

The creation, transmission, or viewing of any data or images that may be construed to violate the County's **Preventing Harassment and Discrimination Policy** or **Equal Employment Opportunity Policy** is strictly prohibited. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, religion, sex, national origin, age, disability, or any other status protected by law. None of the County's information technology resources may be used to transmit critical or derogatory statements regarding employees, political figures, or any other persons.

Internet access is provided by the County to assist employees in obtaining work-related data and technology. All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the County and, as such, is subject to disclosure to law enforcement or other third parties. Employees may also be held personally liable for any violations of this policy.

Nothing in this policy should be construed as prohibiting an employee's right to engage in concerted activity or to discuss the terms and conditions of their work as permitted by the NLRA.

Relevant Information: Appendix D: Computers, Internet, and Email Policy Acknowledgement Form

Use of Scented Substances

The ability to perform one's job may be adversely affected by scented substances, i.e., perfume, lotion, oil, and scented deodorants. Staff members are encouraged to inform their supervisor or department head when this situation exists, and County employees may be instructed to stop coming to work with scented substances that bother their fellow employees.

PAY AND BENEFITS

Overtime and Compensatory Time

A. Non-Exempt Overtime Pay

Non-exempt employees (an employee in a position not meeting the definition of *exempt* as defined by the Fair Labor Standards Act, Montana Minimum Wage and Overtime Compensation Act) may receive overtime compensation for hours worked in excess of 40 hours per week at the rate of 1½ times the regular hourly rate of pay. Absences while in a leave status (e.g., annual leave, sick leave, personal leave, etc.) shall not be considered hours worked for the purpose of calculating overtime payments. Sheriff's Deputies, Sergeants, Corporals and Under Sheriff shall receive overtime pay rate of 1½ times after working 171 hours in a designated 28 day time period. Rural Firemen shall receive overtime pay rate of 1½ after working 212 hours in a designated 28 day time period.

B. Record Keeping

Department heads shall ensure that all overtime is recorded appropriately on the employee's time card as it occurs. Overtime shall be pre-approved and an Overtime report form shall be turned into the Commissioners by the end of the pay period.

Relevant Information: Fair Labor Standards Act (FLSA); Code of Federal Regulations (CFR), Title 29 – Labor

C. Decedent's Warrant or Paycheck Reissuance

Employees may file a designation of a person who, notwithstanding any other provision of law, is entitled, on the death of the employee, to receive all warrants or paychecks that would have been payable to the decedent. The employee may change the designation from time to time. A designated person shall claim the warrants or paychecks from the county clerk, and on sufficient proof of identity, the county clerk shall reissue the warrant or paycheck in the name of the designated person and deliver the warrant or paycheck to the designated person.

Relevant Information: Appendix F: Decedent's Warrant; MCA 7-4-2521

Workers' Compensation

As required by law, the County pays to cover employees with workers' compensation insurance, which provides payment for medical expenses resulting from a work-related injury or disease.

Employees who are injured or become ill from an occupational hazard may be entitled to reasonable doctor, hospital, prescription and medical care costs. After they file a claim, the County's workers' compensation provider shall evaluate the claim, use appropriate fee schedules, and apply certain laws and rules to establish wage loss payments and medical care cost benefits. The provider may investigate the validity of the claim. Workers' comp benefits apply only toward medical conditions directly related to the industrial injury or occupational disease claim. Employees must be cleared with and provide a doctor's release before returning to work.

A. Reporting Provisions

Every work-related injury should be reported immediately to the injured employee's supervisor.

B. Benefits

Benefits for compensable injuries are governed by state law and include wages, medical, hospital and related services, and other compensation. Wage loss benefits begin after a 4-day waiting period. Employees may use accrued annual or sick leave benefits to cover wage loss during the 4-day waiting period. Family Medical Leave Act may be applied after the 4-day waiting period.

C. Fraud

Criminal proceedings may be initiated against a person who obtains or assists in obtaining workers' compensation benefits to which the person is not entitled.

Relevant Information: MCA 39-71-101, et. seq.

Health and Life Insurance

Group health and life insurance programs are described more fully in documents that are issued to each employee once he/she is eligible to participate. A complete description of the group health insurance programs can be obtained from the Clerk and Recorder's office. These personnel can explain the provisions in master insurance contracts and help employees choose the best options.

In the event of any contradiction between the information appearing in this policy, other County documents, and the information that appears in the master contracts or master plan documents, the master contracts and documents shall govern in all cases. Employees may request all benefit forms and information from Clerk and Recorder's office or the official Rosebud County website. Employees will be responsible for notifying the benefit plan personnel of any change of status that may affect their benefits. Employees must meet eligibility requirements (e.g., qualifying events) of the benefit program in order to change benefit elections.

Retirement

The County offers a retirement program guaranteed by the Montana Constitution through the Public Employees Retirement System (PERS). Participation includes contributions from both the employee and the County.

A. Retirement Plan Options

New County employees may choose between two retirement plan options, either the Defined Benefit Retirement Plan (DBRP) or the Defined Contribution Retirement Plan (DCRP). A description of each option can be obtained from PERS.

Retirement plan choices are irrevocable (i.e., it cannot be changed later), and if an employee does not file a retirement plan election by the end of the 12-month election window, state law will default their choice to the PERS DBRP. The County strongly encourages employees to make the election to ensure they are in the retirement plan that best meets their and their family's needs.

B. Eligibility

Employees are eligible for participation in PERS beginning on their date of hire, and have 12 months from the first month the County reports the employee to the Montana Public Employees Retirement Administration (MPERA) to file a choice of retirement plans.

MPERA provides regular Retirement Plan Choice webinars that employees can attend at their convenience from their own computer. MPERA also offers workshops at different locations around the state throughout the year.

Relevant Information: MCA 19-3-101, et seq.; Montana Public Employee Retirement Administration

SAFETY

Workplace Safety Program

The County has a workplace safety program established to maintain a safe and healthy work environment for County employees and the citizens they serve. The success of the safety program depends on the alertness and personal commitment of all. The department shall provide information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, Email, memos, or other written communications.

A. Contributing Suggestions and Reporting Concerns

Excellent safety improvement ideas often come from employees, since they are the ones who are most familiar with their work environment. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, department head, safety supervisor, or member of an internal safety committee. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal

B. Reporting Violations and Disciplinary Action

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or (where appropriate) remedy such situations may be subject to disciplinary action, up to and including termination of employment. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefit procedures.

Workplace Violence Prevention

The County is committed to preventing workplace violence and to maintaining a safe work environment. The County has adopted guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. All County employees contribute to the type of environment in which they work, and it is therefore essential to follow these guidelines, treat fellow workers with dignity and respect, and immediately report any violations or untoward behavior.