

ARTICLE 1

Organization of the Human Resources System

Section 101 Purpose

The purpose of this resolution is to establish a human resources system policy that will promote a fair and effective means of employee recruitment and selection, develop and maintain an effective and responsible work force, and provide the means for rewarding meritorious employees and the removal of unsatisfactory employees. This resolution is established under the authority of G.S. 153A, Article 5, and G.S. 126 of the General Statutes of North Carolina to ensure compliance with applicable State and Federal labor standards.

Section 102 Limitations

This is not a contract of employment. Any individual may voluntarily leave upon proper notice and may be terminated by the County Manager at any time for any lawful reason. Any oral or written statement or promises to the contrary are hereby expressly disavowed and should not be relied upon by any prospective or current employee. The contents of this policy manual are subject to change at any time at the discretion of the Board of County Commissioners.

Section 103 Coverage

- A. Except as explicitly exempted, all employees in the County's service shall be subject to this policy. In addition, employees in all departments must comply with, and are protected by, applicable State and Federal laws.
- B. The following officials and employees are exempt with the exception of Article 5, Sections 502 and 507 and Article 7, Section 701:
 - 1. Elected officials.
 - 2. Employees of the Sheriff's Office;
 - 3. County Manager;

4. County Attorney; and
5. The Board of Commissioners, except as specifically designated. Article 7 Section 701 is at their own expense.

C. The following employees are covered only by the listed articles and sections:

1. Employees governed by the Human Resources Act shall be subject to all articles except Articles 2, 9 and 10.
2. Employees of the North Carolina Cooperative Extension Service shall be subject to all articles except Articles 2, 3, 4, and 7.
3. The Director of Elections shall be subject to all articles except Articles 2, 4, 5, 8, 9 and 10.
4. Employees of the Register of Deeds shall be subject to all articles except Article 9. Nothing in this policy shall be construed to supersede the exclusive right of the Register of Deeds to hire, discharge and supervise his/her employees in his/her respective department pursuant to G.S. 153A-103.
5. Temporary and part-time employees, as designated by the Board of Commissioners, shall be subject to all articles except Articles 6 and 7 or as otherwise provided by the Board of Commissioners.

Section 104 Definitions (listed alphabetically)

Adverse Action. An involuntary demotion, an involuntary reduction in pay, an involuntary transfer, a suspension without pay, a layoff, or a dismissal.

Anniversary Date. The employee's original date of employment with the County service in a regular full-time position.

Applicant. A person who, meeting the basic minimum qualifications for an active position vacancy, submits a signed County application for that vacancy, which application shows specific job position sought and is otherwise complete.

Appointing Authority. Any County board or official with the legal authority to make hiring decisions.

Authorizing Party. An individual authorized by this policy to approve or disapprove requests for travel, cash advances, travel reimbursements, etc.

Career Status. Status achieved after 24 continuous months of service in one or more positions subject to the Human Resources Act. If an individual moves from

one covered agency to the next with no longer than thirty (30) days break in service the employee serves a six month probationary period. At the end of the probationary period, the employee's longevity for the previous agency counts toward total time served. This definition applies to employees in the Department of Social Services and Emergency Management.

Class. Positions or groups of positions having similar duties and responsibilities requiring similar qualifications, which can be properly designated by one title indicative of the nature of work performed, and which carry the same salary range.

Classified Employee. Any County employee occupying a position that is subject to the Position Classification Plan.

Compensatory Time. One and one-half hours granted to non-exempt employees for each hour of overtime worked in lieu of overtime pay.

Competitive Service Employee. An employee of the Department of Social Services; or Office of Emergency Management receiving Federal grant-in-aid funds and subject to the Human Resources Act.

Cost-of-Living Increase (COLA). An annual adjustment that may be made by the Board of County Commissioners to all pay ranges.

County Group Health Plan. A County Group Health Plan is an employee welfare benefit plan (as defined in section 3(1) of the Employee Retirement Income Security Act of 1974 [29 U.S.C. 1002(1)]) to the extent that the plan provides medical care (as defined in paragraph (2) and including items and services paid for as medical care) to employees or their dependents (as defined under the terms of the plan) directly or through insurance, reimbursement, or otherwise.

County Official. One who acts in authority for the County.

Demotion. The reassignment of an employee to a position or classification having a lower salary range than the position or classification from which the reassignment is made.

Employee's Official Base of Operation. "Official base of operation" is defined as the job location at which the employee spends the majority of his or her working hours. For an employee in travel status, the official base of operation should be the point where traveling begins the majority of the time (home or office).

Essential Public Safety Personnel. Includes all employees in Emergency Medical Services, Communications, Law Enforcement, Sheriff Department.

Exempt Employee. An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

Expectation of Privacy. Employees do not have an expectation or right to privacy with respect to any electronic correspondence, files, documents, images, created, stored, displayed, received or sent on the County's technology systems. The County reserves the right to review, monitor and inspect use of its technology resources without advance notice. In addition, offices, cabinets, personal belongings and other items may be searched provided there are reasonable grounds to suspect misconduct, criminal activity or other work-related reason.

Full-Time Employee. An employee, appointed to a permanently established position, who is regularly scheduled to work a normal work week, is paid on a salary basis, and is designated by the Board of Commissioners as full-time.

General County Employee. A County employee not subject to the Human Resources Act.

Grievance. A formal process that provides an adequate and fair means for hearing concerns regarding final written warnings and dismissals and charges of work place harassment, discrimination and/or retaliation of County employees.

Hiring Rate. The salary paid an employee when hired into County service, normally the first step of the salary range.

Holiday. A holiday is defined as beginning at midnight and continuing for twenty-four (24) hours until the following midnight.

Immediate Family. Includes spouse, parent, sibling, son, daughter, grandparent, grandchild. Step, half and in-law relationships as appropriate based on the above listing.

Maximum Salary Rate. The maximum salary authorized by the pay plan for an employee within an assigned salary grade.

Merit Increase. An increase in salary above the standard job rate based on service that exceeds the standard and/or expected performance of the assigned position.

Non-Classified Employee. Any County employee occupying a position that is not subject to the position classification plan.

Non-County Employees. Non-County employees traveling on official business whose expenses are paid by the County are subject to these regulations, including subsistence allowances, to the same extent as County employees. Travel expenses for members of a non-employee's family are not eligible to be

paid by the County. No travel advances will be made to non-County employees except as otherwise authorized by the County Manager.

Non-Exempt Employee. An employee covered by the Fair Labor Standards Act minimum hourly wage rate and overtime provisions.

Part-Time Employee. An employee appointed to an established position, the duties of which are regularly scheduled less than forty (40) hours per work week, who is paid on an hourly basis, and is designated by the Board of Commissioners as a part-time employee.

Pay Period. The pay period is bi-weekly and begins on Saturday and ends on a Friday.

Pay Plan. A schedule of pay ranges arranged by sequential rates including minimum, intermediate, and maximum steps for each class assigned to a salary range.

Performance Evaluation System. A six month and annual review of an employee's performance, designed to facilitate fair and equitable merit pay decisions, recognizing performance as the basis for pay increases within the established pay range.

Position. A group of current duties and responsibilities requiring the full- or part-time employment of one person.

Position Classification Plan. An approved plan by the Board of Commissioners that assigns classes (positions) to the appropriate pay grade.

Probationary Employee. An individual appointed to an established full-time or part-time position who has served less than six months in the position.

Promotion. The reassignment of an employee to an existing position or classification in the County service having a higher salary range than the position or classification from which the reassignment is made.

Random testing. Testing conducted on an employee assigned to a safety-sensitive position and is chosen by a method that provides an equal probability that any employee from a group of employees will be selected.

Reasonable suspicion. Exists when a supervisor, who has received the required training in detecting the signs and symptoms of probable drug and/or alcohol use, can substantiate specific contemporaneous, articulable observations concerning appearance, behavior, speech, or body odor or other physical indicators of probable drug or alcohol use.

Reclassification. The reassignment of an existing position from one class to another based on changes in job content.

Regular Employee. An employee who has completed six months of satisfactory County service and has been approved for an established full-time or an established part-time position by his or her Department Head with the approval, where applicable, of the County Manager.

Regular Full-Time Position. A position that has been approved by the Board of Commissioners, the duties and responsibilities of which are required to be performed on a continuous basis, normally requiring full-time employment of an individual.

Regular Part-Time Position. A position that has been approved by the Board of Commissioners, the duties and responsibilities of which can be performed in less than a regular work day and/or work week.

Requesting Party. The person who will be reimbursed for travel costs incurred while conducting County business.

Safety-sensitive positions. A position will be designated safety sensitive only where the County has a compelling need, on the basis of safety concerns, to ascertain on-the-job impairment on the part of employees who hold the position. Such a compelling need may arise where the duties of a position create, or are accompanied by, such a great risk of injury to other persons or to property of such magnitude that even a momentary lapse of attention, judgment, or dexterity could have disastrous consequences.

Salary Grade. All positions that are sufficiently comparable to warrant one range of pay rates.

Salary Plan Revision. The uniform raising or lowering of the salary ranges of every grade within the salary plan.

Salary Range. The minimum and maximum salary levels for a given classification for hiring purposes.

Salary Range Revision. The raising or lowering of the salary range for one or more specific classes of positions within the classification plan.

Salary Schedule. A listing by grade and step of all the approved maximum, intermediate, and minimum salary ranges authorized by the Board of County Commissioners for various position classifications of County government for hiring purposes.

Standard Job Rate. Step 3 of an assigned salary range.

Subsistence. Reimbursement for lodging, meals and other expenses, including gratuities, while on official County business.

Temporary Employee. An individual appointed to serve in a position for a definite duration, but not to exceed twelve (12) months.

Temporary EMT Pool. A group of certified Emergency Medical Technicians available to serve at irregular intervals in temporary hourly assignments of the Emergency Medical Services Department.

Temporary Position. A position for which the duties and responsibilities are required to be met for a specific short period of time, normally not to exceed twelve (12) months or 1000 hours, and which may or may not require attendance by a person for a full work day and/or work week.

Trainee. An employee designated as such, appointed to a position in any class for which the County Manager or the Office of Human Resources has authorized "trainee" appointments due to unique specialized training required. An individual may not be appointed as a trainee if he/she possesses the acceptable training and experience for the regular class, and must be appointed to the regular class when he/she gains the acceptable training and experience. A trainee must be paid at a rate below the minimum of the regular class.

Transfer. The reassignment of an employee from one position or department to another.

Transportation. Transportation expenses include personal automobile, taxi, bus, train, airplane, motor pool charges, auto rentals, tolls, and parking fees. All travel expenses must be incurred by and for board members, employees, or other eligible travelers while conducting official County business in order to be eligible for reimbursement.

Travel. Going to and from the official base of operation to another location to conduct County business.

Work Against Appointments. When suitable qualified applicants are unavailable, the appointing authority may appoint an employee below the level of the regular classification in a work against situation. A work against appointment is for the purpose of allowing the employee to gain the qualifications needed for the full class through on-the-job experience.

Section 105 Merit Principle

All appointments and promotions shall be made solely on the basis of merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for County employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, color, genetic information, religion, sex,

national origin, political affiliation, non-disqualifying disability, age, sexual orientation or gender identity.

Section 106 Responsibility of the Board of Commissioners

The Board of Commissioners shall establish personnel policies and rules, including the classification and pay plan, and shall make and confirm appointments when required by law.

Section 107 Responsibility of the County Manager

The County Manager shall be responsible to the Board of Commissioners for the administration of the human resources program. The County Manager shall appoint, suspend, and remove all County officials and employees, except those elected by the people or those whose appointment is otherwise provided for by law. The County Manager shall make appointments, dismissals, and suspensions in accordance with G.S. 153A-82 and Articles 4, 5, 7, and 9 of this personnel resolution.

Section 108 Responsibility of the Human Resources Director

The County Manager shall appoint a Human Resources Director who shall assist in the preparation and maintenance of the position classification plan and the pay plan and perform such other duties in human resources administration as the Manager shall require.