

**OKLAHOMA COUNTY  
2025 “TRYOUT”  
EMPLOYEE HANDBOOK**



**EFFECTIVE: ??**

## **TABLE OF CONTENTS** (pg numbers to be added eventually)

### **Section 1: Introduction**

- 1.1 Purpose and Status of Handbook
- 1.2 Changes and Additions

### **Section 2: General Policies**

- 2.1 At Will Employment
- 2.2 Equal Employment Opportunity
- 2.3 Recruitment and Hiring
- 2.4 Anti-Harassment
- 2.5 Employee Personnel Records
- 2.6 Waiting Period
- 2.7 Code of Conduct
- 2.8 Weapons
- 2.9 Conflict of Interest
- 2.10 Job Responsibilities
- 2.11 Attendance
- 2.12 Employment Status and Classification
- 2.13 Scheduling and Work Hours
- 2.14 Time Recording
- 2.15 Supervision/Hiring of Relatives
- 2.16 Employee Requirements for Driving County Vehicles
- 2.17 Drugs and Alcohol
- 2.18 Medical Marijuana
- 2.19 Smoking, Vaping, and Tobacco Use
- 2.20 Release of Information
- 2.21 Outside Employment
- 2.22 Personal Visitors at Work
- 2.23 Personal Communications at Work
- 2.24 Information System Security
- 2.25 Gifts and Gratuities
- 2.26 Political Activity
- 2.27 Departmental Personnel Policies
- 2.28 Professional Development
- 2.29 Continuing Education Tuition Reimbursement Program
- 2.30 Discharge
- 2.31 Voluntary Termination
- 2.32 County Property for Employee Use
- 2.33 Whistleblowers and Retaliation
- 2.34 Posting in Public Areas

### **Section 3: Compensation**

- 3.1 Workweek and Work Period
- 3.2 Overtime

- 3.3 Compensatory Time in Lieu of Wages
- 3.4 Working for More than One Elected Official
- 3.5 Payment of Wages
- 3.6 Employee Attendance Recordkeeping
- 3.7 Travel Compensation

#### **Section 4: Employee Benefits Other Than Leave**

- 4.1 Credit Union
- 4.2 Eligibility
- 4.3 Status and Annual Enrollment
- 4.4 Medical, Prescription, Dental, Vision, and Wellness Plan
- 4.5 Optional Benefits
- 4.6 401(A) and 457 Retirement Programs
- 4.7 Life Insurance
- 4.8 Employee Assistance Program (EAP)

#### **Section 5: Leave Benefits**

- 5.1 Holidays
- 5.2 Family and Medical Leave
- 5.3 Vacation Leave
- 5.4 Sick Leave
- 5.5 Election Time Off
- 5.6 Emergency Shutdown Leave
- 5.7 Leave Sharing
- 5.8 Disaster Leave
- 5.9 Jury and Court Appearance Leave
- 5.10 Absent without Leave Available
- 5.11 Bereavement Leave
- 5.12 Education Leave
- 5.13 Military Leave
- 5.14 Leave of Absence without Pay
- 5.15 Administrative Leave
- 5.16 Workers' Compensation Leave of Absence (WCLOA)
- 5.17 Abuse of Leave

#### **Section 6: Safety**

- 6.1 Safety Policy Statement
- 6.2 Safety Rules
- 6.3 Open Flames
- 6.4 Electrical Appliances
- 6.5 Safety Training
- 6.6 Safety Enforcement
- 6.7 Workers' Compensation

## SECTION 1: INTRODUCTION

### 1.1 Purpose and Status of Handbook

This document does not constitute an employment contract. The handbook is comprised of both general and specific Oklahoma County policies and guidelines that set out expectations of the County regarding employees and what employees can and should expect from the County as an employer. The contents of the Employee Handbook may not reflect the full contents of a specific employment policy. Employees needing additional information or explanation about a policy should ask their supervisor or their elected official's human resource representative for assistance and may request a copy of the policy. Oklahoma County remains free to change working conditions, policies, or wages at any time for any or no reason without notice to or approval from its personnel.

If any portion of the rules and regulations set forth in this handbook shall be deemed inoperative, unconstitutional, void, or invalid, the validity of the remaining portion of the rules and regulations shall not be affected. In adopting these personnel policies, Oklahoma County does hereby declare that it would have passed and adopted each provision contained herein separately and apart from the others.

### 1.2 Changes and Additions

Oklahoma County reserves the right to change, interpret, withdraw, or add to any policies, benefits, or terms and conditions of employment at its sole discretion and without prior notice or consideration to any employee. None of the policies, benefits, terms or conditions of employment have been or are required to be approved by an employee. Amendments, additions, and deletions are subject to approval of the Oklahoma County Budget Board and subsequent adoption by the Oklahoma County Board of County Commissioners.

## SECTION 2: GENERAL POLICIES

### 2.1 At Will Employment

Oklahoma County offers no employment contracts, nor does it guarantee any minimum length of employment. Any employee may terminate employment at any time for any reason; Oklahoma County may terminate an employee at any time, at will, with or without cause, with or without notice. Questions about the meaning of this "at will" relationship should be directed to the elected official's human resource representative. No alteration or addition to this policy may be implemented without first being reduced to writing and being approved in accordance with provisions of Departmental Personnel Policies and then being distributed to the affected employees.

[Exception] All deputy sheriffs and detention officers shall serve a five-year probationary period during which the deputy sheriff or detention officer shall be considered an "at will" employee. After their five-year probationary period, deputy sheriffs or detention officers shall not be discharged except for just cause.

### 2.2 Equal Employment Opportunity

Oklahoma County provides equal employment opportunities to all qualified individuals in appreciation of a diverse workforce that reflects the community and allows effective responses to customers. Oklahoma County is committed to ensuring that no employee, applicant, or contractor shall be discriminated against because of race, color, sex, age, religion, national origin, ancestry,

marital status, disability, political affiliation, or any other basis protected by federal or state law. Oklahoma County complies with all applicable federal and state equal employment opportunity laws to provide its employees a balanced workforce free of discrimination.

### **2.3 Recruitment and Hiring**

Elected Officials may choose to file their job openings publicly and/or fill positions from applications filed with their office. If the job opening is posted, it may include the title, the salary range, the minimum hiring specifications, and the closing date for applying. Applications will be accepted when a job opening exists and may be kept on file for up to one (1) year.

Each Elected Official shall be responsible for hiring and appointing the employee in his or her office. Employees serve at the pleasure of their Oklahoma County Elected Official. No representative other than an Elected County Official has authority to enter into an agreement for employment for any period of time or to make any arrangement contrary to the employment at-will doctrine, and any such arrangement must be in writing.

### **2.4 Anti-Harassment**

Oklahoma County prohibits any form of protected status harassment that impairs a person's emotional well-being at work or ability to work. Protected status harassment includes, but is not limited to

- verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual invitations or comments.
- visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures.
- physical conduct such as assault, unwanted touching, blocking normal movement, or interference with work.
- threats or demands to submit to sexual requests to maintain employment or to avoid some other loss.
- offers of job benefits in return for sexual favors.
- retaliation for threatening to report or for reporting harassment.

Harassment is systematic persecution through persistent and conscious behavior that can be perpetrated via mail, telephone, email, text, or social media either during or after work hours.

Harassment intimidates, threatens, degrades, torments, or places demands upon another person to the extent that it creates a pervasively adverse work environment that substantially interferes with that person's ability to work.

Employees should not assume that management is aware of alleged harassment. Individuals who believe they are being subjected to harassing conduct can and should advise offenders that their behavior is unwelcome and request that it stop. Likewise, individuals who observe another employee engaging in harassment may speak up and ask that the behavior stop. In either circumstance, employees should advise management of persistent harassment. An employee who is not satisfied with the response of management to his or her concerns (or sees that manager as the perpetrator of the harassment) should feel free to contact a member of senior management up to and including an elected official to resolve the issue.

Oklahoma County's anti-harassment policy applies to conduct of non-employees at work. If an employee is subjected to inappropriate behavior by a vendor, customer, or member of the public, the employee should follow the same reporting procedures as for a fellow employee's harassment.

Oklahoma County will investigate all allegations of harassment in as confidential a manner as possible under the circumstances and take appropriate corrective action up to and including termination of the offender if warranted. Oklahoma County will not retaliate against an employee who makes a good-faith harassment report pursuant to this policy, even if investigation concludes that the County's policy

has not been violated.

## **2.5 Employee Personnel Records**

Employee records are the property of Oklahoma County, and access is restricted subject to the Oklahoma Open Records Act. Only supervisors and management with a legitimate reason have access to these files. With reasonable advanced written notice, employees may review their own records in the presence of a manager during business hours. Employees are responsible for promptly notifying Oklahoma County of any changes in personal data such as name, address, phone number, emergency contact, email address, and W-4 information. The County's Employee Self-Service (ESS) site is accessible via the Web and can be used to make these types of updates. Employees must process any change in insurance or benefits through Oklahoma County's Benefits & Retirement department. Copies of employee records will not be provided unless required by law. Requests for personnel records or employee information will be handled in accordance with federal and state law. No employment inquiries or verifications are to be released except by the County Clerk or those authorized by the County Clerk.

Each Oklahoma County elected official maintains personnel files on all his or her employees who are guaranteed access to information in their personnel files during normal work hours with two days advance notice by written request. These records may be reviewed only in the presence of a designated human resource representative appointed by the employee's Elected Official. An employee may not alter, mark, or remove data contained in his or her personnel file.

An employee must submit a formal written request to the Elected Official or human resource representative to make corrections in personnel records. If the request is granted, changes will be made under the direction of the employee while he or she is present. If the request for correction is denied, the employee can request that his or her statement of disagreement be placed in the file, and the statement of disagreement will become a permanent fixture in the employee's personnel record. If an employee transfers positions to another Oklahoma County office or department, the prior office or department will provide a copy of the employee's personnel file to the new office or department.

## **2.6 Waiting Period**

Oklahoma County employees are required to work during a 60-day waiting period prior to becoming eligible for benefits. Qualification for benefits begins on the 1<sup>st</sup> of the month following 60 days of employment. An exception to the 60-day waiting period is made for a full-time employee coming directly to the employment of Oklahoma County from other full-time governmental service with the State of Oklahoma without a break in employment (defined as employment beginning with Oklahoma County within six months of departure from previous full-time governmental employment) and for elected officials. Full-time employees are eligible to accrue leave time during the waiting period but are not eligible to use leave time until the waiting period has been completed.

New employees will be required to attend an orientation session during the waiting period. County policies, general information about the County, and employee benefits will be presented and discussed during the orientation.

## **2.7 Code of Conduct**

Oklahoma County employees represent the County at all times. All employees should strive for honesty and integrity in their dealings with the community and should avoid any personal or professional conduct which might conflict with the interest of the County. Each employee is expected to dress appropriately for the job, under the guidance of his or her supervisor as to what is proper. Common sense, cooperation, and courtesy are expected in all dealings with fellow employees and the public.

### Courtesy

Service to the public and fellow employees is of paramount importance. Employees should carry out this responsibility by extending every courtesy and all assistance necessary, not only to the public but to fellow employees as well. When asked for assistance they are unable to give, employees should refer the person needing assistance to their supervisor.

This handbook cannot define every standard of conduct for every circumstance. Employees should direct questions about standards of conduct to their supervisors.

**All employees shall conduct themselves in a business-like manner. Employees engaging in unacceptable conduct are subject to disciplinary action up to and including immediate termination of employment. This list does not modify the at-will relationship between Oklahoma County and its employees. Unacceptable conduct includes, but is not limited to, the following:**

- 1) Insubordination including but not limited to refusal or failure to perform work as assigned or refusal or failure to comply with safety and health rules and regulations that could threaten or endanger someone's life or health.
- 2) Threatened or actual physical violence.
- 3) Theft or unauthorized attempted removal of the property or material of Oklahoma County or any employee or other party conducting business with Oklahoma County. The employee will be subject to civil and criminal prosecution.
- 4) Violation of the Oklahoma County concealed weapons policy.
- 5) Loafing or sleeping on the job.
- 6) Carelessness, neglect of duty, or disruption of the workforce or work operations.
- 7) Acceptance of any gifts, money, or special privileges given or accepted with the intent of influencing the employee's job performance.
- 8) Spreading rumors or gossiping.
- 9) Harassment or ridicule of other employees, vendors, members of the public, or customers that is based upon race, color, national origin, sex, religion, age, disability, or veteran status.
- 10) Possession, consumption, or being under the influence of alcohol, illegal or non-prescribed drugs or substances in the workplace or anywhere during working or duty hours.
- 11) Possession of unauthorized firearms, other lethal weapons, or explosives in the workplace.
- 12) Making false or malicious statements about a customer, employee, member of the public, or supervisor of the County.
- 13) Physical or verbal assault on members of the public, supervisors, or co-workers.
- 14) Horseplay, unsafe conduct or actions, or interference with others.
- 15) Refusal to accept work assignments or comply with written or verbal instruction from a supervisor.
- 16) Violation of Oklahoma County's attendance policy.
- 17) Use of abusive language or any other rude or offensive conduct in the workplace.
- 18) Recording another's time, causing another employee to record time for self, or failing to record time.
- 19) Negligence or carelessness resulting in danger, damage, or loss to County property or that of fellow employees and members of the public.
- 20) Falsification of records, reports, or other documents.
- 21) Abandoning your job by walking off shift without permission of your supervisor.
- 22) Engaging in any immoral, indecent, or illegal act on County property or while on duty.
- 23) Misuse, disclosure, or removal of any original or duplicate of confidential County, employee, or other confidential information.
- 24) Failure to report loss or theft of County property.
- 25) Failure to report accidents involving the public, County property, or County employees.

- 26) Excessive personal phone calls or outside visitors.
- 27) Violations of local, state, or federal laws or County policies and procedures.
- 28) Removal of County property from a County facility or jobsite without specific approval of the supervisor.
- 29) Conviction of a felonious act while a County employee. Suspension without pay may occur during formal investigation of charges.
- 30) Disqualification, loss of license or certification required for the performance of the job, or inability to perform essential job functions.
- 31) Use of County vehicles, County money, County property, or County time for political purposes. Political activity among employees while not on duty is strictly optional and voluntary, never a condition of employment.

## **2.8 Weapons**

Oklahoma County intends to maintain a work environment free of danger. Oklahoma County, therefore, prohibits the possession, transfer, sale, or use of the following items on its premises (except properly secured firearms in a locked vehicle only as allowed by State law):

- Firearms and ammunition
- Switchblade knives, knives with a blade longer than four (4) inches, corkscrews, razor blades
- Dangerous chemicals, chemical sprays
- Explosives

Nothing in this policy is meant to violate State or Federal laws that supersede this policy. Other objects carried for the purpose of injuring or intimidating other people may be considered dangerous items. This prohibition includes all handguns even if the individual has a valid license to carry a handgun. If any employee observes any dangerous item on Oklahoma County property, the employee is under a duty to report the item to his or her Elected Official or the official's representative. Violation of this policy will result in discipline, up to and including termination.

## **2.9 Conflict of Interest**

Oklahoma County employees cannot pursue activities that may conflict with the general welfare of Oklahoma County or have the appearance of impropriety or might damage Oklahoma County's reputation or interfere with its business or proper performance of any employee's duties. Kickbacks are prohibited. If an employee has knowledge of a kickback being offered to a County employee, he or she must immediately report it to his or her supervisor, a member of management, the Human Resources Director, a County Commissioner, or another elected official.

## **2.10 Job Responsibilities**

Employees should understand that temporary needs within their office can require shifting of responsibilities and require an employee to assume some responsibilities not included in their assigned position. An employee's job responsibilities, job title, pay, and work area may be modified with or without notice to the employee as each employee serves at the will of his or her Elected Official.

## **2.11 Attendance**

Oklahoma County expects regular and prompt attendance from employees. Excessive unscheduled or unexcused absences, tardiness, and leaving the job early without prior supervisory approval are all unacceptable. If the number is excessive, regardless of cause, the employee may be subject to disciplinary action up to and including discharge.

A written release from a physician specifying the dates of disability and a return to work date may be



required before returning to work after absences of three (3) or more consecutive days. Employees are expected to personally notify their supervisor at least one (1) hour prior to the beginning of their assigned shift if they are going to be absent from or late to work. Notification requires direct contact with their supervisor or designee, not leaving a message with other individuals. Notification must be made by the employee, not another person. This notification is required for each day absent unless it is understood by your supervisor that you will be absent for a certain number of days. Employees are responsible for knowing their appropriate call-in numbers for both regular hours and off-hours. An employee who is denied permission to take a day off and proceeds to be absent will be considered to have abandoned his or her job which is voluntary resignation.

## **2.12 Employment Status and Classification**

At the time of hire or promotion, the Elected Official or his or her representative will notify the employee of his or her job classification which will be set in accordance with the Fair Labor Standards Act (FLSA) guidelines.

**Full-time:** an individual who works forty (40) hours per week or is allowed to work up to one hundred seventy-one (171) hours during a twenty-eight (28) day cycle.

**Part-time:** an individual who works fewer than forty (40) hours per work week.

**Temporary:** an individual who works for a season or short term, not exceeding ninety (90) calendar days per year. The period of time may be extended once, not to exceed ninety (90) additional days, with the approval of the Elected Official or his or her representative.

**Exempt:** an individual whose job classification is not subject to the Federal minimum wage or overtime pay requirements of the Fair Labor Standards Act [i.e. Elected Officials, department directors, first and second deputies of record filed in the County Clerk's office, other administrative personnel designated by their Elected Officials, and all other employees deemed "Exempt" by the Fair Labor Standards Act, 29 U.S.C. §213]. Exempt employees do not earn or accrue compensatory time.

## **2.13 Scheduling and Work Hours**

Each employee shall be assigned a schedule of working hours. The work schedule may be changed at any time to meet the needs of Oklahoma County.

Multiple shifts or overtime may be required as determined by management. Oklahoma County will give as much advance notice as possible when the scheduling of multiple shifts or overtime is necessary. Refusal to work overtime may result in disciplinary action up to and including termination. Each employee is responsible for checking the schedule to verify his or her work assignment.

The length and scheduled start time of a lunch period may vary according to the scheduled hours or the office and working requirements. Lunch periods are not paid. The provision and scheduling of break periods are at the discretion of management and may be dictated by work demands.

## **2.14 Time Recording**

Oklahoma County is required by law to keep accurate records of the actual hours worked by employees each day and each workweek or work period. Employees must accurately record their regular hours worked, meal periods, overtime, absences, holidays, and vacations. Paychecks will be calculated according to the information shown on time records unless the information is determined to be erroneous.

### **Exempt Employees**

Exempt employees shall record their actual hours worked. The actual hours reported by exempt employees will not be used to dock pay unless the employee is off for a full day or more and has exhausted all leave benefits.

Exempt employees who work a minimum of half their shift each day for the purposes of leave accruals and timekeeping shall be considered to have worked the full daily shift. Exempt employees who work less than half their shift shall accurately record all leave hours used. Abuse of this policy may subject the exempt employee to disciplinary action.

#### Non-exempt Employees

Employees who are subject to the minimum wage and overtime requirements of the FLSA (non-exempt employees) must record their time at work. All non-exempt employees of Oklahoma County are governed by the following standard work regulations:

- Arrive at the workplace allowing sufficient time to clock in or check in and start work on time.
- Accurately record clock in or check in time immediately prior to starting work, immediately before and after meal periods (if required), and when leaving at the end of the work shift or when leaving the premises for approved personal reasons.
- Do not clock in or check in for another employee or otherwise record another employee's time.
- Get supervisor approval of corrections or alterations as soon as possible to validate the time record.
- Do not work overtime that is not authorized and approved by a supervisor.

Employees who fail to clock in or check in or clock out or check out or otherwise accurately record their time may be subject to discipline up to and including immediate discharge. Failure of an employee to seek approval prior to working overtime may subject the employee to disciplinary action up to and including termination. Hours worked will be reported in 15-minute increments. Employee time from 1 to 7 minutes in the 15-minute increment will be rounded down and not counted as time worked; employee time from 8 to 14 minutes in the 15-minute increment will be rounded up and counted as a quarter hour of time worked.

### **2.15 Supervision/Hiring of Relatives**

Each Elected Official will use his or her discretion to determine whether one employee may supervise another employee to whom he or she is related in any of the following ways:

Spouse	Child	Stepchild
Parent	Stepparent	Parent-in-law
Legal guardian	Brother	Sister
Brother-in-law	Sister-in-law	Grandparent
Grandchild	Uncle	Aunt
Nephew	Niece	First cousin

Should marriage occur between employees that results in a potential violation of the above policy, both employees have an affirmative duty to promptly advise management of their marriage. Supervisors are responsible for continually updating their Human Resources representative of status changes and conflicting hiring. Any employee or supervisor who fails to follow this policy or advise Human Resources of a change in relationship will be subject to discipline up to and including termination.

### **2.16 Employee Requirements for Driving County Vehicles**

- 1) Be at least 18 years of age, have a valid Oklahoma driver's license, and have all Oklahoma driver's license endorsements required for the position. Oklahoma County may run a motor vehicle records check on driving employees.
- 2) Present proof of current motor vehicle insurance and inform Oklahoma County of any change in insurance status. The County will keep a copy of proof of insurance on file for drivers of County vehicles.
- 3) Keep a copy of the Oklahoma County self-insurance paperwork in the glove compartment of the Oklahoma County vehicle currently in use.

- 4) Use Oklahoma County vehicles only for Oklahoma County business. Non-county employees are prohibited from traveling in County vehicles or in personal vehicles being used for Oklahoma County business without prior authorization from management.
- 5) Obey all traffic and safety laws. The driver and any passengers must wear seat belts at all times.
- 6) Do not eat, smoke, or use cell phones while driving (law enforcement exempted). Vaping and the use of tobacco are always prohibited in County vehicles.
- 7) Call the police if involved in an accident, and file a police report as well as the required Oklahoma County incident report.
- 8) Check the condition of the vehicle before driving including (but not limited to) the mirrors, tires, and lights. Any materials or cargo that might fall or blow off must be appropriately secured, and any item extending beyond the vehicle must be flagged and transported safely and legally.
- 9) Never drive a vehicle that is not in proper working condition. Vehicle problems should be reported to the supervisor immediately.
- 10) Report any citation/ticket received in an Oklahoma County vehicle except for parking tickets. Any citation or ticket received by an employee driving an Oklahoma County vehicle is solely the responsibility of the person who received it. Passengers who are ticketed are also responsible for paying any fines they receive.  
Failure to adhere to these guidelines may result in loss of privilege to drive for Oklahoma County and in discipline up to and including termination.
- 11) Be aware that take-home vehicles are subject to appropriate IRS taxation.

When driving is a condition of employment, the employment offer will be contingent upon satisfactory proof of an acceptable driving history.

No vehicle on County business shall be operated by an improperly licensed driver or by anyone whose driving record does not meet County standards.

#### Standards

- 1) All persons operating a motor vehicle on behalf of Oklahoma County must have a valid driver's license appropriate for the type of vehicle being driven.
- 2) No authorized operator shall relinquish operation of a County vehicle to an unauthorized individual unless an emergency exists.
- 3) Operators will receive proper instruction from their supervisor or other qualified person regarding County vehicles and equipment before being authorized to operate them. Authorization will include a test drive.
- 4) When private vehicles are used for County business, owners of the private vehicles will assure to the supervisor that the vehicle is in operable mechanical condition and is insured as required under Oklahoma law.
- 5) An unacceptable driving record is defined as either of the following:
  - Being convicted of a major traffic offense such as driving while under the influence of intoxicants, hit-and-run, reckless driving, fleeing from or trying to elude a police officer, driving with a suspended or revoked license, or being a habitual offender as defined by Oklahoma Statute.
  - Three or more moving violations.

#### **2.17 Drugs and Alcohol**

Oklahoma County does not want employees under the influence of drugs or alcohol to have a detrimental effect upon the high standards of conduct and performance to which the County adheres or to risk the health and safety of themselves or others. Accordingly, Oklahoma County prohibits the following conduct:

- Use, possession, sale, purchase, or transfer of illegal drugs by employees or contractors while on the job or while on Oklahoma County property.
- Use or possession of alcohol or illegal drugs while operating Oklahoma County vehicles or equipment.
- Consumption, possession, or sale of alcoholic beverages on Oklahoma County property unless expressly authorized by the Board of County Commissioners.
- Being under the influence of alcohol or illegal drugs while on the job or while on Oklahoma County property or at the time of testing during the hiring process.
- Working while under the influence of a legal drug if safety is compromised or if job performance is significantly affected.
- Abuse of legal drugs while on the job including, but not limited to, distribution, abusive use, or selling.

Any employee convicted under a criminal drug statute for violations occurring in the workplace must inform Oklahoma County of such conviction within five (5) days of the date of conviction.

Oklahoma County complies with the Oklahoma Medical Marijuana Act and will not discriminate, retaliate, discharge, or threaten an employee, or refuse to hire an applicant based upon his or her certification as a medical marijuana license holder.

#### Definitions and Scope

**Alcohol:** The term *alcohol* means ethyl alcohol or ethanol. A person is considered to be “under the influence of alcohol” if the individual has a confirmed positive test for alcohol.

**Illegal drug:** The term *illegal drug* means the following drugs and their metabolites unless they are specifically prescribed for the employee’s personal use by a licensed practitioner:

- Marijuana
- Opiates, synthetic narcotics including codeine, hydrocodone, hydromorphone, meperidine, methadone, oxycodone, propoxyphene, heroin, and morphine
- Cocaine
- Phencyclidine (PCP)
- Amphetamines including methamphetamines, methylenedioxyamphetamine, methylenedioxymethamphetamine, and phentermine
- Barbiturates including amobarbital, butalbital, pentobarbital, and secobarbital
- Benzodiazepines including diazepam, chlorodiazepam, alprazolam, and clorazepate
- Methaqualone
- Drugs for which the United States Division of Health and Human Services has established an approved protocol and positive threshold level.

**Legal drug:** The term *legal drug* means a prescribed drug and an over-the-counter medicine that has been legally obtained and used in the recommended dosage for the purposes for which it was prescribed or manufactured.

**Reasonable suspicion:** The term *reasonable suspicion* means a belief that an individual is using or has used drugs or alcohol in violation of Oklahoma County policy, which belief is drawn from specific objective articulable facts and reasonable inferences drawn from those facts in light of Oklahoma County management’s experience, such as

- physical symptoms or manifestations of being under the influence of a drug or alcohol while at work or on duty, or the direct observation of drug or alcohol use while at work or on duty.
- a report of drug or alcohol use while at work or on duty, provided by reliable and credible sources and which has been independently corroborated.
- evidence that an individual has tampered with a drug or alcohol test during the individual’s employment with Oklahoma County.

- evidence that an individual is involved in the use, possession, sale, solicitation, or transfer of drugs while on duty or while on Oklahoma County premises or operating Oklahoma County vehicles, machinery, or equipment.

**Confirmation test:** The term *confirmation test* refers to retesting a specimen to check a previous positive result. If an individual tests positive on a drug or alcohol test, a confirmation test will be conducted on the same sample. If the confirmation test result is positive, the individual will be considered to have a confirmed positive test result.

### Drug and Alcohol Testing

Oklahoma County may require an individual to undergo a test for drugs and/or alcohol under the following circumstances:

- An applicant has received a conditional offer of employment. *A positive test or refusal to test shall result in withdrawal of the conditional offer.*
- An employee is to drive Commercial Motor Vehicles (CMV) which require a Commercial Driver's License (CDL). *Testing is required and conducted pursuant to federal law or regulation through the Department of Transportation.*
- Oklahoma County has reasonable suspicion that an individual has engaged in conduct prohibited by this policy.
- Oklahoma County has reasonable suspicion that an individual has sustained a work-related injury or that Oklahoma County property has been damaged because of the use of drugs or alcohol by an employee or contractor.
- An employee is randomly selected to undergo drug or alcohol testing. The following individuals are subject to random testing: police or peace officers, employees with drug interdiction responsibilities, employees who are authorized to carry firearms, employees who are engaged in activities which directly affect the safety of others, employees who work in direct contact with inmates, and employees working in direct contact with juvenile delinquents or children in need of supervision.
- An employee returns to work following successful completion of a drug and/or an alcohol rehabilitation program in lieu of dismissal or following a positive test that did not result in dismissal. The employee shall be required to submit to a minimum of six (6) unannounced drug and/or alcohol tests at his or her expense within twelve (12) months from the date the individual returns to work.

### Confidentiality

Any individual who receives a positive drug and/or alcohol test result or has otherwise violated Oklahoma County's drug and alcohol policy will be given an opportunity to offer an explanation, in confidence, to the Medical Review Officer (MRO).

All information relating to employee drug and/or alcohol testing will be treated with strict confidence. All records relating to drug and/or alcohol testing will be kept in the Oklahoma County Health and Safety Department separate from personnel files, and records will be maintained in a secure location with controlled access.

### Testing Procedures

Testing will happen during or immediately after the individual's regular work period and will be treated as work time for purposes of compensation for current employees. Samples will be collected only by individuals qualified by the Oklahoma State Board of Health or other designated regulatory body. Testing will be done at laboratory facilities licensed by the Oklahoma state Board of Health or other designated regulatory body. In conjunction with a drug or alcohol test, and individual has the right to provide notification of any information he or she considers relevant to the test including identification of currently or recently used prescription or nonprescription drugs. All regulations and

procedures used to test for drugs and alcohol are found in 49 CFR 40, and 49 CFR 382; they are incorporated into this policy by reference.

#### Disciplinary Actions

Oklahoma County may temporarily suspend or transfer an employee or contractor who tests positive for drugs or alcohol while awaiting results of a confirmation test. If a positive test result is confirmed, Oklahoma County may take disciplinary action up to and including discharge of the employee or barring the contractor from further work for Oklahoma County.

Oklahoma County may take similar disciplinary action against an individual who refuses to undergo a drug or alcohol test.

Subject to applicable State and Federal law, an employee discharged because he or she refused to undergo drug or alcohol testing or because of a confirmed positive test result may be considered to have been discharged for misconduct for purposes of unemployment compensation benefits and may be disqualified from unemployment benefits.

Concerns or questions relating to Oklahoma County's drug and alcohol policy should be referred to the Human Resources office.

#### Appeal Procedures

Within 24 hours of receiving notice of a positive test, an individual may request a subsequent confirmation test of a sample. The individual shall pay all costs of the confirmation test unless the confirmation test reverses the findings of the challenged positive test; if the confirmed test reverses the initial findings, Oklahoma County will reimburse the individual for the cost of the subsequent confirmation test.

An individual who is aggrieved by an alleged violation of the Oklahoma Standards for Workplace Drug and Alcohol Testing Act may file a civil action within one (1) year of the alleged willful violation.

## **2.18 Medical Marijuana**

Oklahoma County fully complies with the terms and conditions of the Oklahoma Medical Marijuana Act. Oklahoma County will not discharge, threaten, or refuse to hire or otherwise discriminate or retaliate against an employee or applicant based upon his or her certification as a medical marijuana license holder with results of a drug test showing positive for marijuana or its components except as provided below.

Oklahoma County prohibits all employees, including those with a medical marijuana license, from using, being under the influence of, or possessing marijuana while on the County's premises, off site locations, or in the parking areas of the Oklahoma County Sheriff's Office and the Oklahoma County Juvenile Bureau during the employee's hours of employment. This prohibition also applies to customer, client, or other third-party locations or premises where an employee is performing work or providing service on behalf of the County.

Employees in any Oklahoma County position or department which is subject to federally mandated drug testing, including tests for marijuana, are not protected under this policy. Federally mandated testing applies but is not limited to Sheriff Deputies, Probation Officers, Corrections Officers, Detectives, CDL/CMV holders, and other staff in safety-sensitive positions. Safety-sensitive jobs are those that include tasks or duties that the employer reasonably believes could affect the safety and health of the employee performing the task. Safety-sensitive tasks include but are not limited to

- Handling, packaging, processing, storage, disposal, or transport of hazardous materials
- Operation of a vehicle, equipment machinery, or power tools
- Repairing, maintaining, or monitoring the performance or operation of any equipment, machinery, or manufacturing process, the malfunction or disruption of which could result in injury or property damage

- Performing firefighting duties
- Operation, maintenance, or oversight of critical services and infrastructure including but not limited to electric, gas, and water utilities, power generation or distribution
- Extraction, compression, processing, manufacturing, handling, packaging, storage, disposal, treatment, or transport of potentially volatile, flammable, combustible materials, elements, chemicals, or any other highly regulated component
- Dispensing pharmaceuticals
- Carrying a firearm
- Direct patient care or direct childcare.

The Oklahoma Medical Marijuana Act shall in no way limit Oklahoma County's ability to discipline an employee for being under the influence of medical marijuana in the workplace or for working while under their influence of medical marijuana when the employee's conduct falls below the standard of care normally accepted for that position. An employee shall be considered under the influence when fifteen (15) or more nano grams of active THC are present in the employee's test result. Oklahoma County may refuse to hire a prospective employee or terminate an existing employee who is certified to use medical marijuana if his or her job duties are considered safety sensitive.

### **2.19 Smoking, Vaping, and Tobacco Use**

Oklahoma County intends to promote and provide a healthy workplace by establishing a policy to regulate the use of tobacco and designating the Oklahoma County campus as a tobacco-free zone. No use of tobacco or vaping is allowed in any Oklahoma County building, property, or facility including Oklahoma County vehicles.

Violation of these tobacco-free policies will result in disciplinary action which may include termination of employment.

### **2.20 Release of Information**

Government, state, and media inquiries (including unannounced visits) are to be handled by authorized management representatives only. Unauthorized persons are not to provide information to outside parties on behalf of the County.

### **2.21 Outside Employment**

Employees who wish to work outside of their Oklahoma County employment shall be allowed to do so as long as the type of secondary employment does not conflict, compromise, or interfere with employees' ability to perform their job duties.

Oklahoma County prohibits employees from performing paid or unpaid work for any outside enterprise, including the employee's own business, if doing so would create the potential for a conflict of interest with the employee's job duties or diminish public confidence in Oklahoma County.

Oklahoma County also prohibits any employee who is using family medical leave for his or her own medical condition from working as a paid employee for another employer during his or her regularly scheduled County work hours.

### **2.22 Personal Visitors at Work**

Personal visitors should be limited during work hours. Much of Oklahoma County's property is accessed and used by the public, but non-employees in restricted areas should be immediately reported to management.

## 2.23 Personal Communications at Work

Personal phone calls, texts, emails, etc. are permitted, but they should be limited and preferably made during lunch and break periods. Personal long distance phone calls should not be charged to Oklahoma County; if they are, the employee must promptly and fully reimburse the County. Excessive personal communication will lead to disciplinary action up to and including termination.

## 2.24 Information System Security

The security policy set forth by the Oklahoma County Board of County Commissioners' Information Technology (IT) Department consists of six (6) specific components:

### Acceptable Use Policy

The Acceptable Use policy expresses what actions, conditions, and data are acceptable to use on the network as well as those that are unacceptable. Generally, the policy outlines best practices and provides a framework of acceptable and unacceptable conditions.

### Password Policy

The Password policy expresses the conditions necessary for logging into computer systems.

### E-mail Use and E-mail Records Policy

The E-mail (electronic mail) policy expresses the conditions necessary for communicating information via the Oklahoma County e-mail system. The e-mail policy also provides a framework of practices for e-mail limitations, storage, and retrieval.

Internet/Intranet/Extranet-related systems (including but not limited to computer equipment, software, operating systems, storage media, network account providing electronic mail, WWW browsing, and FTP) are the property of Oklahoma County. These systems are to be used for business purposes in serving the interests of the organization and its constituents during normal operations. Every computer operator is responsible for knowing the following guidelines and conducting his or her activities accordingly.

- 1) Management does not guarantee the confidentiality of information stored on any network device belonging to Oklahoma County.
- 2) Each Elected Official is responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. If employees are uncertain about departmental policies on personal computer use, they should consult their supervisor.
- 3) Authorized employees within Oklahoma County may monitor equipment, systems, and network traffic at any time per IT's Audit Policy.
- 4) Elected Officials reserve the right to audit networks and systems on a periodic basis to ensure compliance with this policy.
- 5) The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or not confidential as defined by County confidentiality guidelines. Employees should take all necessary steps to prevent unauthorized access to confidential information.
- 6) Passwords should be kept secure, and accounts should not be shared. Authorized users are responsible for security of their passwords and accounts. User passwords should be changed every three (3) months.
- 7) When unattended by the user, he or she should log off a PC, laptop, or workstation, or it should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less.
- 8) Use encryption of information in compliance with IT's Acceptable Encryption Use policy.
- 9) As portable computers are especially vulnerable, exercise extra care with laptops by following "Laptop Security Tips" found on the Oklahoma County Elected Official's Intranet.



- 10) Postings by employees from an Oklahoma County email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Oklahoma County, unless posting is in the course of business duties.
- 11) All hosts used by the employee that are connected to the Oklahoma County Internet/Intranet, Extranet, whether owned by the employee or Oklahoma County, shall be continually executing approved virus-scanning software with a current virus database unless the employee has written approval by the Elected Official's IT to do otherwise.
- 12) Employees must use extreme caution when opening email attachments received from unknown senders as those attachments may contain viruses, email bombs, or Trojan horse code.

#### Prohibited Computer System and Network Activities

- 1) Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations including, but limited to, installation or distribution of pirated software or other products not appropriately licensed for use by Oklahoma County.
- 2) Unauthorized copying of copyrighted material including but not limited to digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Oklahoma County or the end user does not have an active license.
- 3) Exporting software, technical information, encryption software, or technology in violation of international or regional export control laws. Appropriate management should be consulted prior to the export of any material that is in question.
- 4) Introduction of malicious programs into the network or server such as viruses, worms, Trojan horses, and email bombs.
- 5) Revealing account passwords to others or allowing use of a personal account by others (including family and other household members).
- 6) Using an Oklahoma County computing asset to procure or transmit material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- 7) Fraudulently offering products, items, or services from any Oklahoma County account.
- 8) Making statements about warranty, expressly or implied, unless they are part of normal job duties.
- 9) Causing security breaches or disruptions of network communication. Security breaches include but are not limited to accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not authorized to access. For purposes of this section, "disruptions" include but are not limited to network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- 10) Port scanning or security scanning, unless prior notification to IT is made.
- 11) Executing any form of network monitoring which will intercept data not intended for the employee's host unless this activity is part of the employee's normal job or duty.
- 12) Circumventing user authentication or security of any host, network, or account.
- 13) Interfering with or denying service to any user other than the employee's host.
- 14) Using any program or script or command, or sending messages of any kind with the intent to interfere with or disable a user's terminal session via any means locally or via the Internet/Intranet/Extranet.
- 15) Providing information about or lists of Elected Official's employees to anyone without the written consent of the Elected Official.
- 16) Sending unsolicited email messages including junk mail or advertising material to individuals who did not request such material.
- 17) Any form of harassment via email.
- 18) Unauthorized use or forging of email header or footer information.
- 19) Solicitation of email for another email address with the intent to harass or to collect replies.

- 20) Creating or forwarding chain letters or Ponzi or other pyramid schemes of any type.
- 21) Posting non-business-related messages to large numbers of Usenet newsgroups.

### **2.25 Gifts or Gratuities**

Solicitation or acceptance of gifts or gratuities in exchange for special consideration or the award of a contract for goods or services from vendors, potential vendors, or customers is prohibited. Examples of gifts or gratuities include but are not limited to the following: money, free meals, tickets to events, trips, and personal services.

### **2.26 Political Activity**

Besides Elected Officials, no employee shall participate in partisan politics while on duty. This means devoting time or labor during usual office hours towards the campaign of any candidate for office or for the nomination to any office.

### **2.27 Departmental Personnel Policies**

Oklahoma County Elected Officials or their representatives may make departmental personnel policies consistent with the Oklahoma County Employee Handbook governing the conduct and performance of employees—provided that before such departmental personnel policies take effect, they are written and approved by the Oklahoma County Budget Board for consistency with the Oklahoma County Employee Handbook and then adopted by the Board of County Commissioners. All such approved departmental/office personnel policies shall be published and a copy furnished to each employee to whom they apply, at which time they shall have the force and effect of personnel policies of the Oklahoma County Employee Handbook.

### **2.28 Professional Development**

Employees are expected to become and remain current on technical matters affecting their office or position. Scheduling of personal time for professional development shall be the sole responsibility of the employee and should be on the employee's time except when conferences or schools are approved by the Elected Official or his or her representative. Employees may be encouraged to join professional organizations, but participation shall not be required unless necessary for the job.

### **2.29 Continuing Education Tuition Reimbursement Program**

Oklahoma County supports employee development by offering tuition reimbursement to eligible employees who complete relevant education pursuant to 19 O.S. §339 A5 and BOCC Resolution 2020-708.

#### Procedures

- 1) The BOCC Human Resources Office will administer the program subject to available funding and approval by the Board of County Commissioners.
- 2) To be eligible for tuition reimbursement, and employee must
  - be a full-time employee who has completed five (5) consecutive years of employment with Oklahoma County.
  - be enrolled in an educational institution within the Oklahoma State System of Higher Education.
  - pursue a degree, course, or other certification in a field relevant to employment with the County.
  - take for-credit course work related to a field in which Oklahoma County recruits.

- submit a Tuition Reimbursement Application to the BOCC's Human Resources Office no sooner than thirty (30) calendar days prior to and no later than thirty (30) calendar days after the beginning of the quarter, semester, or other period for which tuition reimbursement is requested.
  - submit a Tuition Reimbursement Application for each quarter, semester, or other period for which tuition reimbursement is requested.
  - commit to one year of employment with Oklahoma County from the date of the last tuition reimbursement.
- 3) All courses must be taken outside of work hours unless the employee's Elected Official or representative gives written approval of an irregular work schedule. Employees with approved irregular work schedules will attend classes on their own time and will not receive pay for time spent in class.
  - 4) Reimbursement for educational assistance to any employee shall be limited to a maximum of \$1,500 per semester, \$2,500 per calendar year, and a lifetime maximum of \$10,000.
  - 5) Exclusions
    - Employees are not eligible for tuition reimbursement if they are on leave-without-pay status.
    - Employees who have been formally disciplined within one year prior to submitting their application are not eligible for tuition reimbursement.
    - Training or courses required and paid for by an employee's office are not covered under the Continuing Education Tuition Reimbursement Program.
  - 6) Acceptance or Denial
 

The BOCC Human Resources Office will notify the applicant in writing of approval or denial within three weeks of receiving the application.
  - 7) Payment Guidelines
    - Employees will be eligible to receive no more than the IRS tax-exempt limit for tuition reimbursement per calendar year.
    - Eligible employees will receive tuition reimbursement as follows:
      - a. 100% reimbursement up to the tuition reimbursement limit for employees with an A or B average.
      - b. 75% reimbursement of the tuition reimbursement limit for employees with a C average or a passing grade for a pass/fail course.
      - c. No reimbursement for employees with a D average or lower.
    - Reimbursement for a College Level Examination Program (CLEP) will be treated the same as tuition.
    - Educational costs such as books, tests, transportation, and room and board are the responsibility of the employee.
    - Applicants are encouraged to seek other sources of financial assistance. Receipt of other financial assistance will be considered to determine a final reimbursement amount.
  - 8) Receiving Payment
    - Within thirty (30) days of course completion, the employee must submit the following to the BOCC Human Resources Office:
      - a. A report indicating a passing grade (if a pass/fail course) of "C" or higher for each course or other evidence of satisfactory completion.
      - b. Proof of payment with an itemized financial statement.
      - c. Documentation of any additional educational financial assistance received.
    - The BOCC Director of Health and Safety or designee may grant extensions for the completion of course work for medical and military reasons.

- Employees working on a thesis or dissertation may submit a letter from their professor stating that satisfactory progress is being made towards degree completion. An incomplete must be made up within one year.
- 9) Employees accepted under this program will be required to sign an agreement that will include repayment terms and conditions.

### **2.30 Discharge**

Each Elected Official reserves the right to discharge any employee at any time with or without cause and with or without advance notice. Employment does not constitute an expressed or implied contract of continued or future employment for any employee, nor is an employee guaranteed any procedure such as reprimand, warning, or probation. Each Elected Official reserves the right to evaluate each instance of misconduct to determine the severity of corrective action to be taken up to and including discharge. Since employment is “at will,” circumstances may also arise in which someone’s employment is terminated by an Elected Official or his or her representative for reasons unrelated to misconduct.

Upon an employee’s termination of employment, all Oklahoma County-owned equipment and uniforms issued to that employee must be returned prior to departure from employment. The employee’s supervisor must verify the return of such equipment prior to the issuance of that employee’s final paycheck. Any deduction from the employee’s final paycheck cannot make the employee’s final wage lower than minimum wage.

### **2.31 Voluntary Termination**

Each Elected Official will consider an employee to have voluntarily terminated employment if the employee resigns from County employment in writing. To resign in good standing, the employee must give his or her Elected Official (or human resources representative) the written resignation within fourteen (14) days prior to his or her departure. The last day the employee is actively at work will be considered the date of termination. At the discretion of the Elected Official, the employee may be released prior to the resignation date since all employment is at-will.

An employee will also be considered voluntarily terminated if the following occurs:

- Employee does not return to work at the completion of an approved leave of absence.
- Employee is absent from work for two consecutive days without contacting his or her supervisor for approval (“no-call, no-show”).
- Employee walks off the job during the work shift without supervisory permission.

Voluntary termination has the same return of equipment policy as that of discharged employees.

### **2.32 County Property for Employee Use**

Desks, storage devices, and vehicles may be provided for the convenience of employees but remain the sole property of Oklahoma County. These items can be inspected at any time, with or without prior notice, even if they are locked.

### **2.33 Whistleblowers and Retaliation**

An employee who reports a suspected incident of fraud, discrimination, harassment, illegality, or a safety/health/security concern, or assists in an investigation shall be protected from retaliation. Examples of retaliation are denial of promotion, refusal to hire, denial of job benefits, demotion, suspension, discharge, threats, reprimands without cause, negative evaluations without cause, or harassment. The source of retaliation may be from a manager or supervisor, or it may be from an employee or group of employees. If an employee believes he or she has experienced retaliation for

making a genuine report or assisting in an investigation, the employee should report this as soon as possible to his or her Human Resource representative or Elected Official. In the event the Elected Official is the source of the retaliation, the employee should report it to any other Elected Official. Retaliation towards an employee who has come forward to raise a genuine concern under this policy or has participated in an investigation of a suspected violation under this policy will be grounds for disciplinary action up to and including termination. Whistleblowing does not, however, protect the employee from disciplinary action for his or her involvement if found to be in violation of this policy.

### **2.34 Posting in Public Areas**

Only those items pertaining to Oklahoma County business will be posted or displayed in public areas of Oklahoma County Office Buildings. All other items will be removed. All postings must be pre-approved by the Board of County Commissioners.

## **SECTION 3: COMPENSATION**

### **3.1 Workweek and Work Period**

Except those classified as law enforcement or detention officers, all Oklahoma County employees have a forty (40) hour workweek which commences as 12:00 A.M. on Sunday and ends at 11:59 P.M. the following Saturday.

29 C.F.R. § 553.230 provides that the work period for law enforcement and detention officers begins at 12:00 A.M. on Sunday and continues on a twenty-eight (28) day cycle ending at 11:59 P.M. on Saturday four (4) weeks later. The work period for law enforcement and detention personnel is intended to qualify for the exemption permitted under Section 7(K) of the Fair Labor Standards Act (FLSA), as amended.

### **3.2 Overtime**

Employment positions are classified as exempt or non-exempt under the provisions of the Federal Wage and Hour Law. Employees in exempt positions are normally not eligible for overtime pay. Employees in non-exempt positions are eligible for overtime pay if the work is authorized. The employee must have prior approval from his or her supervisor to work extra hours; however if worked, overtime must be compensated, whether approved or not, if the work was known or should have been known by the Supervisor.

### **3.3 Compensatory Time in Lieu of Wages**

Hours worked by regular non-exempt employees in excess of forty (40) hours per workweek or in excess of one hundred seventy-one (171) hours in a twenty-eight (28) day work period for law enforcement and detention non-exempt employees will be compensated with compensatory time off rather than the payment of wages. Any non-worked scheduled leave time during that same workweek or work period does not count toward the number of hours worked to earn overtime. Regular non-exempt employees, and non-exempt law enforcement employees and detention officers accumulate compensatory time at the rate of one and one-half (1½) hours for each hour of overtime worked.

### **3.4 Working for More than One Elected Official**

Employees may be working full-time for one Oklahoma County office and part-time for another Oklahoma County office. In that situation, FLSA overtime rates are applicable if the employee is non-exempt. The hours worked at both jobs would be combined in computing any overtime compensation

due. An exception exists for “occasional” or “sporadic” part-time work done for the same public agency but in a different capacity than the employee’s regular job. The employee must freely and at his or her own option enter into such activities, and these activities must not be within the same general occupational category as the employee’s regular work. It is not advisable to rely on this narrow exception without further legal advice.

### **3.5 Payment of Wages**

All Oklahoma County Elected Officials and employees shall be paid monthly on the last working day of each month. The pay period shall start the 21<sup>st</sup> of the month before the scheduled payday and end on the 20<sup>th</sup> of the month in which the payday is scheduled. Oklahoma County allows direct deposit or pay card for payment of wages. Deposit advices will normally be distributed by 9:00 a.m. on the day before a regular payday. When payday falls on a holiday or other non-scheduled workday, employees will normally be paid on the last preceding workday.

Only deductions required or permitted by law or authorized by the employee will be withheld from the employee’s pay. Those required by law are federal income tax, state income tax, Social Security tax, Medicare Tax, levies, and garnishments. Examples of deductions which may be authorized by the employee include group health insurance, optional insurance plans, and other optional deductions.

Any questions about a paycheck should be directed to your Human Resources representative or the County Clerk’s Payroll division or the County’s Retirement and Benefits Department.

Upon termination of County employment, Oklahoma County shall pay the employee’s wages in full, less offsets, at the next regularly designated payday for the pay period in which the final work was performed either through a regular pay channel or by certified mail if requested by the employee.

### **3.6 Employee Attendance Recordkeeping**

All Oklahoma County employees, both Non-Exempt and Exempt as defined by the Fair Labor Standards Act (FLSA) 29 U.S.C., are required to accurately report their time. All employee time records shall be maintained in the County’s systems of record. Time records will be used by the County Clerk’s Payroll division for payroll calculations and to maintain leave accrual balances.

### **3.7 Travel Compensation**

Conditions for compensated travel include

- Travel that occurs during your actual scheduled work hours and is specifically directed by or is for the direct benefit of Oklahoma County.
- Travel that occurs outside of your actual scheduled work hours and is specifically directed by or is for the direct benefit of Oklahoma County.

Conditions of non-compensated travel include

- Travel from your home to your assigned place of work is generally not subject to compensation.
- Travel from your assigned place of work to your home is generally not subject to compensation.

## **SECTION 4: EMPLOYMENT BENEFITS OTHER THAN LEAVE**

For full-time employees, Oklahoma County pays the majority of the cost to receive medical, prescription, vision, and dental benefits and pays the entire cost to receive a life insurance policy, a retirement program, ID protection, and an employee’s assistance program. Eligible Oklahoma County employees may pay to participate in additional optional benefits.

Detailed benefit information is available on the Oklahoma County website. Oklahoma County reserves the right to change, withdraw, or add to the benefit package at its sole discretion. Contact the Oklahoma County Benefits and Retirement Department or the appropriate benefit provider regarding questions related to benefits. All benefit payments are governed by the provisions of the plan document or coverage summary. If a definite answer to a specific question is required, a written request should be submitted. A written reply will be sent and a copy kept on file.

Oklahoma County reserves the right to change, interpret, withdraw from, or add to the benefit package at its sole discretion and without prior notice (unless required by law) or consideration to any employee. None of the benefits have been or are required to be approved by and employee or employee group.

#### **4.1 Credit Union**

All full-time and part-time employees are eligible to join Oklahoma Credit Union immediately upon employment.

#### **4.2 Eligibility**

Full-time employees are eligible for Oklahoma County benefits. An employee is full-time if he or she is scheduled to work an average of thirty (30) or more hours per week, except law enforcement and detention employees who are full-time if they work one hundred seventy-one (171) hours during twenty-eight (28) consecutive days. Temporary, part-time, and seasonal employees are not eligible for benefits.

Qualification for benefits begins on the 1<sup>st</sup> of the month following sixty (60) days of employment and upon completion of an application for coverage on or before that date. An exception to the sixty-day waiting period is made for full-time employees coming directly to Oklahoma County employment from other full-time governmental service within the State of Oklahoma without a break of more than six months in employment, and for elected officials.

#### **4.3 Status and Annual Enrollment**

If an employee experiences a qualifying change in family status, he or she is allowed to make changes to benefit coverage at that time; otherwise, the annual enrollment period during which changes in coverage can be made is in November. The following events qualify as changes to an employee's family status:

- New employee
- Marriage
- Divorce
- Birth or adoption of a child
- Death of a spouse or child
- Loss of coverage due to loss of spouse's employment

An employee who experiences a change of family status should contact the Oklahoma County Benefits and Retirement Department within thirty-one (31) days to complete the necessary forms. Changes made to coverage during November's annual enrollment period will become effective on January 1<sup>st</sup>.

Exception regarding CHIP/Medicaid: If an employee's or dependent's Medicaid or CHIP coverage is terminated or if the employee or dependent become eligible for a premium assistance subsidy under Medicaid or CHIP, the employee can request coverage withing 60 days after the termination or eligibility date is determined.

#### **4.4 Medical, Prescription, Dental, Vision, and Wellness Plan**

Oklahoma County offers a comprehensive health and wellness plan. These benefits are all offered as one complete package. If an employee elects to pay and participate in this coverage, Oklahoma County pays the majority of the cost. Complete plan details are available on the Oklahoma County website.

#### **4.5 Optional Benefits**

Oklahoma County provides its employees with the opportunity to enroll in optional benefits in addition to health insurance. These benefits are 100% employee-paid:

- Flexible Spending Account
- Dependent Child Care Account
- 457 Retirement Account
- Term Life Insurance
- Accidental Death and Dismemberment Insurance
- Whole Life Insurance
- Short-term Disability Insurance
- Long-term Disability Insurance
- Accident Insurance
- Cancer Insurance
- Critical Illness Insurance
- Medical ridge
- Discounted Gym Membership
- Legal Shield
- Credit Monitoring & Protection
- Auto and Home Insurance

#### **4.6 401(A) and 457 Retirement Programs**

Eligibility to receive Defined Contribution Retirement Plan [401(A)] contributions is effective the first of the month following sixty (60) days of employment for eligible employees. Vesting and service credit will be calculated as stated in the Defined Contribution Retirement Plan Document which is available on the Oklahoma County website. Oklahoma County contributes funds monthly for each eligible employee into the Employee Retirement System of Oklahoma County, Oklahoma.

Participants have thirty (30) calendar days from their termination date to submit a retirement application to be eligible for retiree health and life insurance coverage at retiree rates.

Additionally, Oklahoma County offers eligible employees the opportunity to contribute their own money into a 457 Retirement Plan. Further information can be obtained from the Benefits and Retirement Department and is available on the Oklahoma County website.

#### **4.7 Life Insurance**

Life insurance is provided to all full-time employees of Oklahoma County. This life insurance benefit is not dependent upon an employee's participation in the Oklahoma County health benefit plan and is paid entirely by Oklahoma County. The life insurance benefit provided is equal to one and one-half times the employee's annual salary, up to \$100,000. Additional coverage for accidental death and dismemberment is provided under this policy. A copy of the policy is listed on the Oklahoma County website. Employees can purchase additional life insurance for their spouses and dependents.

#### **4.8 Employees Assistance Program (EAP)**



Oklahoma County’s EAP is provided free to all employees and their household members regardless of participation in the Oklahoma County health benefit plan. This EAP benefit covers three (3) confidential short-term counseling visits per issue per year. The EAP can assist with various types of problems: stress, depression, anxiety, workplace difficulties, substance abuse, marital problems, family or parenting conflicts, grief, violence, unhealthy lifestyles, etc. The EAP can also provide tools and referrals for

- childcare and eldercare resources with referrals
- financial and legal issues
- child and parenting support services
- retiree assistance
- college resources/checklist
- health coaching

The EAP is available when you need it, 24 hours a day, 365 days a year. The EAP will also coordinate with the Oklahoma County health benefits plan for cases that require treatment under the medical benefit.

**Wellness Coach**

Oklahoma County encourages participation in the EAP Wellness service to help employees and their families achieve their health and wellness goals. This service includes unlimited access to a professional wellness coach via telephone and instant messaging. A wellness coach can help with

- weight management
- fitness and exercise
- nutrition
- smoking cessation
- self-care of chronic conditions such as headaches, back pain, asthma, diabetes, and cardiovascular disease
- menopause
- stress management
- prescription management

**SECTION 5: LEAVE BENEFITS**

Eligible full-time employees hired or reinstated, regardless of break in service, shall receive vacation and sick leave benefits in accordance with the following schedule:

Years of Cumulative Service	Vacation Leave		Sick Leave	
	Yearly Accrual	Accumulation Limit	Yearly Accrual	Accumulation Limit
Less than 5	15 days/year	30 days	15 days/year	No limit
5 years but less than 10	18 days/year	60 days	15 days/year	No limit
10 to 20	20 days/year	60 days	15 days/year	No limit

Over 20	25 days/year	60 days	15 days/year	No limit
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Note: “days” refer to 8-hour working days. Years of service shall be based on cumulative periods of employment calculated in the manner that cumulative service is determined for longevity purposes pursuant to 74 O.S. § 840-2.18.

### 5.1 Holidays

Holidays are approved and typically posted in July for the following year. They are subject to change by legislative action or a proclamation by the Governor of the State of Oklahoma. If the County has twelve (12) days of holiday leave, pay for ninety-six (96) hours of leave time shall be granted per calendar year to all active full-time exempt and non-exempt employees regardless of work schedule, accrued at eight (8) hours per date of each holiday as posted in accordance with the provisions of 19 O.S. § 350. Employee time sheets will be centrally updated to account for the granting and use of paid holidays.

Hours worked on a posted holiday will qualify towards eligibility for overtime at the premium 1.5 ratio. Holiday leave hours granted but not used on the date of the posted holiday will not meet the requirement for overtime eligibility and will be banked for future use or payout at the standard 1.0 ratio.

### 5.2 Family and Medical Leave

Oklahoma County’s family and medical leave policy is intended to comply with the requirements of the Family and Medical Leave Act of 1993 (FMLA), as amended. Any provisions of Oklahoma County’s policies found to be contradictory to the FMLA will be superseded by the FMLA. The Oklahoma County Benefits and Retirement Department will provide an employee notice of his or her rights and duties under the FMLA; any questions about these rights and duties should be directed to the employee’s Human Resources representative.

#### Eligibility

An employee must have worked for Oklahoma County for at least twelve (12) months and at least 1,250 hours during the 12 months preceding the beginning of the FMLA leave.

#### Use

FMLA leave may be taken for any of the following reasons:

- 1) Birth of a child
- 2) Adoption of a child or placement of a child with the employee for foster care
- 3) Caring for a spouse, parent, or child [biological, adopted, foster child, stepchild, legal ward, child for whom the employee stands in loco parentis; under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability] with a serious health condition
- 4) Employee’s own serious health condition which renders him or her unable to perform the functions of his or her position
- 5) Qualifying exigency arising out of the fact that an employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in the U.S. Armed Forces in support of a contingency operation
- 6) Caring for a covered service member with a serious injury or illness if the covered service member is the employee’s spouse, son, daughter, parent, or next of kin

For Reasons 1 and 2, eligible employees may take up to twelve (12) workweeks of unpaid leave within a twelve (12) month period beginning on the date of birth or placement and shall be restored to the same or an equivalent position upon return to work. If both husband and wife work for Oklahoma County, their combined total of leave may not exceed twelve (12) weeks.

For Reasons 3, 4, and 5, eligible employees may take up to twelve (12) workweeks of unpaid leave within a twelve (12) month period from the date the employee is initially placed on FMLA and shall be restored to the same or an equivalent position upon return to work.

For Reason 6, eligible employees may take up to twenty-six (26) workweeks of unpaid leave within a twelve (12) month period from the date the employee is initially placed on FMLA and shall be restored to the same or an equivalent position upon return to work. If both husband and wife work for Oklahoma County, their combined total of leave may not exceed twenty-six (26) weeks.

#### Medical Certification

FMLA for an employee's own or a covered relative's serious health condition requires appropriate medical certification from the relevant healthcare provider. Oklahoma County will notify the employee of the requirement for medical certification and when it is due (15 days after leave is requested).

#### Certification for Qualifying Exigency

Employee must provide documentation issued by the military indicating that the covered military member is on covered active duty or is under a call to covered active-duty status in the U.S. Armed Forces. The employee must also provide a statement of facts sufficient to support the employee's need for leave. Such facts should include the type of qualifying exigency for which leave is requested and any available written documentation which supports the request. The Elected Official or his or her representative will notify the employee of the requirement for certification and when it is due (15 days after the employee requests leave). Failure to provide requested certification in a timely manner may jeopardize the leave or result in denial of leave until required information is provided.

Qualifying exigencies include short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities.

#### Certification for Military Caregiver

Employee must supply appropriate certification completed by an authorized health care provider of the covered military service member. When military caregiver leave is requested, the Elected Official or his or her representative will notify the employee of the requirement for certification and when it is due (15 days after the employee requests leave). Failure to provide requested certification in a timely manner may jeopardize the leave or result in denial of leave until required information is provided.

**Covered Military Member:** employee's spouse, son, daughter, or parent on covered active duty or on call to covered active-duty status.

**Covered Active Duty:** a regular component or a reserve component of the U.S. Armed Forces deployed on duty to a foreign country

**Covered Service Member:** member of a regular component or a reserve component of the U.S. Armed Forces who is undergoing medical treatment, recuperation, or therapy and is otherwise in outpatient status or on the temporary disability retired list for a serious injury or illness; veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness, and who was a member of the U.S. Armed Forces (including National Guard or Reserves) at any time during the five (5) years preceding the date the veteran undergoes medical treatment, recuperation, or therapy

**Next of Kin:** someone who is the nearest living blood relative of an individual

**Serious Injury or Illness:** [Armed Forces] injury or illness incurred in the line of duty that may render the military member medically unfit to perform the duties of the member's office, grade, rank, or rating; [Veteran] injury or illness incurred in the line of duty or existing before the military member's active duty and was aggravated by service in the line of duty and that manifested itself before or after the military member became a veteran

### Notice of Leave

If the need for FMLA is foreseeable, the employee must give an Elected Official or his or her representative thirty (30) days prior written notice. If thirty (30) days prior notice is not practicable, the employee must provide notice as soon as possible based upon the facts and circumstances of the employee's situation. Failure to provide such notice may be grounds for delay of leave.

### Medical and Other Benefits

During an approved FMLA leave, Oklahoma County will maintain an employee's health benefits as if actively employed. While on FMLA leave, an employee shall not lose accrued benefits or seniority.

### Intermittent and Reduced Schedule Leave

FMLA leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. The employee's salary will be reduced based upon the amount of unpaid leave reported. While an employee is on intermittent or reduced schedule leave, Oklahoma County reserves the right to temporarily transfer that employee to an alternative position which better accommodates the recurring leave and which has equivalent pay.

### Key Employee

If a salaried employee is among the highest paid ten (10) percent of both salaried and non-salaried employees, a determination will be made whether an individual is a key employee as defined by FMLA. If reinstatement of the key employee would cause substantial and grievous economic injury to Oklahoma County, the individual will be so informed prior to commencement of the leave or as soon as a determination is made, and the employee will be given an opportunity to return to work.

### Return from Leave

To resume work after taking leave for his or her own serious health condition, an employee is required to provide medical certification that he or she is fit to resume work. Employees will not be permitted to resume work until medical certification is provided.

If the employee requires a leave of absence for an FMLA-qualifying event that lasts longer than the statutory period of FMLA leave entitlement, the employee has no guarantee of retaining his or her employment as filling the position with another employee may be necessary.

## **5.3 Vacation Leave**

Oklahoma County intends vacation leave to be used for vacations, personal business, and other time off work not covered by other paid leave or holiday provisions. It may be used for sick leave if necessary.

Vacation leave is earned monthly at one-twelfth (1/12) of the annual total allowed at an employee's particular service level; it is available to use two (2) business days prior to payday each month.

Eligible full-time employees shall accrue vacation leave as noted above, but earned vacation leave shall be reduced for the pay cycle that an employee's time sheet reports any of the following:

- Absent without leave
- FMLA leave unpaid
- Military leave unpaid
- Administrative leave unpaid
- Leave of absence without pay
- Paid shared leave
- Paid worker's compensation leave
- Suspension
- Layoff

Temporary and part-time employees do not accrue vacation leave. Accrual rates for vacation leave are based on years of service and change as appropriate on the first day of an employee's anniversary month of hire or re-hire. No vacation will be longer than ten (10) consecutive workdays (80 hours) without permission of the appropriate Elected Official or his or her representative. Vacation leave balance will not be reduced for any County-approved Holiday that falls within the scheduled absence. An accrued vacation leave balance that exceeds established limits will be lost if not used by June 30<sup>th</sup>, Oklahoma County's fiscal year end.

If a full-time employee is off work using vacation leave when an emergency shutdown of County buildings is declared, the employee shall receive no Emergency Shutdown Leave and must continue to use vacation leave as originally scheduled. Vacation leave balance will transfer with an employee who transfers to another Oklahoma County office or department. Vacation leave will not be used in case of absence due to illness or injury for which Workers Compensation benefits are received other than during the mandatory three-day waiting period before which the employee's Workers Compensation benefit payments commence.

Vacation schedules are subject to prior approval by the employee's Elected Official or his or her representative. Upon separation, an employee will be paid for the balance of accrued vacation leave up to the accumulation limit at his or her current hourly rate of pay.

19 O.S. §1301

74 O.S. §840-2.20

#### 5.4 Sick Leave

An employee may utilize sick leave for the following reasons:

- Personal illness and medical, dental, and vision appointments.
- Illness and medical, dental, and vision appointments of a spouse, child, parent, step-parent, parent-in-law, grandchild, grandparent, grandparent-in-law, brother, sister, step-child, brother-in-law, sister-in-law, daughter-in-law, son-in-law, or any individual residing in the employee's home as a member of the employee's household, and including foster children and legal wards even if they do not live in the employee's household.

Sick leave is earned monthly at one-twelfth (1/12) of the annual total allowed at an employee's particular service level; it is available to use two (2) business days prior to payday each month.

Eligible full-time employees shall accrue sick leave as noted above, but earned sick leave shall be reduced for the pay cycle that an employee's time sheet reports any of the following:

- Absent without leave
- FMLA leave unpaid
- Military leave unpaid
- Administrative leave unpaid
- Leave of absence without pay
- Paid shared leave
- Paid worker's compensation leave
- Suspension
- Layoff

Sick Leave rules are as follows:

- Temporary or part-time employees do not accrue sick leave.
- Sick leave must be earned before it is used.
- Sick leave will **not** be used for vacation leave.
- Sick leave balance will not be reduced for a County-approved Holiday that falls within the scheduled absence.

- Upon separation, an employee will **not** be paid for the balance of accrued sick leave.
- A physician's statement and release are required when an employee has been absent for two or more days upon the employee's return to work. However, an Elected Official or his or her representative may require a physician's statement or release when an employee has been absent due to illness for two days or less.
- If an employee becomes ill while using vacation leave, proof of illness will be required to substitute sick leave for vacation leave.
- Sick leave will not be used in case of absence due to illness or injury for which Works Compensation benefits are received, other than during the mandatory three-day waiting period before which the employee's Workers Compensation benefit payments commence.
- Sick leave balance will transfer with an employee to another Oklahoma County office or department.
- If a full-time employee is off work using sick leave when an emergency shutdown of County buildings is declared, the employee shall receive no Emergency Shutdown Leave and must continue to use sick leave as originally scheduled.
- A total of up to one hundred thirty (130) days may be added to the employee's service time for retirement credit based on the number of unused sick leave days which the employee has accumulated at the time of his or her retirement. Twenty (20) days of unused sick leave shall equal one (1) month for purposes of determining service credit. In determining the number of years of service credit counted toward retirement eligibility, a fractional year of less than six (6) months shall equal zero (0) years, and six (6) months or more shall equal one (1) year. Accrued unused sick leave at employment termination may be used to achieve retirement eligibility but in no way used to extend the date of termination or as consideration for vesting purposes.  
19 O.S. § 1301 74 O.S. § 840-2.20

## 5.5 Election Time Off

Oklahoma County encourages employees to participate in the election of government leaders and to vote on issues presented to the public. Polling places in Oklahoma open prior to the normal workday and extend beyond the normal workday for most County employees: therefore, Oklahoma County expects employees to vote either before or after work or participate in early voting. An employee whose workday begins three or more hours after polls open, or ends three or more hours before polls close, will be expected to vote either before or after work. An employee whose work hours do not correspond with that scheduling will be granted two hours of time to vote during the period when polls are open and will not be subject to loss of compensation or any other penalty for absence as long as the employee notifies his or her supervisor orally or in writing of the intended absence at least one day prior to the election to allow for proper scheduling of departmental coverage.

## 5.6 Emergency Shutdown Leave

Oklahoma County shall grant paid emergency shutdown leave to its full-time exempt and non-exempt employees in instances of emergency shutdown of County buildings or sites where employees are assigned to work. An emergency shutdown occurs when the Chair or Vice Chair of the Board of County Commissioners or, in his or her absence, the Emergency Management Director has declared formal closing, late opening, or early closing of the building or site due to

- an emergency evacuation (bomb threat, fire, chemical spill, etc.)
- severe weather conditions (tornadoes, snow, ice, hurricanes, etc.)
- unsafe conditions of an Oklahoma County building or a site where employees are assigned to work (structural damage, incapacitated water supply, power outage, etc.)

Responsibility for notification of all Elected Officials, department directors, and the presiding judge shall fall upon the Chair or Vice-chair of the Board of County Commissioners or, if none are available, the Emergency Management Director. Departments that must stay open during “shutdown” conditions should require chief and first deputies, supervisors, or department directors to remain in the office to carry out duties if possible.

Emergency shutdown leave hours shall only accrue based on the work schedule of the employee at an hour for hour basis for the time that the buildings or job sites remain shut down to those employees assigned to work there. Hours granted for any emergency shutdown shall be loaded by the County Clerk’s payroll division on behalf of the affected employees. Emergency shutdown leave does not meet the Fair Labor Standards Act requirement for time accrued towards overtime.

When a full-time exempt or non-exempt employee with an accrued emergency shutdown leave balance transfers to another Oklahoma County office or department, the emergency shutdown leave balance will be transferred with the employee to the employee’s new Oklahoma County office or department.

## **5.7 Leave Sharing**

An employee may donate Vacation Leave or Sick Leave to another employee on an hour-to-hour basis (regardless of the hourly wage of the donating or receiving employee) pursuant to the following conditions:

- The receiving employee has exhausted or will exhaust all forms of paid leave due to illness, injury, impairment, or physical or mental condition which is of an extraordinary or a severe nature and which is considered by the Elected Official or his or her representative as and eligible FMLA event with medical certification required.
- The condition has caused or is likely to cause the employee to go on leave without pay or to terminate employment.
- The supervising official of both the Recipient Employee and the Donor Employee approve the leave sharing arrangement.
- The receiving employee has been a full-time employee with at least twelve (12) months of service to Oklahoma County.
- The receiving employee has abided by County policies regarding the use of leave.
- All donated leave is given voluntarily. No employee shall pressure or coerce or financially induce another employee to donate vacation or sick leave for purposes of the leave sharing program.

The donating employee may donate any amount of vacation leave and sick leave, provided the donation does not cause the sick leave balance or the vacation leave balance of that employee to fall below eighty (80) hours or ten (10) days, and the donated leave may only be used by the recipient for the purposes specified in this section.

Any donated leave not used by the recipient during each occurrence as determined by the recipient’s Elected Official or his or her representative shall be returned to the donor. If multiple donors are involved, unused leave will be divided among the donors on a prorated basis and reinstated to the original leave balance of each donor.

The maximum amount of shared leave an employee may receive during his or her employment with Oklahoma County is two hundred sixty-one (261) days or two thousand eighty-eight (2,088) hours.

## **5.8 Disaster Leave**

Oklahoma County Officials or their representatives may grant leave with pay not to exceed fifteen (15) working days to an employee who is affected by a Presidential Declared National Disaster in Oklahoma County if

- the disaster caused physical injury to the employee.
- the disaster resulted in a physical injury or the death of a relative or household member of the employee. “Relative of the employee” shall include immediate family. “Household member” means a person who resides in the same home, who has reciprocal duties to and do provide financial support for one another, including foster children and legal wards even if they do not live in the household; the term does not include persons sharing the same house when the living style is primarily that of a dormitory or commune.
- the disaster destroyed the domicile of the employee or the domicile of a relative of the employee or damaged it to the point of being uninhabitable.

The authority to grant leave with pay shall extend for a period of not more than six (6) months after the date of a Presidential Declared National Disaster.

**Commented [LH1]:** What is this wording trying to convey?

### 5.9 Jury and Court Appearance Leave

Oklahoma County desires that all employees fulfill their duty to serve as members of juries or to testify when called in federal, state, or municipal courts. Therefore, the following procedures shall apply when an employee is called for jury duty or subpoenaed to court:

1. The employee will be granted a leave of absence when the employee is subpoenaed or directed by proper authority to appear in federal, state or municipal court as a witness or juror. The employee will be required to provide satisfactory documentation that details dates of service regarding his or her appearance as a witness or juror.
2. The employee will receive his or her regular compensation during the time he or she is serving on jury duty, and the employee may retain all compensation or fees which he or she receives for serving as a juror.
3. If the employee is relieved from court or jury duty during working hours, the employee must report back to his or her worksite and provide a release form from the court.

The above provisions concerning compensation for time in court do not apply if the employee is involved in private litigation. In that situation, the employee must take vacation leave, compensatory time, or leave without pay.

38 O.S. §§ 34-35

### 5.10 Absent without Leave Available

When an employee is off work and has no available accrued paid leave, this is an unexcused absence for which the employee shall not be compensated. Excessive time away from work that is Absent without Leave Available may result in disciplinary action. Absent without Leave Available is not an approved Leave of Absence without Pay or an FMLA event. Absent without Leave Available is short-term in nature.

### 5.11 Bereavement Leave

Employees shall be granted time off with pay not to exceed three (3) scheduled working days to attend the funeral in the event of the death of the employee’s parent, child, spouse, brother, sister, in-laws, grandparent, grandchild, great-grandparent, great-grandchild, uncle, aunt, nephew, or niece. Any additional time shall be charged to accrued compensatory time, emergency shutdown leave, holiday leave, vacation leave, or absent without leave available.

The employee may be required to provide verification such as a program from the memorial service. At the discretion of the Elected Official or his or her representative, employees may be granted necessary time off with pay to attend the funeral of other relatives or friends.



### **5.12 Education Leave**

Full-time employees may be granted leave with pay for attendance at conferences, seminars, or short courses of instruction designed to advance the technical or professional skills of the person attending. Such education or training leave must be authorized by the Elected Official or his or her representative prior to the leave being taken, and the education or training must be determined by the Elected Official or his or her representative to be related to the employee's job responsibilities.  
19 O.S. § 130.6

### **5.13 Military Leave**

Full-time employees who are members of any military reserve component will be granted military leave for periods not to exceed an accumulation of five (5) years while working for Oklahoma County along with serving in the military with field training or active duty.

Eligibility requirements for leave:

Advance written or verbal notice of the leave provided to the Elected Official or his or her representative

Return to work or application for reemployment in a timely manner after conclusion of military service

Separation from service under honorable conditions (no separation from service with a disqualifying discharge)

During the first thirty (30) calendar days in which an employee is on an approved Military Leave of Absence in any federal fiscal year (October 1 to September 30), the employee shall continue to receive his or her full regular rate of pay. Such requested leave shall be supported with copies of the armed forces orders.

44 O.S. §209; 72 O.S. § 48; Title 38 U.S. Code, Chapter 43, Sections 4301-4335

### **5.14 Leave of Absence without Pay**

Not to exceed six (6) months, Leave of Absence without Pay may be granted when approved by the employee's Oklahoma County Elected Official or his or her representative. The total length of time allowed for Leave of Absence without Pay, including any leave taken pursuant to the Family and Medical Leave Act (FMLA), shall not exceed six (6) months.

The employee may continue coverage by Oklahoma County health insurance during a Leave of Absence without Pay; the employee must pay the monthly premium (as determined by the Oklahoma County Budget Board) by the 1<sup>st</sup> of each month during such leave.

The employee may continue retirement benefits during Leave of Absence without Pay; the employee must pay a certain percentage of his or her gross salary or an amount established by the Oklahoma County Retirement Board by the 10<sup>th</sup> of each month during such leave. See the Oklahoma County Retirement Plan document for further information.

Employees desiring to retain a County parking space during leave must pay their monthly fees to the Board of County Commissioners. Employees who do not choose to retain parking must turn in their transponders prior to taking a Leave of Absence without Pay.

### **5.15 Administrative Leave**

Paid or unpaid, Administrative Leave may be granted to address situations not covered by other types of leave. Administrative Leave is granted at the discretion of the Elected Official or his or her representative.

## **5.16 Workers' Compensation Leave of Absence (WCLOA)**

An employee who is accidentally injured or affected by an occupational disease in the course of employment by Oklahoma County shall be provided reasonable and necessary medical care. In all accepted Workers' Compensation claims, an Oklahoma County employee will be provided his or her regular monthly salary for up to one month plus the balance of the month he or she was injured if the employee is required to miss work because of a compensable injury or illness as determined by the County's authorized physician.

This benefit will be paid after a three-day waiting period as mandated by 85A O.S. § 45A.(1).

Employees may use accrued leave (vacation, sick, or comp time) for the three-day waiting period.

Additional time off will be a Temporary Total Disability (TTD) benefit paid through the Workers' Compensation Administrator at the rate mandated by law. Employees will not be allowed to use their accrued leave to augment TTD benefit payments or in lieu of TTD while on Workers' Compensation Leave.

Authorized absences from the job due to a workplace injury or illness will not be charged against employees' sick leave or vacation leave, and sick leave and vacation leave do not accrue to employees on Workers' Compensation Leave.

An employee on Workers' Compensation Leave must notify the Oklahoma County Health and Safety Department if he or she accepts or continues other employment.

No employee may receive TTD payments and unemployment benefits for the same period of time.

Oklahoma County will maintain health, dental, vision, and life insurance coverage for employees on Workers' Compensation Leave who were covered prior to such leave; employees must pay any premium they were paying prior to Workers' Compensation Leave. This premium is due the 1<sup>st</sup> of each month and is considered delinquent after the 15<sup>th</sup> of the month; coverage is subject to termination if the premium is not paid by the last day of the month.

Oklahoma County shall continue to make payments into an employee's retirement account during the time he or she is on Workers' Compensation Leave and is still on payroll.

If the employee does not return to work after receiving a Return to Work Authorization by the treating physician, or if the employee does not provide a medical report that would vary from that of the releasing physician, he or she will be deemed to have voluntarily resigned after any unexcused absence of two (2) working days.

## **5.17 Abuse of Leave**

The abuse of any category of leave by an employee, or the failure to provide documentation when requested, shall be just cause for disciplinary action including termination.

# **SECTION 6: SAFETY**

While Oklahoma County is vitally interested in the health and safety of all its employees, health and safety are the concern of each employee too. All safety rules should be observed and obeyed. The goal of Oklahoma County is an injury-free workplace.

## **6.1 Safety Policy Statement**

Oklahoma County is committed to continuing improvement toward an accident-free workplace through effective administration, education, and training. No job is to be regarded so urgent that time

cannot be taken to do it safely.

Supervisors will be responsible for the health and safety of workers under their supervision by ensuring that machinery and equipment required for use by each worker is safe and that each worker is adequately trained in his or her specific work tasks and complies with established safe work practices and procedures for each piece of equipment.

All supervisors, employees, and subcontractors must protect their own and fellow workers' health and safety by working in compliance with the Occupational Health and Safety Act (OSHA), Oklahoma State Department of Labor Public Employees Occupational Safety and Health (PEOSH) regulations, and all applicable regulations and safe work practices and procedures established by Oklahoma County.

## 6.2 Safety Rules

### Definitions

*Rule:* a directive that governs and controls conduct or action and that is instituted by an organization.

*Regulation:* an ordinance, a law, or a directive set by an outside organization or agency, such as government, for control of people and their environment.

### General Rules

1. Use personal protective clothing and equipment in accordance with OSHA and PEOSH regulations where applicable.
2. Report all substandard acts, conditions, and incidents.
3. Report all injury or damage incidents/accidents immediately.
4. Perform all work following safe work practices and safe job procedures.
5. Maintain a clean/neat/organized work area.
6. Operate all vehicles and mobile equipment in accordance with Oklahoma County rules and applicable legislation.
7. Never possess or consume alcohol or illegal drugs while at work.
8. Do not arrive or remain at work if safe job performance is impaired.
9. Never possess weapons at work except as authorized to perform job duties.
10. Do not engage in fighting, horseplay, or practical jokes.
11. Do not damage, disable, or interfere with safety, fire-fighting, or first-aid equipment.

A complete copy of all Safety policies and procedures can be found on Oklahoma County's "Infozone" website.

Commented [LH2]: Is this true?

## 6.3 Open Flames

In accordance with the recommended best practices of the National Fire Protection Agency, open flames (including the burning of candles, incense, and aromatic oils) are prohibited in all Oklahoma County offices and facilities.

## 6.4 Electrical Appliances

Personal electrical appliances **must** meet the following specifications and be used in accordance with the following rules.

### **Heaters**

- UL-approved as evidenced by a UL listing label
- Has tip-over safety switch
- No more than 1500W, or capable of being set at this limit
- All guards firmly attached

#### **Coffee makers**

- UL-approved as evidenced by a UL listing label
- Has timed safety switch so unit shuts off after predetermined time
- Burner/heat plate clean at all times with no accumulation of spilled coffee

#### **Hot plates**

- UL-approved as evidenced by a UL listing label
- Used ONLY on a counter/table dedicated to food/beverage preparation and consumption.

Coffee makers, microwave ovens, slow cookers, refrigerators, and other food prep/storage appliances must be located in designated break areas, not in individual offices.

Condition of cords and cord caps is of utmost concern. Any cords or caps that are cut, nicked, frayed, or damaged in any way will require that the appliance be removed from the County facility.

All appliances must be plugged directly into the receptacle or an approved (UL listed) relocatable power strip plugged directly into the receptacle as required by the State Fire Marshal. Plugging a power strip into another power strip (known as *Daisy Chaining*) is prohibited. The State Fire Marshal forbids the use of extension cords, including listed ones, as a replacement for permanent wiring.

### **6.5 Safety Training**

Oklahoma County will provide all safety-related training necessary to minimize losses of human and physical resources of the company, and employees will participate in this training.

Training will include but is not limited to

- Safety orientation
- New-hire safety orientation
- Safety training for workers, supervisors, and management
- Task and trade-specific training and certification
- Workplace hazardous communication orientation
- Blood-borne pathogens training
- Emergency preparedness training

Safety meetings involving workers will be held on a quarterly basis or more frequently as determined by job hazard severity or other departmental requirements. All employees should be familiar with the Oklahoma Department of Labor regulations and the requirements of the Public Employees Occupational Safety and Health unit. Occupational Safety and Health Act legislation takes precedence over safety information in this policy.

### **6.6 Safety Enforcement**

The Oklahoma County Safety Policy is applicable to all employees; they are therefore required to comply with the Occupational Safety and Health Act, Oklahoma Department of Labor Regulations, Oklahoma County Handbook, and other applicable regulations. To avoid development of unsafe habits, disciplinary action will occur in a timely manner if safe work practices are not taken seriously and followed by Oklahoma County employees. The type of discipline shall fit the severity of the misconduct and shall be conducted in private. Failure to comply with safety regulations can result in disciplinary action up to and including termination.

### **6.7 Workers' Compensation**

All Oklahoma County employees are fully and immediately covered by the State of Oklahoma Administrative Workers' Compensation Act.

1. An incident involving injury arising solely from and in the course of employment shall be reported by the employee to his or her supervisor as soon as possible before the end of the work shift when the injury occurred. Failure to properly report the injury may be reason for denying a Workers' Compensation Claim. The incident shall be reported to the Health and Safety Department as follows:
  - Complete the "Worker Injury Form" found on the County's Infozone website within twenty-four (24) hours or one working day, or
  - Call a Safety Coordinator or the Director of Health and Safety immediately after the accident happens, or
  - Print, complete, and sign the "Worker Injury Form" and submit it to the Oklahoma county Health and Safety Department within five (5) business days.
2. The injured employee must maintain contact with his or her supervisor or department head daily unless instructed otherwise by the supervisor or department head. The injured employee must also maintain at least weekly contact with the Oklahoma County Health and Safety Department until released to full-duty status.
3. All medical treatments will be provided by an authorized and approved medical provider. If an employee seeks medical treatment from a physician without authorization, the claim may be denied.
4. An employee off work because of injury must not be engaged in any off-duty employment or physical activity that would in any way prolong the employee's recovery.
5. Each elected official or his or her representative may identify an available position or assignment to accommodate light duty work to assist injured employees. Employees on WCLOA may return to duty at the earliest possible date and be assigned light or limited duty if Oklahoma County's physician or any physician recognized by Oklahoma County determines that the injured employee's physical condition permits such assignment. If offered, a light duty assignment is temporary; no employee should expect permanent modification to his or her essential job function or that a temporary assignment will become permanent.

Oklahoma County has an obligation to provide Workers' Compensation benefits to employees injured as a result of job-related incidents or illnesses and to ensure timely provision of those benefits. At the same time, Oklahoma County has an obligation to ensure that benefits are not provided to employees whose injuries or illnesses are not, in fact, job-related or are exaggerated or feigned. Any suspicious circumstances surrounding a claim or any indications of fraud should be reported to the Oklahoma County Health and Safety Department immediately.

When an Oklahoma County employee is working off-duty for a private employer, the private employer is responsible for providing workers' compensation coverage for injuries occurring while working for the private employer. 85A O.S. §3A