissioners and key staff are issued laptop computers for use in the office, at home, and out of town travel. Although these laptop computers are the property of the county, key employees may use this laptop computer for personal use if all the following conditions are met.

- a. The use does not interfere with the performance of the employee's public duties.
- b. The use does not create the appearance of impropriety.
- c. The use is not for a partisan political purpose.
- d. The use is not for personal commercial purposes.
- e. The employee agrees to a \$10.00 monthly withholding fee from their wages.

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**POLICY NO. 105-15**

**Eff. 7/2/13  
Rev. 11/19/13**

**DISTRACTED DRIVING**

**Page 1 of 1**

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When on county business, county employees may not use a hand-held cell phone while operating any vehicle—whether the vehicle is in motion or stopped at a stop sign or traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, and text messages.

If County employees need to use their cell phones, they must pull over safely to the side of the road or another safe location.

No employee shall talk or text on a cell phone while driving in a vehicle being used on county business unless the employee utilizes a hands-free blue-tooth device. However, this limitation does not apply to Class A authorized emergency vehicles. The exemption for Class A authorized vehicles does not, however, protect the driver of any such vehicle from the consequences of a reckless disregard for the safety of others.

Additionally, County employees are required to:

- Turn cell phones off or put them on silent or vibrate before starting the car.
- Consider modifying voice mail greetings to indicate that you are unavailable to answer calls or return messages while driving.
- Inform clients, associates and business partners of this policy as an explanation of why calls may not be returned immediately.

Following the Distracted Driving Policy is to be considered a condition of employment with Grand Forks County. Failure to abide by this stated policy will be considered a breach of that condition of employment and subject the person in violation to disciplinary action, including suspension and possible termination.

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**POLICY NO. 105-16**

**Eff. 2/21/12  
Rev. 2/18/14**

**DRUG/ALCOHOL FREE  
WORKPLACE POLICY**

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The manufacturing, use, possession, sale, offer to buy or sell, transfer, purchase or condition of being under the influence of alcoholic beverages, other intoxicants or illegal substances by employees at any time on Grand Forks County's premises or while on county business is strictly prohibited and will result in immediate termination. For purposes of this policy, "illegal substances" include but are not limited to prescriptions which have not been lawfully prescribed for the employee using them. Employees must not report for duty or otherwise be on or use county property while under the influence of, or having in their possession, any alcoholic beverage, other intoxicant or illegal substance.

No safety sensitive employee either an employee or a contract driver with Grand Forks County shall be on duty if the employee uses, or tests positive for, any controlled substance including alcohol. Any employee testing positive for alcohol at a level of .02% but below .04%, will be considered medically unfit to work. The employee will be suspended without pay, until such time as they undergo a return to duty test. The results of the test must be below .02% and for a period of not less than twenty-four hours. Any employee testing positive for the specific agents described below or alcohol at a level of .04% or above will be considered to have medically failed the test and be medically unfit to work.

If an employee is using any medications prescribed by a doctor or purchased over the counter that may adversely impact their ability to do their job, that employee should inform their supervisor of the use of that medication. The supervisor may reassign the employee, modify the employee's job to ensure the safety of the employee, coworkers, and the public, or relieve the employee of their duties until such time the medication no longer affects their performance.

Employees unable to control their use of alcohol or illegal substances are encouraged to seek assistance voluntarily before the usage affects their job performance or the job safety of themselves or others. Employees should bring suspected issues relating to or involving drug and/or alcohol use or possession to the attention of their Department Manager immediately. It is the Department Manager's duty to take appropriate steps to address the situation.

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**POLICY NO. 105-16**

**Eff. 2/21/12**

**Rev. 2/18/14**

**DRUG/ALCOHOL FREE  
WORKPLACE POLICY**

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Grand Forks County offers an Employee Assistance Program with Live Well Solutions. Employees can contact Live Well Solutions at [www.customerservice@livewellworklife.com](mailto:www.customerservice@livewellworklife.com) or by calling 866-831-2181.

Employees may be required to submit to a drug and alcohol test following the report of any on-the-job accident or injury in which they are involved. Employees may be tested for on-the-job illegal drug and/or alcohol use if a reasonable suspicion exists that the employee is under the influence of or in possession of such substances while at work. Employees may be required to submit to follow-up drug and/or alcohol testing as part of a drug or alcohol abuse treatment program.

Alcohol testing may be accomplished by appropriate county law enforcement officials who are knowledgeable of breathalyzer equipment. Drug testing will be through a certified lab approved by the County Commission. Law enforcement officials will be contacted to conduct appropriate testing or possible investigation.

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**POLICY NO. 105-16.1**

**Eff. 7/2/13  
Rev. 11/19/13**

**DRUG AND ALCOHOL DRIVING POLICY**

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Being under the influence of drugs or alcohol while on the job is a serious safety and health risk to the user, those who work with the user, and the public. It may also be a violation of state law.

The use, possession, sale, transfer or distribution of either alcohol or any illegal drug is strictly prohibited while operating a personal vehicle while on duty, or while operating a county-owned vehicle or any county-owned equipment.

Medications legally prescribed by a medical professional are an exception to this policy, but only provided they do not adversely affect job performance or the safety of the employee or others who work with the employee.

Grand Forks County recognizes that employees may wish to seek professional assistance in overcoming alcohol or drug problems. Please contact your supervisor for more information about benefits and/or referral sources available.

Following this policy is considered to be a condition of employment with Grand Forks County. Upon reasonable and articulable suspicion of violation of this policy, employees shall submit to a chemical test to determine compliance with this policy. Failure to abide by this stated policy will be considered a breach of that condition of employment and the person in violation will be subject to disciplinary action, including suspension and possible termination.

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POLICY MANUAL**

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**POLICY NO. 105-17**

**Eff. 2/21/12**

**HARASSMENT**

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**All employees who feel they are being subjected to either sexual harassment or harassment based upon their race, color, gender, national origin, religion, disability status, or age should immediately bring a complaint to the attention of their supervisor, their Department Manager, the Director of Administration, or the County Commission so the County Commission can investigate and, if necessary, take appropriate action.**

**Employees who perceive that they have been subjected to unlawful harassment have the right to file a grievance per Grand Forks County policy.**

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**POLICY NO. 105-18**

**Eff. 2/21/12**

**SEXUAL HARASSMENT**

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**Sexual harassment is a form of employee misconduct that undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcomed sexual overtures. Sexual harassment debilitates morale and impedes the work productivity of its victims and other workers.**

**Sexual harassment is unacceptable conduct in the workplace and will not be tolerated by the Grand Forks County Commission. Sexual harassment is a form of sex discrimination, and is prohibited by Title VII of the Civil Rights Act of 1964, and the North Dakota Human Rights Act, NDCC Chapter 14-02.4. Complaints will be investigated in a timely, thorough, and professional manner.**

**Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature, including but not limited to impromptu suggestions, pornographic pictures, jokes, degrading email or verbal comments and offensive sexual flirtations when:**

- 1. Submission to that conduct or communication is, explicitly or implicitly, made a term or condition of obtaining or continuing employment; or**
- 2. An employment decision is based on an individual's acceptance or rejection of such conduct; or**
- 3. That conduct or communication interferes with an individual's employment or work performance, or creates an intimidating, hostile or offensive working environment.**

**In addition, employees have the right to be free of harassment within the workplace from non-employees such as clients or other individuals who provide services to or within Grand Forks County government.**

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**SEXUAL HARASSMENT**

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Therefore, an employee may terminate a telephone call or discontinue the contact in a situation in which a non-employee is being abusive or harassing, including situations subjecting the employee to conduct, communication or sexually explicit paraphernalia which interferes with the employee's work performance or creates a hostile, intimidating or offensive work environment<sup>1</sup>. If this happens, the employee must immediately report the incident and the action taken to the immediate supervisor, and a record of the reason services were interrupted must be documented.

Any employee who engages in conduct that is illegal or inappropriate in view of this policy will be subject to disciplinary action up to and including dismissal from employment.

The following are examples of conduct prohibited under this policy:

1. Physical assaults or other physical conduct of a sexual nature, including unwanted touching;
2. Unwanted sexual advances, propositions or other sexual comments;
3. Sexual displays or publications anywhere within the workplace;
4. Taking retaliatory action against an employee for discussing or making a sexual harassment complaint; and
5. Inappropriate jokes, cartoons, offensive email or comments, posters or pictures.

Department Managers and supervisors are responsible to make every effort to prevent sexual harassment in their respective work areas. This includes disseminating information to all levels of employees within the Department Manager's or supervisor's span of control as to prohibited conduct and complaint procedures. Every employee should be reminded to refrain from sexual harassment and to immediately bring forth any available evidence of such behavior to the supervisor, the Department Manager, the Director of Administration or the County Commission.

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<sup>1</sup> In situations involving sexual harassment by non-employees, if terminating the harassment jeopardizes the safety and security of other non-employees or other employees, then the Grand Forks County employee is encouraged to take whatever action needed to preserve the safety and security of the affected people.

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POLICY MANUAL**

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**POLICY NO. 105-18**

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**SEXUAL HARASSMENT**

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**Department Managers and supervisors will be responsible to take immediate corrective action and to deal effectively with harassment or inappropriate behavior once such behavior has been brought to the Department Manager's or supervisor's attention. The Director of Administration and the County Commission should be made aware of such behavior and the corrective action.**

**The Director of Administration will, upon request, provide assistance to Department Managers and supervisors in educating employees on sexual harassment issues.**

**Employees who perceive that they have been subjected to sexual harassment have the right to file a grievance per Grand Forks County policy.**

**Employees who are not comfortable reporting the alleged sexual harassment to their immediate supervisor are not required to follow the chain of command as outlined in the grievance procedure, but may instead bring the matter to the attention of any higher level supervisor, the Director of Administration, or the County Commission.**

**Retaliatory action against an employee who files a sexual harassment complaint is prohibited. Any person who engages in retaliatory action will be subject to disciplinary action, up to and including dismissal from employment.**

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**POLICY NO. 105-19**

**Eff. 2/21/12**

**SOCIAL MEDIA USE**

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**The Grand Forks County Commission acknowledges and respects the free speech rights of Grand Forks County employees. Those rights, however, are not absolute when those employees are acting in the course of their employment, during working hours, or both. Employees must use great care in communications made on social media, particularly communications that reflect on both the employee and other Grand Forks County employees. Employees are required to maintain principles of discipline, respect and professionalism in those communications. Any communications that do not comply with those principles will be considered a violation of Grand Forks County policy.**

**The personal use of social media on equipment that is solely the property of Grand Forks County is prohibited.**

**GRAND FORKS COUNTY  
POLICY MANUAL**

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**POLICY NO. 105-20**

**Eff. 2/21/12**

**RETURN OF PROPERTY**

**Page 1 of 1**

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**Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Upon the request of the supervisor or Department Manager the employee must return all property, to include his or her county identification card. Employees are required to return all county property in their possession prior to the issuance of their final paycheck.**

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POLICY MANUAL**

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**POLICY NO. 105-21**

**Eff. 6/21/11**

**PURCHASING CARD POLICY**

**Page 1 of 4**

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**General Policy**

The purpose of our purchasing card program is to simplify the purchasing process for small dollar purchases. Individual credit limits, including card and cycle limits, vary as determined by the Department Manager. To assure the effectiveness of the program, the policy and procedures in this section must be followed by departments using the purchasing card. Failure to use the purchasing card in accordance with applicable policies and procedures may result in revocation of the purchasing card and may involve appropriate disciplinary action, up to and including termination and prosecution. Policy and procedure violations include, but are not limited to:

- Purchasing items with the card for personal use.
- Failure to return the card when reassigned, terminated, or upon request.
- Failure to submit proper transaction documentation to the appropriate person in a timely manner.
- Transferring assignment of the card to another individual.

Cardholders will be required to sign a “Cardholder User Agreement” form. By signing the agreement form, cardholders agree to adhere to the guidelines established in this Policy Manual.

Once an employee is issued a purchasing card they will not be allowed to use a personnel credit card for county purchases.

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**POLICY NO. 105-21**

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**PURCHASING CARD POLICY**

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**Limitations and Restrictions:**

Department Managers will assign a monthly credit limit to each individual assigned a purchasing card. They may also assign a single transaction limit. If a cardholder attempts to purchase over their limitation the purchase will be blocked.

Certain merchants will be blocked (e.g., jewelry stores), if a cardholder attempts to use the card at such a merchant, the purchase will be declined.

**Authorized Purchases:**

The purchasing card program is intended for maintenance, repair, operating and other purchases needed during the course of business. Purchases may include:

- Office supplies and forms
- Books and subscriptions
- Computer supplies
- Membership dues
- Hardware and tools
- Equipment and vehicles
- Travel (airline tickets and motel rooms)
- Misc. items

The card may be used for in-store purchases as well as phone, internet, fax, or mail orders.

**Responsibilities:**

The cardholder is responsible for the following:

- Safeguard the purchasing card
- Keep receipts for each purchase
- Receive cardholder statement from card company

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**PURCHASING CARD POLICY**

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- **Reconcile cardholder statement and receipts. Sign and date cardholder statement to attest that all purchases are for county business and comply with all applicable rules and regulations.**
- **Forward the signed and reconciled cardholder statement with original receipts to designated supervisor.**
- **Notify supervisor and county auditor's office in the event of a lost or stolen purchasing card.**
- **Destroy and discard expired purchasing card**
- **Give purchasing card to supervisor if employment is terminated.**
- **Resolve disputes as described below.**
- **Making only authorized purchases: purchases for other individuals, departments and or other agency will not be allowed.**

**Returns, Credits, and Disputed Items**

The cardholder has the responsibility to follow up with the merchant or bank on any erroneous charges, disputed items, or returns as soon as possible. Disputed billings can result from failure to receive the goods charged, defective merchandise, incorrect amounts, duplicate charges, credit not processed, as well as fraud and misuse. If the cardholder has a problem with a purchased item or a billing resulting from the use of the purchasing card, they should attempt to reach a resolution with the supplier. In most cases, disputes may be resolved directly between the cardholder and the supplier.

**Credits:**

Referring to the cardholder receipt, request from the merchant to record a credit on the card account. If the item was shipped, refer to the shipping form.

**Returns:**

The supplier should issue credit for any item approved for return. The credit should appear on a subsequent statement. Returned items that were purchased with the purchasing card must be credited back to the card. Do not accept a refund in cash or check. Keep documentation of credits, returns, and exchanges.

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**PURCHASING CARD POLICY**

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**Disputed Items**

If a resolution on a disputed charge cannot be reached with the supplier, notify the county auditor's office to work with the card company to resolve the dispute.

**Reviewer**

The cardholder's supervisor or another designated employee (other than cardholder) should:

- Review information submitted by cardholder. The amount of review will depend on a number of factors but the reviewer should, at a minimum, periodically compare receipts to the cardholder statement submitted by the cardholder.
- Verify purchases are for use in county business. Sign cardholder statement to certify that purchases are for county business purposes and comply with appropriate rules and regulations to the best of the reviewer's knowledge.
- Cardholder statements with original receipts must be turned into the county auditor's office.
- The card must not be used for personal transactions. If personal transactions occur, the employee must repay the county.
- If it is determined that personal or other unauthorized charges are occurring on the purchasing card, appropriate steps, up to and including dismissal, will be taken to resolve the misuse/abuse of the purchasing card.

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**POLICY NO. 105-22**

**Eff. 4/20/10  
Rev. 2/21/12**

**FRAUD PREVENTION AND  
INVESTIGATION POLICY**

**Page 1 of 3**

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**This Grand Forks County fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against Grand Forks County.**

**This policy applies to any fraud, or suspected fraud, involving employees, elected and appointed officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with Grand Forks County. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to Grand Forks County.**

**All employees and elected officials of Grand Forks County are responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the Director of Administration, who coordinates all investigations with the legal counsel and other affected areas, both internal and external. If suspected fraudulent activity involves the Director of Administration, the report must be brought to the attention of the chairperson of the County Commission. The Director of Finance and Tax and/or the Chair of the County Commission, with the legal counsel, shall lead the investigation unit until the matter is resolved.**

**ACTIONS CONSTITUTING FRAUD**

**The terms "defalcation", "misappropriation", and "other fiscal wrongdoings" refer to, but are not limited to:**

- Any dishonest or fraudulent act**
- Forgery or alteration of any document or account belonging to Grand Forks County**
- Forgery or alteration of a check, bank draft, or any other financial document**
- Misappropriation of funds, securities, supplies, or other assets**
- Impropriety in the handling or reporting of money or financial transactions**

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POLICY MANUAL**

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- **Disclosing confidential and proprietary information to outside parties**
- **Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to Grand Forks County**  
    **Exception: Gifts less than \$50 in value.**
- **Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment**
- **Any similar or related inappropriate conduct**

**OTHER INAPPROPRIATE CONDUCT**

**Any other suspected improprieties concerning an employee's or official's moral, ethical, or behavioral conduct, should be brought to the attention of the Director of Administration. If there is any question as to whether an action constitutes fraud, contact your supervisor or the Director of Administration for guidance.**

**REPORTING PROCEDURES**

**Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the Director of Administration immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Director of Administration or State's Attorney. No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.**

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**CONFIDENTIALITY**

The Director of Administration treats all information received *confidentially* to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the Director of Administration immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see **REPORTING PROCEDURE** section above). Investigation results *will not be disclosed or discussed* with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect Grand Forks County from potential civil liability.

**INVESTIGATION RESPONSIBILITIES**

The Director of Administration, with the assistance of the State's Attorney as appropriate, has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Director of Administration will issue reports to appropriate designated personnel and, if appropriate, to the County Commission. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

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**SOLICITATION FOR SIGNATURES  
ON COUNTY PROPERTY**

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**Grand Forks County will follow state law regarding the solicitation of signatures for nomination or any other petition on county property.**

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When, in the sole discretion of the Department Manager, due cause exists for taking disciplinary action against an employee, the Department Manager, as set forth below, may utilize the following forms of disciplinary action either individually or in any combination thereof:

*Reprimand.* The Department Manager may reprimand an employee, in writing, provided that the reprimand is issued within a reasonable period of time of the Department Manager learning of the existence of due cause. A Department Manager may only reprimand an employee of his or her department. See Appendix for examples.

In the event a written reprimand is issued, a copy of the reprimand shall be provided to the employee and placed in the employee's personnel file.

An employee receiving a written reprimand may file a written reply to the reprimand in his or her personnel file.

An employee may appeal a reprimand issued by a Department Manager to the County Commission within ten (10) working days after the action is taken.

After the County Commission has issued a written decision regarding the reprimand, the employee may appeal to the Appeal Board within ten (10) working days after the decision of the County Commission.

If a reprimand is determined to be without merit, all reference to the reprimand in the employee's personnel file is to be removed from the personnel file.

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*Suspension by Department Manager:* The Department Manager may suspend an employee with or without pay for up to three (3) days.

An employee may appeal a suspension to the County Commission within ten (10) working days after the action is taken.

After the County Commission has issued a written decision regarding the suspension, the employee may appeal to the Appeal Board within ten (10) working days after the written decision of the County Commission.

The suspension shall become effective on the date as set forth by the Department Manager in the written notice of suspension, irrespective of whether the employee has appealed or may appeal the suspension.

Should either the County Commission or the Appeal Board determine the suspension was unwarranted, the employee shall be reinstated with full back pay. Furthermore, reference to the suspension in the employee's personnel file is to be removed from the personnel file.

*Investigatory suspension.* The Department Manager may suspend, with or without pay, an employee who is the subject of a disciplinary or criminal investigation, provided a reasonable basis exists to warrant such a suspension. If at the conclusion of the investigation, disciplinary action is not warranted, the employee shall be reinstated and reimbursed for any lost pay. Furthermore, reference to the investigatory suspension in the employee's personnel file is to be removed from the personnel file.

*Demotion.* The Department Manager may demote an employee from a position in one (1) class to a position in a lower class.

In addition to or alternately, the Department Manager may reduce an employee's salary within the range provided for the employee's class, return the employee to the entry level probationary status, or withhold any pay increase.

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**An employee shall not be demoted if he or she is not eligible for employment in the lower class or the demotion would result in the layoff of a regular employee.**

**The Department Manager shall provide the employee and the County Commission written notice of the demotion at least five (5) calendar days prior to the effective date of the demotion.**

**An employee may appeal a demotion to the County Commission within ten (10) working days after the action is taken.**

**After the County Commission has issued a written decision regarding the demotion, the employee may appeal to the Appeal Board within ten (10) working days after the decision of the County Commission.**

**The demotion shall become effective on the date as set forth by the Department Manager in the written notice of demotion, irrespective of whether the employee has appealed or may appeal the demotion.**

**Should either the County Commission or the Appeal Board determine the demotion was unwarranted, the employee shall be reinstated with full back pay. Furthermore, reference to the demotion in the employee's personnel file is to be removed from the personnel file.**

***Probation.* The Department Manager may place an employee on probation.**

**The placement of an employee on probation for disciplinary reasons shall not affect the employee's accrual of benefits or seniority.**

**An employee may appeal the placement on probation to the County Commission within ten (10) working days after the action is taken.**

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After the County Commission has issued a written decision regarding the placement on probation, the employee may appeal to the Appeal Board within ten (10) working days after the written decision of the County Commission.

The probationary period shall become effective on the date as set forth by the Department Manager in the written notice of probation, irrespective of whether the employee has appealed or may appeal the probation.

During placement of an employee on probationary status, the employee is not to be considered an at-will employee, unless explicitly stated so in the written notice of placement on probationary status.

Should either the County Commission or the Appeal Board determine the probationary status was unwarranted, the employee shall be reinstated with full back pay. Furthermore, reference to the probationary status in the employee's personnel file is to be removed from the personnel file.

*Dismissal.* The Department Manager may dismiss an employee. Such dismissal will become effective as of the date set forth by the Department Manager in the written notification of the dismissal to the employee, irrespective of whether the employee has or may appeal the dismissal.

An employee may appeal the dismissal to the County Commission within ten (10) working days after the action is taken.

After the County Commission has issued a written decision regarding the dismissal, the employee may appeal to the Appeal Board within ten (10) working days after the written decision of the County Commission.

The dismissal shall become effective on the date as set forth by the Department Manager in the written notice of dismissal, irrespective of whether the employee has appealed or may appeal the dismissal.

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Should either the County Commission or the Appeal Board determine the dismissal was unwarranted, the employee shall be reinstated with full back pay. Furthermore, reference to the dismissal in the employee's personnel file is to be removed from the personnel file.

**Due Cause for Disciplinary Action**

An adequate reason or "due cause" for a disciplinary action shall include, but not be limited to, the following:

- Incompetence or inefficiency in the performance of duties.
- Offensive or inappropriate conduct or language toward county employees or other persons, including any harassment or retaliation.
- Performance of personal or other non-work-related matters during work hours.
- Dishonesty in the performance of duties, or making any false statement or material omission in any matter relating to the employee's duties or employment, including employment and promotion applications and work undertaken in the scope of employment.
- Acting or failing to act in a manner that tends to lower discipline or morale among county employees, brings or tends to bring discredit to the county, its elected officials or employees, or that adversely affects the prompt, courteous, and efficient provision of public services. Any speech protected by the First Amendment shall not be a basis for disciplinary action, however.
- Conviction of or a plea of guilty to a felony or Class A misdemeanor.
- Violation of any ordinance or lawful and reasonable official regulation, policy, order, or directive, or failure to obey any lawful and reasonable direction made and given by the employee's supervisor, where such violation or failure amounts to an act of insubordination.
- A serious breach of proper discipline resulting in or which may be reasonably expected to result in loss or injury to the county or to the public.

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- **Inducing or attempting to induce a County employee to commit an unlawful act, violate any ordinance, or to act in violation of any lawful and reasonable regulation, policy, directive or order.**
- **Any absence from scheduled duty without leave contrary to the provisions of county policy, or failure to report after a leave of absence has been disapproved, revoked, or canceled.**
- **Any false statements or fraudulent conduct or deception with any person in making any false statement, engaging in any fraudulent conduct, or in any deception in any official county business.**
- **Any false statement or fraudulent conduct in order to obtain compensation from the county or assistance of any employee in fraudulently obtaining compensation from the county.**
- **The employee's taking for personal use a fee, gift, or other valuable thing in the course of the employee's work, when such fee, gift, or other valuable thing is given by persons in the hope or expectation of receiving a favor or better treatment than accorded other persons.**
- **The employee's engaging in a private business or in an outside trade or occupation, so that the duties of the employee's position, as prescribed by law or regulation or by the employee's superior, are impaired or made less effective by the employee's outside business, trade, or employment.**
- **The employee, through gross negligence, multiple incidents of negligence, or willful conduct, has caused damage to public or private property, funds, or waste of public supplies.**
- **Violation of the alcohol and controlled substance policy.**
- **Abuse of sick leave or any other leave.**
- **That the employee has threatened, used, or has attempted or caused to be used, personal or political influence in securing promotion, transfer, leave of absence, change of grade, character of work, or increased pay.**
- **Fighting or threats of physical violence.**
- **Intentional falsification or material omission in employment application, personnel records, time reports, or other county records.**

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- Theft or intentional destruction of county property, or the unauthorized possession or use of County property, equipment, or materials.
- Deliberate or careless conduct endangering the safety of the employee, other employees, or members of the public.
- Failure to report for work without notification and/or habitual tardiness.
- Leaving assigned work area without prior authorization by a supervisor.
- Discussing with unauthorized persons any confidential information gained through employment with the county.
- Engaging in a strike, slowdown, or group work stoppage, or any kind of unauthorized interruption of work.
- Possession of unauthorized firearm on the work place.
- Loss, suspension or revocation, whether temporary or permanent, of any license, permit, certification, and/or registration required to hold the employee's position or any failure or inability to meet or maintain minimum job qualifications.
- Engaging in acts of sabotage or other material interference with county projects or activities.

**Notice of proposed disciplinary action; informal disciplinary conference.**

A written notice of a proposed disciplinary action must be given to the employee in person or mailed by registered or certified mail to the last known place of residence no later than ten (10) working days prior to the proposed action. The notice of disciplinary action must contain the following:

- The disciplinary action being considered;
- Specific reason or reasons for the action;
- The effective date of the action;
- An explanation of the evidence against the employee;

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- A statement of the employee's right to submit a written response and/or to request an informal disciplinary conference with the Department Manager, for the opportunity to be heard prior to the effective date of the disciplinary action; and
- A statement of the employee's right to appeal any adverse decision to the County Commission and, subsequently, the Appeal Board.

Following any informal disciplinary conference with the employee and his or her legal counsel or other representative, or following any submission of a written response by the employee, the Department Manager shall affirm, modify, or withdraw the proposed disciplinary action.

The affirmation, modification, or withdrawal of the proposed disciplinary action shall be accompanied by a written statement to the employee stating the decision on the matter, the reasons, and the employee's right to appeal the decision as provided by county policy.

**Appeal of disciplinary action.**

Within ten (10) working days after the date of notice of the disciplinary action by a Department Manager of an employee, the affected employee may appeal the action by a Department Manager by filing a written notice of appeal with the County Commission. The notice of appeal shall identify the ruling appealed from and be signed by the appealing employee. It shall be the duty of the County Commission to inform the Department Manager of the filing of an appeal. Within ten (10) working days after the filing of written notice of appeal, the County Commission shall meet and, upon consideration of the evidence and a review of the employee's personnel record, shall issue, and serve upon the employee, an order:

- Affirming the disciplinary action; or
- Reversing the disciplinary action; and/or
- Imposing such other forms or combinations of disciplinary action as the County Commission deems reasonably appropriate.

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The decision of the County Commission is subject to appeal by the employee to the Appeal Board.

**Appeal from decision of County Commission to Appeal Board**

Within ten (10) working days after the date of order of the County Commission, the affected employee may appeal the action to the Appeal Board. The notice of appeal shall identify the ruling appealed from and be signed by the appealing employee. It shall be the duty of the Appeal Board to inform the County Commission of the filing of an appeal. Within ten (10) working days after the filing of written notice of appeal, the Appeal Board shall meet and, upon consideration of the evidence and a review of the employee's personnel record, shall issue an order:

- Affirming the disciplinary action; or
- Reversing the disciplinary action; and/or
- Imposing such other forms or combinations of disciplinary action as the Appeal Board deems reasonably appropriate.

The decision of the Appeal Board is final, subject to any right of review under any law of the State of North Dakota or the United States. The Appeal Board's decision shall not be stayed pending a review in any court of competent jurisdiction. In the event the Appeal Board's decision is reversed, the appealing employee shall then be reinstated as of the date the disciplinary action was taken and shall be entitled to compensation from the same date. Furthermore, reference to the dismissal in the employee's personnel file is to be removed from the personnel file.

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When, in the sole discretion of the County Commission, as set forth below, due cause exists for taking disciplinary action against a Department Manager, the County Commission, as set forth below, may utilize the following forms of disciplinary action either individually or in any combination thereof:

**Reprimand.** The County Commission may reprimand a Department Manager, in writing, provided that the reprimand is issued within a reasonable period of time of the County Commission learning of the existence of due cause. See Appendix for example.

In the event a written reprimand is issued, a copy of the reprimand shall be provided to the Department Manager and placed in the Department Manager's personnel file.

A Department Manager receiving a written reprimand may file a written reply to the reprimand in his or her personnel file.

A Department Manager may appeal a reprimand issued by the County Commission to the Appeal Board within ten (10) working days after the action is taken.

If a reprimand is determined to be without merit, all reference to the reprimand in the Department Manager's personnel file is to be removed from the personnel file.

**Suspension by County Commission.** The County Commission may suspend a Department Manager with or without pay for up to three (3) days.

A Department Manager may appeal a suspension to the Appeal Board within ten (10) working days after the action is taken.

The suspension shall become effective on the date as set forth by the County Commission in the written notice of suspension, irrespective of whether the Department Manager has appealed or may appeal the suspension.

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Should the Appeal Board determine the suspension was unwarranted, the Department Manager shall be reinstated with full back pay. Furthermore, reference to the suspension in the Department Manager's personnel file is to be removed from the personnel file.

***Investigatory suspension.*** The County Commission may suspend, with or without pay, a Department Manager who is the subject of a disciplinary or criminal investigation, provided a reasonable basis exists to warrant such a suspension. If at the conclusion of the investigation, disciplinary action is not warranted, the Department Manager shall be reinstated and reimbursed for any lost pay. Furthermore, reference to the investigatory suspension in the Department Manager's personnel file is to be removed from the personnel file.

***Demotion.*** The County Commission may demote a Department Manager from a position in one (1) class to a position in a lower class.

In addition to or alternately, the County Commission may reduce a Department Manager's salary within the range provided for the Department Manager's class, return the Department Manager to the entry level probationary status, or withhold any pay increase.

A Department Manager shall not be demoted if he or she is not eligible for employment in the lower class or the demotion would result in the layoff of a regular employee.

The County Commission shall provide the Department Manager written notice of the demotion at least five (5) calendar days prior to the effective date of the demotion.

A Department Manager may appeal a demotion to the Appeal Board within ten (10) working days after the action is taken.

The demotion shall become effective on the date as set forth by the County Commission in the written notice of demotion, irrespective of whether the employee has appealed or may appeal the demotion.

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Should the Appeal Board determine the demotion was unwarranted, the Department Manager shall be reinstated with full back pay. Furthermore, reference to the demotion in the Department Manager's personnel file is to be removed from the personnel file.

**Probation.** The County Commission may place a Department Manager on probation.

The placement of a Department Manager on probation for disciplinary reasons shall not affect the Department Manager's accrual of benefits or seniority.

A Department Manager may appeal the placement on probation to the Appeal Board within ten (10) working days after the action is taken.

The probationary period shall become effective on the date as set forth by the County Commission in the written notice of probation, irrespective of whether the Department Manager has appealed or may appeal the probation.

During placement of an employee on probationary status, the employee is not to be considered an at-will employee, unless explicitly stated so in the written notice of placement on probationary status.

Should the Appeal Board determine the probationary status was unwarranted, the Department Manager shall be reinstated with full back pay. Furthermore, reference to the probationary status in the Department Manager's personnel file is to be removed from the personnel file.

**Dismissal.** The County Commission may dismiss a Department Manager. Such dismissal will become effective as of the date set forth by the County Commission in the written notification of the dismissal to the Department Manager, irrespective of whether the Department Manager has or may appeal the dismissal.

A Department Manager may appeal the dismissal to the Appeal Board within ten (10) working days after the action is taken.

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Should the Appeal Board determine the dismissal was unwarranted, the Department Manager shall be reinstated with full back pay. Furthermore, reference to the dismissal in the Department Manager's personnel file is to be removed from the personnel file.

**Due Cause for Disciplinary Action**

An adequate reason or "due cause" for a disciplinary action shall include, but not be limited to, the following:

- Incompetence or inefficiency in the performance of duties.
- Offensive or inappropriate conduct or language toward County employees or other persons, including any harassment or retaliation.
- Performance of personal or other non-work-related matters during work hours.
- Dishonesty in the performance of duties, or making any false statement or material omission in any matter relating to the Department Manager's duties or employment, including employment and promotion applications and work undertaken in the scope of employment.
- Acting or failing to act in a manner that tends to lower discipline or morale among County employees, brings or tends to bring discredit to the County, its elected officials or employees, or that adversely affects the prompt, courteous, and efficient provision of public services. Any speech protected by the First Amendment shall not be a basis for disciplinary action, however.
- Conviction of or a plea of guilty to a felony or Class A misdemeanor.
- Violation of any ordinance or lawful and reasonable official regulation, policy, order, or directive, or failure to obey any lawful and reasonable direction made and given by the County Commission to the Department Manager, where such violation or failure amounts to an act of insubordination.
- A serious breach of proper discipline resulting in or which may be reasonably expected to result in loss or injury to the County or to the public.

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- **Inducing or attempting to induce a county employee to commit an unlawful act, violate any ordinance, or to act in violation of any lawful and reasonable regulation, policy, directive or order.**
- **Any absence from scheduled duty without leave contrary to the provisions of county policy, or failure to report after a leave of absence has been disapproved, revoked, or canceled.**
- **Any false statements or fraudulent conduct or deception with any person in making any false statement, engaging in any fraudulent conduct, or in any deception in any official County business.**
- **Any false statement or fraudulent conduct in order to obtain compensation from the county or assistance of any employee in fraudulently obtaining compensation from the county.**
- **The Department Manager's taking for personal use a fee, gift, or other valuable thing in the course of the Department Manager's work, when such fee, gift, or other valuable thing is given by persons in the hope or expectation of receiving a favor or better treatment than accorded other persons.**
- **The Department Manager's engaging in a private business or in an outside trade or occupation, so that the duties of the Department Manager's position, as prescribed by law or regulation or by the Department Manager's superior, are impaired or made less effective by the Department Manager's outside business, trade, or employment.**
- **The Department Manager, through gross negligence, multiple incidents of negligence, or willful conduct, has caused damage to public or private property, funds, or waste of public supplies.**
- **Violation of the alcohol and controlled substance policy.**
- **Abuse of sick leave or any other leave.**
- **Violation of the limitations on political activity as specified in county policy.**

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- That the Department Manager has threatened, used, or has attempted or caused to be used, personal or political influence in securing promotion, transfer, leave of absence, change of grade, character of work, or increased pay.
- Fighting or threats of physical violence.
- Intentional falsification or material omission in employment application, personnel records, time reports, or other county records.
- Theft or intentional destruction of county property, or the unauthorized possession or use of county property, equipment, or materials.
- Deliberate or careless conduct endangering the safety of the Department Manager, other employees, or members of the public.
- Failure to report for work without notification and/or habitual tardiness.
- Leaving assigned work area without prior authorization by a supervisor.
- Discussing with unauthorized persons any confidential information gained through employment with the County.
- Engaging in a strike, slowdown, or group work stoppage, or any kind of unauthorized interruption of work.
- Possession of unauthorized firearm on the work place.
- Loss, suspension or revocation, whether temporary or permanent, of any license, permit, certification, and/or registration required to hold the employee's position or any failure or inability to meet or maintain minimum job qualifications.
- Engaging in acts of sabotage or other material interference with county projects or activities.

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**Notice of proposed disciplinary action; informal disciplinary conference.**

A written notice of a proposed disciplinary action must be given to the Department Manager in person or mailed by registered or certified mail to the last known place of residence no later than ten (10) working days prior to the proposed action. The notice of disciplinary action must contain the following:

- The disciplinary action being considered;
- Specific reason or reasons for the action;
- The effective date of the action;
- An explanation of the evidence against the Department Manager;
- A statement of the Department Manager's right to submit a written response and/or to request an informal disciplinary conference with the County Commission, for the opportunity to be heard prior to the effective date of the disciplinary action; and
- A statement of the Department Manager's right to appeal any adverse decision to the Appeal Board.

Following any informal disciplinary conference with the Department Manager and his or her legal counsel or other representative, or following any submission of a written response by the Department Manager, the County Commission shall affirm, modify, or withdraw the proposed disciplinary action.

The affirmation, modification, or withdrawal of the proposed disciplinary action shall be accompanied by a written statement to the Department Manager stating the decision on the matter, the reasons, and the Department Manager's right to appeal the decision as provided by county policy.

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**Appeal of disciplinary action.**

Within ten (10) working days after the date of notice of the disciplinary action by the County Commission of a Department Manager, the affected Department Manager may appeal the action of the County Commission by filing a written notice of appeal with the Appeal Board. The notice of appeal shall identify the ruling appealed from and be signed by the appealing Department Manager. It shall be the duty of the Appeal Board to inform the County Commission of the filing of an appeal. Within ten (10) working days after the filing of written notice of appeal, the Appeal Board shall meet and, upon consideration of the evidence and a review of the Department Manager's personnel record, shall issue, and serve upon the Department Manager, an order:

- Affirming the disciplinary action; or
- Reversing the disciplinary action; and/or
- Imposing such other forms or combinations of disciplinary action as the County Commission deems reasonably appropriate.

The decision of the Appeal Board is final, subject to any right of review under any law of the State of North Dakota or the United States. The Appeal Board's decision shall not be stayed pending a review in any court of competent jurisdiction. In the event the Appeal Board's decision is reversed, the appealing Department Manager shall then be reinstated as of the date the disciplinary action was taken and shall be entitled to compensation from the same date. Furthermore, reference to the dismissal in the Department Manager's personnel file is to be removed from the personnel file.

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**GRIEVANCE PROCEDURES**

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It is the policy of the Grand Forks County Commission to provide a means for employees to have their grievances heard and resolved at the Department Manager level.

An employee of Grand Forks County may file a grievance by following the procedures outlined in this chapter. See Appendix for example.

**NOTE:** Pursuant to N. D. Admin. Code 4-07-20.1-05, employees of Grand Forks County Social Services may waive the county grievance procedure if the employee and the county mutually agree to do so. A waiver must be signed by both parties within fifteen (15) working days of the employer action. Upon obtaining the waiver, an employee may appeal directly to Human Resource Management Services pursuant to section 4-07-20.1-08.

It is the responsibility of all parties in a grievance action to be fully aware of the time limits imposed by this chapter and the potential consequences of failing to meet those limits.

**Definitions**

"Grievance" is defined as an unsatisfactory work-related situation or circumstance an employee may experience and for which a reasonable resolution may exist.

"Complaint" is, for purposes of this policy, meant to be synonymous with "grievance".

"Working days" means Monday through Friday exclusive of holidays.

References within this policy to filing or service shall be under the following terms: The date of filing or date of service shall be considered to be the date the document was actually filed with the recipient (or their authorized designee), or the date the document was actually delivered to the recipient or their authorized designee. The person filing or serving the document shall prepare a certificate of service, or provide reliable means, to show proof of the date of service.

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**Employee Responsibilities**

The Grand Forks County grievance procedure applies to all Grand Forks County employees, exclusive of probationary employees. Employees are responsible for complying with the procedures in this chapter for filing a grievance or appeal.

An employee may be assisted by a representative of his or her own choosing at any point in the process.

Department Managers or their authorized designee, or the Director of Administration, shall be available to answer questions employees may have about the grievance procedure.

**Department Manager Responsibilities**

Department Managers must make a good faith effort to resolve an employee grievance at their departmental level. They must attempt to provide a fair and reasonable resolution to employee grievances within a reasonable time period.

The Department Manager may wish to confer with the employee's direct supervisor in the process of resolving the issue. When the resolution sought is not within the authority of a Department Manager to grant, the issue must be reviewed with the Director of Administration or the County Commission.

Retaliation against an employee for filing a grievance is prohibited.

**Shared Responsibilities of Employees, Supervisors and Department Managers**

The steps comprising the grievance procedure contain time limitations. An employee should be allowed a reasonable amount of time to process a grievance during regular working hours without loss of pay. Occasionally, situations will arise beyond the control of management or the employee that will prevent compliance with the time limitations. For example, if a Department Manager not in the office for an extended period at the time a grievance is filed, then fundamental fairness would dictate that the grievance time limitations would be extended for the Department Manager. Furthermore, time limitations may be extended for employees by the Department Manager provided there is a reasonable reason for the extension of the time limitation. Written requests for extensions must be received by the Department Manager prior to the established deadline.

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**Grievance Procedure**

**Step One:**

A regular employee who is grieving the result of an employer action may file, within fifteen (15) working days of that action, a written grievance with their Department Manager. The written grievance must be filed by the Department Manager with the Director of Administration within five working days from the date of receiving the written grievance. The Department Manager must also provide a copy of the written grievance to the person who made the decision being grieved.

Failure to begin the procedure within time limitations may cause the employee to lose the right to appeal to the County Commission and have their appeal heard by the County Commission.

The Department Manager will acknowledge, in writing, receipt of the grievance within five (5) working days of receipt and request from the person who made the decision a complete copy of all material upon which the decision was based, including any written information provided to management by the employee prior to the decision. Generally, the information considered will be confined to the information submitted. However, the Department Manager may determine to further investigate the issue(s).

**Step Two:**

If needed, an investigation will be conducted by the Department Manager within fifteen (15) working days of the receipt of the grievance. They will notify the employee in writing within five (5) working days of the receipt of the grievance that an investigation will be conducted. The Department Manager must provide a written response to the employee within fifteen (15) working days following completion of the investigation.

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If it is determined that an investigation is not needed, the Department Manager will review the written material and determine whether there was a reasonable basis to believe the allegations were true and whether or not the employer action was reasonable. The Department Manager will issue a written response to the employee within fifteen (15) working days of receipt of the grievance. The written decision of the Department Manager ends this step of the Grievance Procedure, subject to appeal.

**Step Three:**

The employee, if dissatisfied with the response or action taken by the Department Manager, or if no response is received from the Department Manager within the response period, may appeal the grievance to the County Commission and have their appeal heard by the County Commission.

The appeal must be filed by the employee with the Director of Administration, in writing, and must be delivered or mailed, and must be received in the Director of Administration's office by 5:00 p.m. within fifteen (15) working days of service of the notice of results of the grievance procedure.

The Director of Administration shall within five (5) working days submit a written request to the Chair of the County Commission, to conduct an appeal hearing of the grievance.

The County Commission shall convene a special meeting of the Grand Forks County Commission, and shall conduct an appeal hearing within ten (10) working days. The County Commission shall issue a written decision of the appeal within ten (10) working days of the appeal hearing, and shall immediately serve that decision upon the employee. The written decision of the County Commission shall end this step of the Grievance Procedure, subject to appeal.

**Step Four:**

The employee, if dissatisfied with the decision or action taken by the County Commission, may appeal the decision of the County Commission to the Appeal Board.

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**The appeal must be filed by the employee with the Director of Administration, in writing, and must be delivered or mailed, and must be received in the Director of Administration's office by 5:00 p.m. within fifteen (15) working days of service of the notice of results of the appeal to the County Commission.**

**The Director of Administration shall within five (5) working days submit a written request to the Chair of the Appeal Board, to conduct an appeal hearing of the grievance.**

**The Appeal Board shall convene and shall conduct an appeal hearing within ten (10) working days. The Appeal Board shall issue a written decision of the appeal within ten (10) working days of the appeal hearing, and shall immediately serve that decision upon the employee. The written decision of the Appeal Board is the final step in the grievance procedure.**

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**FITNESS POLICY FOR GRAND FORKS  
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Employees may use up to 40 sick leave hours per year for exercise. Sick leave may be taken in two separate 30-minute increments per week. The half hour may be used in conjunction with lunch, start of workday, or end of day. For every hour of fitness participation the county will award one-half hour of work time to be used for exercise. In order to qualify the employee must exercise at a fitness center and document their attendance on their time card. The fitness center may be asked to provide a copy of some form of attendance verification to the county payroll department. Time provided by Grand Forks County is not reimbursable and will be used for the next exercise session once eligibility is established.

The County Commission encourages all employees to take advantage of available educational opportunities to maintain and improve health and fitness. Services available to all county employees from the Grand Forks Public Health office include written materials, various classes on nutrition and other health-related topics, smoking-cessation programs, flu shots, and the annual wellness fair.

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**POLICY NO. 106-02**

**Eff. 2/21/12**

**FITNESS POLICY FOR GRAND FORKS  
LAW ENFORCEMENT EMPLOYEES**

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Grand Forks County established a fitness program for all law enforcement employees in order to provide an avenue to a healthy life style, and reduce personal illness and injury for employees who work in a physically demanding and dangerous profession. The goals of this program are to reduce county health insurance costs, reduce injury, enhance esprit de corps, give employees access to a healthy life style, and provide a higher level of service to the tax-paying public. Whether grandfathered or not, all law enforcement officers are expected to put forth a reasonable effort to meet and exceed minimum standards.

**Sheriff's Office, Juvenile Detention and Correctional Center Employees:** This policy applies to all essential law enforcement personnel, including the sheriff, all deputized sheriffs, correctional center management, correctional officers, and juvenile detention center management and officers. Administrative support staffs are not included in the definition of law enforcement staff. Law enforcement employees are subject to mandatory fitness standards, and as such the county will provide a single membership for each law enforcement employee at Center Court Fitness. If these employees desire a family membership, payment will be made by the employee directly to Center Court Fitness. Staff is encouraged to work out, and for this reason, the county provides up to two 30-minute workout sessions per week. In order for an employee to receive payment for working out, they must meet the following criteria:

- Meet minimum standards for their age/gender OR
- Meet minimum standards for their age/gender in three of five standards AND show improvement on meeting standards in the other two standards within one year – to be tested quarterly; OR
- Using employee's most recent test as a baseline of fitness, employees will quarterly demonstrate an improvement in meeting standards to meet standards at subsequent annual test.

In addition, these employees may use an additional 30 minutes of sick leave each week for a third session. These sessions will be annotated on their time card and will not count towards overtime. The fitness center may be asked to provide a copy of some form of attendance verification to the county payroll department. Exempt employees have the flexibility to incorporate exercise sessions

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into their schedule on- and off-duty. Exempt employees will receive no additional compensation. Sometimes, for various reasons, law enforcement employees may request to use another fitness center. These requested exceptions will be approved on a case-by-case basis by the County Commission. If approved, the employee will submit a voucher on a quarterly basis with proof of payment to their fitness center. The employee will be reimbursed at the Center Court Fitness rate. Additional costs will be an out-of-pocket expense incurred by the employee.

**Medical Assessment:** Annually, all male law enforcement officers 45 years of age or greater and female officers 55 years of age or greater will be medically evaluated and screened by Altru Health System medical doctors and technicians. Data will be collected and documented under an employee number unknown to county staff. The medical evaluation will determine if the employee is fit to participate in the annual test. If the medical assessment deems the employee is unfit to participate, clearance must be obtained from the medical authority in order to complete the annual test. Costs for the medical evaluation will be paid for by the county. Employees who are required but do not complete the annual fitness evaluation will not be eligible to participate in the fitness test and may be subject to disciplinary action.

Officers unable to participate in the fitness tests due to a permanent medical condition must provide to the Department Manager or designee medical documentation prohibiting them from participating in each test. Officers will be evaluated to ensure all of the essential functions of their position can continue to be met. Those able to meet essential functions will be excused from further testing; whereas those unable to meet essential functions will be reassigned to a position where they are able to perform essential functions.

Officers unable to test due to a temporary medical condition during the testing period will be given a reasonable time of recovery prior to testing. Testing done outside the defined testing period is ineligible for monetary compensation.

**Fitness Standards:** The fitness standards and tests are derived from the US Marshall's fitness standards based on age and gender of each individual. The referenced standards represent validated US Marshall standards. The minimum standards listed after the test battery are the minimal goals and staff are encouraged to exceed these. Annual testing will be performed

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between September 15<sup>th</sup> and October 15th. Employees who meet the standard are entitled to a monetary award commensurate with their performance based on their gender and age as of September 15<sup>th</sup>. Monetary payments will be disbursed within 45 days of the conclusion of the testing period. Employees will be ineligible for any monetary award if unable to test during the 30-day testing period. The only exception to this policy is if job requirements outside the local area prevent the employee's ability to attend the scheduled testing. This must be verified and recommended by the Department Manager for County Commission approval.

Test battery will consist of the following tests:

- 1.5 mile run
- 300 meter run
- Bench press (ratio of body weight)
- Push-ups (2 minute time limit)
- Sit-ups (1 minute time limit)

See Appendix for standards and monetary award.

**Application of Policy to New Hires:** Employees hired after January 1, 2007 must meet these standards. Employees hired after October 1, 2007 must meet standards to successfully complete their probationary period and must maintain these requirements throughout their employment. The probationary period for law enforcement employees is one year. Probationary employees are not eligible for any monetary award. Failure to meet standards will result in termination.

**Relationship to Employee Evaluations:** All law enforcement employee evaluations will have a fitness participation category. The category will have satisfactory, unsatisfactory and N/A as choices for the evaluation. Factors that may affect the rating are results of the annual test, overall participation in the program, and attitude. Personnel unable to participate in the annual test due to medical reasons will receive an N/A.

**Coordination:** The County Fitness Coordinator will administer the program, including the annual testing portion of the fitness program. The Fitness Coordinator may enlist the aid of other county employees or Center Court Fitness staff in coordinating the testing. Details of

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scheduling will be communicated to all law enforcement employees in writing reasonably in advance of the scheduled testing.

**Educational Opportunities:** Services available to law enforcement employees from Center Court Fitness, as part of the county's group contract, include the opportunity for participation in existing classes, the opportunity to suggest special group classes, and individual consultations to get started on an exercise program. (On-going services of a personal trainer would require an additional fee payable directly to Center Court Fitness.)

**Program Evaluation:** Each year, the County Commission will receive from Altru Health System a summary report of the employee medical assessments. The report will not identify any employee by name. These reports, together with the results of the annual fitness testing, will allow the County Commission to track the success of the program over time, and to make adjustments to the program. This policy shall be reviewed minimally every five years.

**Fitness table – See Appendix.**

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**RISK MANAGEMENT PROGRAM**

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Safety is a primary concern for all of our employees. Department Managers are required to provide risk management training to all new employees and annually thereafter. Employees who feel that an unsafe condition exists, have a near miss, or injure themselves are required to fill out the necessary risk forms.

Employees can go to [www.workforcesafety.com](http://www.workforcesafety.com) to document and make the early reporting requirements for incidents and first report of injury. (See the Appendix for step-by-step procedures.)

On the job injuries and accidents that may require worker's compensation notification must be reported within 24 hours of the incident. This includes notification to your supervisor and/or Department Manager who will assist with the early on-line reporting procedures for appropriate notice to Workforce Safety. Copies of the first report of injury will be provided to the Risk Manager who will then forward copies to the Finance and Tax Department.

In the event that an employee is permanently or temporarily disabled on the job, the employee may use sick or vacation leave for the first week of absence. Workforce Safety Insurance will then determine the extent of the injury and appropriate compensation. The combination of payments made by Workforce Safety Insurance and Grand Forks County to the injured employee shall not exceed 100% of the employee's pay classification. This rate will be determined by the Finance and Tax Department in accordance with Grand Forks County policy. Any payments made in excess of the employee's classification will be rendered back to Grand Forks County.

In the event the employee is injured and is without accrued sick and vacation time, compensation for their specific classification will be determined by Workforce Safety until their return to work has been determined.

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**If breaks are used to conduct non-work related activities away from the employer's premises, no workforce safety coverage is available.**

**No talking or texting on cell phones in county-owned vehicles or in privately owned vehicles being used on county business is allowed unless the employee utilizes a blue-tooth device to allow "hands-free driving" capabilities.**

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**WORKFORCE SAFETY INSURANCE**

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**Grand Forks County provides a comprehensive workforce safety insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment, as defined by law, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workforce safety insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.**

**Employees that sustain a work related injury or illness, as defined by law, should inform their supervisor immediately. No matter how minor an on-the-job incident may appear, it is important that it be reported immediately. Your Department Manager or immediate supervisor will assist you with proper reporting procedures. Every effort must be made to document an incident within twenty-four (24) hours. Timely reporting will enable an eligible employee to qualify for coverage as quickly as possible. (Note: Under workforce safety laws, employees who have a blood alcohol test with .04 or higher may have their claim denied.)**

**NOTE: If breaks are used to conduct non-work related activities away from the employer's premises, no workforce safety coverage is available.**

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**CELLULAR PHONE REIMBURSEMENT**

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In order to provide for the efficient operations of county services, key exempt employees are designated and provided a monthly cell phone stipend to maintain cellular service so as to continue county operations when they otherwise might be unreachable. Designation of employees and stipend will be determined and budgeted for by Department Manager. Cellular phone numbers will be maintained within respective departments.

- **Basic Cellular Services:** A \$35/month stipend will be provided to individuals designated by their Department Manager to maintain a basic cellular plan.

OR

- **Data Plan Services:** A \$50/month stipend will be provided to designated exempt employees to maintain a basic cellular and data plan service connected to the county exchange server.

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**IMMUNIZATION POLICY**

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Due to the nature of their profession, all sworn Grand Forks County Law Enforcement, Correctional Center and Juvenile Detention Center employees, with the exception of support staff, are required to be immunized against influenza, and have a TB screening test each year as well as the Hepatitis B series, Tetanus and Pertussis (Tdep) immunization as required by the CDC, unless exemption has been granted as described below. Compliance with this requirement is a condition of continued employment. Department Managers highly recommend the annual influenza immunization for Office Support Staff.

**A. Annual Influenza Immunization/TB screening**

- 1. All sworn Grand Forks County Law Enforcement, Correctional Center, and Juvenile Detention Center employees must be immunized against seasonal influenza and a TB screening test each year.**
- 2. Grand Forks County employees are highly encouraged to receive the annual influenza immunization. The vaccination program is coordinated through the Grand Forks Public Health Department beginning when the vaccine is available and throughout the influenza season. If Grand Forks County Law Enforcement employees wish to decline the vaccination, they must sign the vaccination form (available in the Appendix of this policy manual) and return to the Grand Forks County Risk Manager.**
- 3. Employee immunizations will begin when the vaccine is available and as per CDC recommendations. As a condition of employment, employees must be vaccinated within the probationary period of their employment.**
- 4. Employees who do not receive their immunization from Grand Forks Public Health must provide proof of immunization to the Sheriff, Administrator of the Correctional Center, and/or the Grand Forks County Risk Manager. Proof of immunization may include a physician's note, a receipt, or copy of consent. Proof must be attached to the vaccination form (available in the Appendix of this policy manual).**

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**B. Exemptions**

- 1. Persons with the following contraindications\* are exempt from influenza immunization:**
  - **Persons allergic to eggs (causes swelling to lips, throat, tongue, but not if only upset stomach)**
  - **Persons with a history of Guillian-Barre within six (6) weeks of influenza vaccination**
  - **Persons who have a history of anaphylactic reaction after influenza vaccination.**

**Employees requesting exemption due to medical contraindications must provide proof of medical contraindication such as a letter from their personal physician, as well as a completed Request for Exemption from Vaccinations form, available in the Appendix.**

**\*Contraindications are based on recommendations from the Centers for Disease Control and Prevention.**

- 2. Exemptions will be made for individuals belonging to a religious organization that has a bona fide, sincerely held and specifically enumerated belief that immunization should not be given.**
- 3. All requested exemptions will be reviewed by the Sheriff, the Administrator of the Correctional Center, and/or the Grand Forks County Risk Manager. Employees must submit their request for exemption in writing to the Sheriff, Administrator of the Correctional Center and/or the Grand Forks County Risk Manager. If an interview is needed, the employee will be contacted for an appointment for face-to-face or phone interview.**
- 4. The Sheriff, the Administrator of the Correctional Center and/or the Grand Forks County Risk Manager will inform the employee of their decision in writing within five (5) business days.**
- 5. If exemption is granted for a temporary condition, the employee must resubmit a request for exemption each year. If exemption is granted for a permanent condition (allergy, Guillian-Barre) the exemption does not need to be requested each year unless vaccine technology would change to eliminate issues regarding allergies.**