

BOX ELDER COUNTY PERSONNEL POLICIES AND PROCEDURES

2. EMPLOYEE STATUS CLASSIFICATION

2-1. Anniversary Date

Continuous service begins the day the employee is hired, and is established as the anniversary date. The hire date is used to determine the employee's eligibility for benefits including vacation, sick leave, health insurance and retirement purposes.

Continued service is broken by either voluntary or involuntary termination of an employee.

2-2. Evaluation Employee

New employees are normally required to serve a six-month evaluation period during which time the supervisor and the employee will determine the suitability of the person to the job. This date may be continued for up to one year upon the recommendation of the elected official or department head. Either may elect to discontinue the employee's employment with the County without cause. After satisfactorily completing the evaluation period, the employee becomes eligible to use accrued annual leave and is no longer subject to a probationary period if reassigned within the County.

As per Utah Code Annotated 17-30-11, public safety officers shall serve a probationary period of 12 consecutive months, during which time he/she may be discharged by the appointing authority.

2-3. Temporary Employee

Employees working on a seasonal or temporary basis are considered to be temporary and are not eligible for benefits. Seasonal employees will work no more than 6 months and thus are not eligible for benefits under the Affordable Care Act. Human Resources will determine the termination date for Seasonal Employees.

Determination of temporary status shall be decided prior to the time of hire.

2-4. Full-time Employee

All elected officials shall be considered as full-time employees for purposes of *health* benefits and retirement (Tier 1 or Tier 2).

Employees who work or average forty (40) hours or more per week who are classified full-time employees (not to be interpreted as "permanent"), and are eligible for holiday pay, retirement programs from date of hire; health insurance

after meeting eligibility requirements,* and full benefits including sick with vacation use after completing the evaluation period. Full time employee benefits can be found in Section 8: Employee Benefits.

*For purpose of vacation and sick leave accrual regular hours are defined as all compensable hours excluding over-time (hours worked over 40 in work week).

Elected Officials may be exempted from participating in the Utah Retirement System.

Appointed Employees

Box Elder County Elected Officials have the option to engage appointed employees during their term. The following positions will be considered appointed, non-merit, at-will employees: Chief Deputies, Jail Commander, Sheriff's Office Lieutenants. Appointed employees are exempt, full-time employees.

Employees may be offered appointments to these specific non-merit positions. An employee who is offered a promotion to a non-merit, appointed position will have 30 days to choose whether or not to accept the appointment. If the employee chooses not to accept the appointment, and the employee's position is being replaced by the non-merit position, then the employee's rights will be governed by policy section 4-5, 4-6, or 4-7. If the employee chooses not to accept the appointment, and the employee's current position is not being replaced, then the employee may remain in the current position.

A merit employee who is promoted or transferred to a non-merit, appointed position has the right, when the appointment ends, to return to a classification comparable to one held prior to being promoted or transferred, unless the individual's employment is terminated for cause. If such action creates a problem of an "overstaffed" department, then the guidelines under policy section 4-5, 4-6, or 4-7 shall apply.

An individual who is appointed to a non-merit position, and who was not a merit employee of Box Elder County immediately before the non-merit appointment, has no right to employment when the non-merit appointment ends. Similarly, an elected official has no right to employment when he or she leaves elected office, regardless of prior merit status. To be considered for employment in one of these cases, the individual must follow the standard processes for non-employee applicants.

2-5 Part-Time Employee

Part time employees are those who work 39 hours or less per week. Part time employee benefits can be found in Section 8: Employee Benefits.

2-6. Reduction in Work Force

When circumstances such as lack of funds or work, abolition of positions, or material changes in duties or organization dictate that a reduction in force is needed, the elected official or department head shall lay off the necessary number of employees taking into account the relative ability, seniority, and merit of each employee.

In the event of a mass reduction in force or layoff, the County will give at least 60 days notice prior to the reduction, to the extent required by law.

2-7. Volunteers

A "Volunteer" means any person who donates service without pay or other compensation except expenses actually and reasonably incurred as approved by Box Elder County. A "Volunteer" does not include any person who has been convicted of a criminal offense; any youth who has been adjudged delinquent; or any person or youth who has been diverted from the criminal or juvenile justice system and performs a public service as a condition of the person or youth's sentence, diversion, probation, or parole. A "Volunteer" includes a juror or potential juror appearing in response to a summons for a trial jury. Services rendered by a volunteer shall not be the same type of service which the person is otherwise employed to perform for the county. A volunteer may not donate any service to Box Elder County unless the volunteer's services are approved by the County Commission. (*Reference: Utah Code Ann. 67-20-4*). Volunteers shall provide their name, address and contact information on a tracking sheet, which shall be submitted by the department head to Human Resources. Volunteers are not covered by other provisions of the county's personnel policies, except they may be entitled to receive workers' compensation medical benefits. (*Reference: Utah Code Ann. 67-20-1 et seq.*) (Approved in Commission Meeting on: 11/20/2007).