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.2 Personnel Management

- **.2.2 Introduction**

This Chapter shall apply to the department heads of the County. By enacting this Chapter, the County is not bestowing any right on any employee or any obligation on itself or its officers. The provisions herein may be modified at the County's sole discretion.

- **.2.4 Workweek**

A. Definition. The official workweek for the County of Glenn shall commence at 12:01 a.m. Sunday and end at 12:00 p.m. Saturday of each calendar week unless specified otherwise in this policy.

B. Hours of Operation. All County offices shall be open from 8:00 a.m. until 5:00 p.m. every day except Saturdays, Sundays and holidays, except as otherwise provided by statute, ordinance, or resolution of the Board and as follows:

1. Those offices with no regularly appointed full time deputy, which, therefore, may be closed during the hour from 12:00 noon to 1:00 p.m.
2. Those officers that have satellite offices separate and apart from their main offices may adjust the hours of operation of such satellite offices as they may deem appropriate.

- **.2.6 Classification Plan**

A. Classification Plan. The Classification Plan shall consist of the List of Personnel Classes adopted by resolution of the Board of Supervisors and amendments thereto.

B. Board of Supervisors Authority. The Board of Supervisors may create new classes, reclassify existing positions to appropriate classes, allocate new positions to appropriate classes or abolish existing classes.

C. Maintenance of Classification Plan. The Personnel Officer shall maintain the classification plan as directed by the Board of Supervisors and shall prepare class specifications for all positions other than elected officials and those positions exempted from the classification plan. Upon order of the Board of Supervisors, the request of an appointing authority, or upon his own initiative, the Personnel Officer shall conduct a classification study.

D. Classification Study Procedures.

1. Whenever an appointing authority proposes that a new class be established or a significant change has occurred in the duties and responsibilities of an existing position, the appointing authority shall report the facts in writing to the Personnel Director.

2. The Personnel Director shall conduct a study by reviewing the written facts presented, auditing the duties of the position and sending the appointing authority the results of the director's findings.

3. If the Personnel Director determines that a new classification should be established or a position should be reclassified he or she shall send a recommendation to the Board of Supervisors. The recommendation may include reclassification of the incumbent with the position. The appointing authority may submit a separate recommendation.

4. The Personnel Director may also recommend to the Board of Supervisors changes in salaries due to classification actions or recruitment problems.

E. Classification Plan. In recommending a classification plan or amendments thereto the Personnel Director shall prepare such in the broadest terms feasible.

F. Use of Class Titles. The title of the class of which any position is allocated shall be used in all official personnel transactions and personnel records provided, however, that the use of class titles shall not preclude deputization of employees or the use of working titles within the department.

.2.8 Leaves of Absence - General

A. Leave of Absence. A department head may grant any regular employee a leave of absence without pay upon his recommendation and approval by the Personnel Director, except that in the case of a leave of absence without pay of less than four (4) months, the approval of the Personnel Director shall not be required. A leave of absence without pay may be granted for any of the following reasons:

1. Illness or disability including pregnancy.

2. To take a course of study which will increase the employee's usefulness on return to his position;

3. For personal reasons acceptable to the department head and the Personnel Director.

B. Requests for Leave. Requests for leave of absence without pay may only be granted if made in writing to the department head and shall state specifically the reason for the request, the dates to begin and

probable date of return. A copy of such leave request, as approved, shall be sent to the Personnel Department.

C. Length of Leave. A leave of absence without pay may be for a period not to exceed one (1) year. Such leave is not intended to protect the interests of an employee while engaged in other employment outside the service of the County.

D. Return from Leave. Whenever an employee who has been granted a leave of absence without pay desires to return to work before the expiration of such leave, the employee shall notify the department head as soon as possible in advance of the employee's return. An employee must immediately request and then receive approval to extend the leave of absence if the employee does not return on the probable return date. Otherwise, the employee will have been deemed to have abandoned the job.

.2.9 Catastrophic Illness/Injury Leave Policy

A. General. This policy establishes an employer sponsored voluntary leave sharing arrangement by which one regular county employee may donate vacation time to another regular county employee who is experiencing a catastrophic illness or injury; subject to the conditions set forth in this policy. This policy is not applicable to extra-help or probationary employees.

B. Definition of terms (as used in this policy).

1. "Catastrophic Illness/Injury" is a non-industrial illness/injury of more than fourteen calendar days duration to an employee which presents an undue financial burden on the employee, or is an illness/injury of more than fourteen calendar days duration to an immediate family member of the employee which requires the employee to be present to care for the family member.

2. "Immediate Family Member" is the spouse, child(ren), and the father, mother, sister, brother of the employee or of the employee's spouse. For the purposes of this policy only, "Immediate Family Member" includes a person whose sex is opposite that of the employee, who is living with the employee in an unmarried domestic relationship, and who is legally able to marry the employee.

3. "Accrued Time Off" is vacation, sick leave, and compensatory time.

C. Responsibility. The Personnel Director and the Auditor-Controller are responsible for the administration of this program to include ensuring that all program requirements are met.

D. Voluntary. Participation in this program by both donors and recipients is voluntary. No one shall be coerced, intimidated or threatened with reprisal for either participating or not participating in this program. Employees who believe that they are being forced to participate in this program shall immediately report their concerns to their department head, the Auditor-Controller, or the Personnel Director. An investigation shall be conducted and the findings shall be communicated to the Board of Supervisors who will direct what action shall be taken based on the findings.

E. Criteria for Establishing a Leave Sharing Account for an Individual.

A leave sharing account may be established for an individual employee provided the following conditions are met:

1. The employee or the employee's family member must be experiencing a catastrophic illness/injury.
2. The employee must have exhausted or will soon exhaust all of the employee's accrued time off.
3. The employee has requested in writing to the department head that the leave sharing account be established in the employee's behalf.
4. The department head must have approved the request for the establishment of the leave sharing account.

F. Procedure for Establishing the Leave Sharing Account.

1. In order to establish a leave sharing account the employee requests in writing to the department head that a leave sharing account be established in his/her behalf.
 - a. To support this request the employee must submit a completed GCPER 30 (Treating Physician's Statement) verifying the illness/injury. (NOTE: If the request is based on illness/injury of a family member the family member must authorize their treating physician to complete the GCPER 30 and the employee must include a completed copy of the GCPER 30 pertaining to the family member's illness/injury).
 - b. The employee must execute a statement authorizing the county to publish announcements soliciting donations of leave time on the employee's behalf. If the request is based on the illness/injury of a family member both the employee and the family member must sign the authorization.
2. Upon approval, the department head will forward the request with all supporting documents to the Personnel Director.
3. The Personnel Director in conjunction with the employee will develop language for the solicitation of donations.
4. Upon agreement as to the language of the solicitation the Personnel Director will distribute to all departments a copy of the solicitation of donations for distribution to all department employees.

G. Criteria for Donations.

1. Donations must be for 4 or more hours in whole hour increments.
2. Donations must be of vacation accruals only.
3. Donors must have a minimum of 100 hours of accrued time-off credited to their account after the donation is made.
4. Donations can only be made to an employee for which a leave sharing account has been established.
5. Donations must be made to a specific employee.

6. Donations will be deducted from the donor's account based on the donor's effective base hourly rate of pay.

7. Donations will be credited to the recipients account based on the recipient's effective base hourly rate of pay.

9. Donations once made are irrevocable and remain credited to the recipient's account.

10. Taxation.

a. Donations made under this program are considered by the Internal Revenue Service to be non-taxable and are not imputed to the donor's gross income.

b. Recipients will be taxed on the donations received as they are used in the same manner as any other paid time-off.

H. Procedure for Processing Donations

1. Donations will be made only to employees for whom a leave sharing account has been established on the form designated by the Personnel Department.

2. Donor's will complete the donation form and send the form to the Personnel Director in a sealed envelope.

3. The Personnel Director or his designee will review all donations to ensure that they meet the criteria set forth in this policy.

4. The Personnel Director or designee will hand deliver the donation forms to the Auditor-Controller for processing.

5. The Auditor-Controller or designee will process donations concurrent with the processing of payroll.

6. Donation information is to be treated as confidential information by all parties who process the donations. Failure to maintain this confidentiality could result in disciplinary action.

7. Total donations received by an individual cannot exceed the lesser of the amount needed to cover the absence or 2080 hours.

G. Coordination with Short Term Disability (STD) Insurance.

If an individual who receives donations under this program is also eligible to receive payments under the County sponsored STD Insurance, all vacation credits received under this program must be exhausted before payment under STD is made.

.2.10 Industrial Leave

A. Entitlement to Sick Leave Payments. Any employee, other than an extra help employee, who is compelled to be absent from work because of illness or injury arising out of, and in the course of, his or

her employment shall receive sick leave payments equal to the difference between the employee's base salary and the weekly temporary disability benefits, up to the amount of the employee's accumulated sick leave time. Such payments shall be made on the basis of a prorata charge to sick leave based on the difference between the employee's base salary and the weekly compensation benefits. Such prorata charges to sick leave will be made to the nearest one-quarter (1/4) day.

B. Use of Vacation Benefits. At such time as sick leave is exhausted, the employee may be placed on vacation status at the discretion of the County until such time as any accumulated vacation time is exhausted. Such charges against accrued vacation time shall be on the same formula set forth in paragraph (A) above.

C. Accrual of Benefits. An officer or employee who is entitled to temporary disability indemnity under Division 4 or Division 4.5 of the Labor Code, shall retain the employee's other employment status and continue to accrue benefits while receiving temporary disability indemnity.

D. Leave of Absence Without Pay. Should the employee be unable, or unwilling, to return to work after exhausting both accumulated sick leave and vacation, the County may place the employee on leave of absence without pay. While on leave of absence without pay, seniority and benefits shall not accrue. Leave of absence may be terminated, at the option of the County.

E. Law Enforcement Employees. An employee engaged in law enforcement, as defined in Section 4850 of the Labor Code, shall be entitled to his or her full salary in lieu of compensation payments if he or she should suffer an injury or illness arising out of and in the course of employment for the period of disability and until the condition is determined to be permanent and stationary, but not to exceed one year. An employee receiving such benefits shall relinquish to the County all compensation payments for such period of absence. The employee's accrued sick leave and vacation shall not be charged.

.2.11 Medical Leave/Family Leave and Medical Act (FMLA)/Family Care Leave-California Family Rights (CFRA)

A. FMLA and CFRA leave will be granted as provided by law.

B. Pay status while on FMLA and/or CFRA Leave:

1. Sick leave must be used for an approved leave of absence, and
2. Vacation must be used for an approved leave of absence when sick leave is exhausted. Vacation use for FMLA and/or CFRA may NOT be denied. Note, employees are eligible to maintain a balance of eighty (80) hours of vacation leave. CTO may be used for an approved leave of absence when vacation is exhausted.

C. Notice to the Employer

1. Employees must request leave under FMLA and/or CFRA 30 days in advance, if possible. When the need for leave is foreseeable less than 30 days in advance or is unforeseeable, employees must provide notice as soon as possible and practicable under the circumstances. Leave requests shall be made to the County Personnel Department.
2. When an employee seeks leave for a FMLA and/or CFRA qualifying reason, the employee need not expressly assert FMLA and/or CFRA rights or even mention the FMLA or CFRA.

.2.12 Jury Duty & Witness Leave

A. Pay for Jury Duty or Witness Duty. A regular employee summoned for attendance to any court for jury duty or called as a witness arising out of and in the course of county employment shall be deemed to be on duty and shall be entitled to regular pay, provided the employee deposits any fee for such service, exclusive of mileage, with the County Treasurer.

B. Compensation for Witness Leave in Private Matter. A regular employee who appears in court as a witness in a private matter shall not be entitled to receive his regular pay during such absence, but may use accrued vacation for this purpose.

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.2.13 Military Leave

A. Military Leave shall be granted by the appointing authority in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) as well as Military and Veterans Code. All employees entitled to military leave shall give the appointing authority an opportunity within the limits of such military regulations to determine when such leave shall be taken and shall provide the appointing authority with a copy of the military orders.

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.2.14 Reassignment Due to Physical Condition

A. Reassignment. A regular employee who because of illness or injury is incapable of performing the employee's regular duties in a department either on a temporary or permanent basis, but who is capable of performing other duties, may be assigned those duties that the employee is capable of performing either in the same or a different department, with the approval of the Personnel Director and the respective department heads.

B. Reassignments will be made in the following manner:

1. Temporary Reassignments. A regular employee who is temporarily incapable of performing the employee's regular duties as determined by the employee's treating physician shall be offered a position in a Bridge Assignment using the Bridge Assignment Matrix developed by Norman Peterson and Associates.

a. The duties of the bridge assignment will be provided to the employee's treating physician to determine if the employee is capable of performing the duties of the bridge assignment.

b. Once the treating physician approves the bridge assignment for the employee the employee will be placed in the abridge assignment for up to two weeks.

c. While performing duties in the bridge assignments the employee shall receive the basic rate of pay received for the position held prior to the illness or injury.

d. At the end of the two week period the employee's limitations will be reevaluated by the treating physician to determine employee's limitation. The employee will be placed in another bridge assignment

for up to two weeks and the process shall be repeated until the treating physician can release the employee to the employee's normal duties or the treating physician determines that the employee has a permanent limitation that prevents the employee from returning to the duties held prior to the illness or injury.

e. Should the employee's treating physician determine that the employee cannot return to work in either the employee's regular assignment or in any bridge assignments, the employee shall be placed on worker's compensation leave/FMLA Leave/CFRA Leave/ or Short-term Disability Leave, as appropriate.

f. At no time will the County place an employee who has received medical treatment in an assignment that has not been pre-approved by the treating physician. A physician approved assignment is a "work prescription" to aid the employee to full recovery.

2. Permanent Reassignment

a. In order for a permanent reassignment to be made, a vacancy in the assigned classification must exist.

b. Reclassification. An employee assigned to other duties because of a permanent limiting physical condition shall be reclassified to the new position.

c. Salary on Reassignment. The salary of an employee reassigned due to a limiting physical condition to a classification with a lower salary range shall be placed on the step on the salary range that is closest to the rate received prior to the illness or injury. Should the setting of this step result in a reduction in the base pay of greater than 15%, the employee's pay shall be set at 85% of the rate received prior to injury or illness and the employee's pay rate shall be y-rated at this level until such time the normal pay rate for the classification exceeds the y-rate.

.2.16 Personnel Records

A. Employee Personnel Records. The Personnel Director shall maintain the official employee personnel records, which shall include a record of the appointment and subsequent changes in classification or compensation of each employee in County service and shall include dates of service, positions held, salaries received, and such other related information as the Personnel Director may consider appropriate.

B. Access to Personnel Files. In order to insure maximum security and confidentiality of Personnel Department files, the following procedures are established.

1. Information requested regarding official status will be released. This type of information is: employee's name, class title, current salary range, date of employment and length of employment.

2. Information of a personal nature will not be released. This type of information includes but is not limited to: birthday, medical information, birthplace, spouse's name, home phone number, and address.

3. Only Personnel Department staff members and other specifically authorized personnel are allowed to review any personnel records, except in the following cases:

a. An employee may, in the presence of a Personnel Department staff member, review the employee's own personnel file at reasonable times.

b. With the approval of the Personnel Director, a County department head may review the records of

employees in his or her department or other employees being considered for appointment in his or her department.

c. Access to personnel files must be approved in any other case by the Personnel Director. Examples include access in response to subpoenas, investigations, audits or other showing of good cause approved by the Personnel Director.

4. Any problem which arises in enforcing this policy will be referred to the Personnel Director. It is very important that the public be served, but at the same time it is important that the privacy of the employee be protected.

C. No personnel file will be removed from the area of the Personnel Department without the specific prior approval of the Personnel Director.

- **.2.18 Code of Ethics**

A. Discrimination. There shall be no discrimination in any County activity because of race, color, national origin, religion, sex, age, citizenship, physical handicap or political affiliation.

B. Acceptance of Gratuities. No officer or employee shall accept any fee, compensation, gift, payment of expense, or any other thing of significant monetary value in circumstances in which acceptance may result in, or create the appearance of resulting in, the use of public office for private gain; preferential treatment of any person; impeding governmental efficiency or economy; any loss of complete independence or impartiality; the making of a County decision outside official channels; or any adverse effect on the confidence of the public in the integrity of County government.

C. Ethical Responsibilities. Each officer and employee has an obligation to the citizens, to the people's elected representatives, to fellow employees, and to the administration to cooperate in accomplishing the County's goals, to expose corruption wherever discovered, to refrain from disclosing any confidential information, to preserve and safeguard the County's assets, and to uphold these principles, ever conscious that public office is a public trust.

- **.2.20 Chief Assistants**

A. Each department head in the County shall designate one or more chief assistants or chief deputies who shall have authority to administer the affairs of the office while the department head is on leave.

B. The designation required by subdivision (A) of this section shall be in writing and shall be on file with the clerk of the board of supervisors at all times. Such designation may be amended or changed from time to time by the department head in writing by delivery of such writing to the clerk of the board of supervisors.

C. For purposes of this section the authority to administer the affairs of the office shall mean those duties and powers necessary to operate the office on a day to day basis. This authority may be more specifically delineated or expanded by the department head in writing at the time the assistant or deputy is designated. The designated deputy or assistant is hereby authorized to carry out such duties.

D. Notwithstanding the limitations set forth in subdivision (C) of this section, in any case in which the department head becomes unable to discharge the powers and duties of his or her office, the chief assistant or deputy designated pursuant to subdivision (A) of this section shall discharge and is hereby authorized to discharge all such powers and duties provided such authority is confirmed by the board of supervisors.

E. The department head may authorize in writing, with approval of the Personnel Director, a five percent (5%) increase in salary for any employee designated pursuant to subdivision (A) of this section provided that the employee performs the duties described in subdivision (C) for at least ten (10) consecutive days. This salary increase shall apply to all periods of time during which the designated employee carries out the duties pursuant to subdivision (D).

- **.2.22 Disciplinary Action**

In all cases in which an employee is to receive disciplinary action, all notices, letters, and actions (this includes Notices of Intent as well as Final Disposition of Discipline Notices) shall be reviewed and approved by the Personnel Director prior to such notice, letter or action being delivered or put into effect.

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