



“To help the residents of Morton County Soil Conservation District protect its natural resources by education, financial and technical assistance.”

MORTON COUNTY SOIL CONSERVATION DISTRICT

NORTH DAKOTA

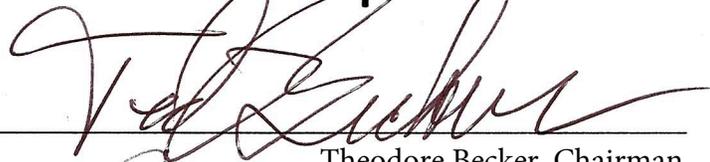
TEAM MEMBER HANDBOOK

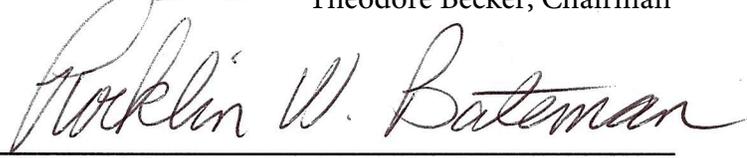
Implemented: February 16, 2017

We envision a work environment where people arrive each day inspired to make a positive impact on other people's lives through their job - no matter what that job is.

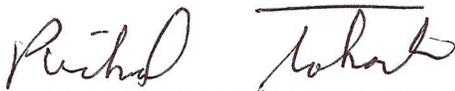
The following Personnel Regulations and Benefits have been accepted by the Morton County Soil Conservation District Board of Supervisors.

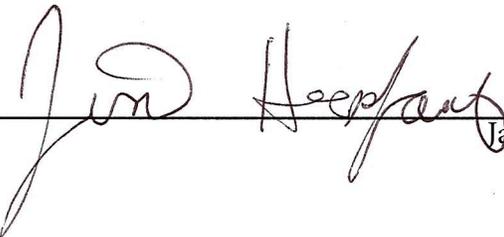
Board of Supervisors:


Theodore Becker, Chairman


Rocklin Bateman, Vice-Chair


Aaron Steckler


Richard Tokach


James Hopfauf

Dated: 02-16-2017

Table of Contents

This handbook is about choices like the ones you will make with our County. We hope this guide will provide you with necessary information empowering you to use good judgment in all situations. Together, we leap!

1. Purpose	
1.1. Purpose of This Guide	5
2. Public Service Commitment	
2.1. Public Service Commitment	6
3. Our Beliefs	
3.1. Mission Statement	7
3.2. Core Values	7
3.3. Statement of Service	8
3.4. Guiding Competencies	9-11
3.5. Open Door Policy	12
3.6. Choice of Language	12
4. Partner Descriptions	
4.1. Partner Summaries	13 - 14
5. Commitment to Diversity	
5.1. Equal Employment Opportunity	15
5.2. Discrimination / Harassment / Bullying	15 - 16
6. General Employment Laws	
6.1. Employment Law Organizational Commitment	17
6.2. Federal Employment Laws	18 - 19
6.3. State Employment Laws	19
6.4. Common Laws	20 - 21
7. Organizational Committees	
7.1. Personnel Committee	22
7.2. Team Member Safety Committee	22
8. Workplace Safety	
8.1. General Information	23
8.2. Reporting Procedures	23
8.3. Organizational Responsibility	23
8.4. Alcohol, Drug and Inhalant Free Workplace	24 - 27
8.5. Driving and Traffic Violations Policy	27
8.6. Criminal Conviction Policy	28

9. General Employment

9.1.	Hours of Operation	29
9.2.	Break Period	29
9.3.	At-Will Employment	30
9.4.	Probationary Period	30
9.5.	Employment Categories	30
9.6.	Flexible Work Arrangements	31
9.7.	Secondary Employment	31

10. General Hiring Practices

10.1.	Veterans Preference	32
10.2.	Re-employment Standards	32
10.3.	Background Checks	32 - 35
10.4.	Nepotism & Personal Relationships in the Workplace	36

11. Monthly Pay Policy

11.1.	Period of Payment	37
11.2.	Pay Advances	37
11.3.	Overtime Eligibility	37
11.4.	Leave Utilization	37
11.5.	Overtime	37
11.6.	Compensatory Time	38
11.7.	Holiday Pay	38
11.8.	Inclement Weather	38
11.9.	Rounding of Hours	38
11.10.	Travel Time	39
11.11.	Reimbursement for Expenses	39
11.12.	Error in Payroll Processing	39
11.13.	Responsibility for Time and Attendance	40

12. Compensation Program

12.1.	General Information	41
12.2.	New Hire Starting Wage	41
12.3.	Probationary Increase	41
12.4.	Temporary Additional Duty Pay	41

13. Benefits Program

13.1.	Eligibility	42
13.2.	Important Benefit Information	42
13.3.	Timeline for Enrollment	43

14. [Leave Program](#)

14.1.	General Information	44
14.2.	Vacation Leave	44 - 45
14.3.	Sick Leave	45
14.4.	Family Sick Leave	46
14.5.	Holiday	46
14.6.	Donated Leave	46
14.7.	Civic Duty Leave	47
14.8.	Military Leave	47 - 49
14.9.	Bereavement Leave	49
14.10.	Leave Without Pay	49
14.11.	Critical Care Leave	49
14.12.	Administrative Leave	50

15. [Performance Management](#)

15.1.	General Information	51
15.2.	Annual Performance Evaluations	52
15.3.	Performance Counseling & Constructive Discipline Process	52 - 54
15.4.	Steps in Performance Counseling & Constructive Discipline	54 - 55
15.5.	Impact of Performance Counseling & Constructive Discipline	55
15.6.	Grievance Eligibility	55

16. [Appeal / Grievance Procedure](#)

16.1.	General Information	56
16.2.	Phases of the Appeal / Grievance Process	57
16.3.	Ineligible Items for the Appeal / Grievance Process	57

17. [Administrative Policies](#)

17.1.	Dress Code	58
17.2.	Confidentiality	58 - 59
17.3.	Job Abandonment	59
17.4.	Reduction in Force	59
17.5.	Responsible Use of Electronic Communication	59 - 60
17.6.	Right to Monitor and Consequences for Misuse	60
17.7.	Avoidance of Impropriety	60
17.8.	Conflict of Interest	60 - 61
17.9.	Political Activity	61
17.10.	Lobbying	62
17.11.	Voting	62
17.12.	Nursing Mothers	62
17.13.	Solicitation Distribution	62
17.14.	Morton County SCD Commitment	63
17.15.	Team Member Acknowledgement	64

Purpose of this Guide:

To honor the tradition of service, Morton County Soil Conservation District has developed this guide to help you navigate through your employment. We genuinely believe if you are provided with clear guidance of what is expected, you will honor those expectations. This resource document outlines not only what is expected but also attempts to educate you and positively influence you to adhere to our standards.

As you move through the course of your employment, you may have questions. You may also have suggestions on what should be included or excluded in this guide. We would be grateful for your participation in making this document stronger and more representative of the service culture we are striving to build and maintain. As questions arise or suggestions are thought of, let someone know, preferably the District Secretary, as this position is responsible for the maintenance of this document.

Please keep in mind as our needs change, this guide will be re-aligned to meet those changing needs. It is each Team Member's responsibility to remain up to date on the contents of this guide. We will house this document on the shared drive. As changes are made, we will make every effort to notify you of the change.

There are several important items to keep in mind as you use this resource document.

- This manual is not intended to be an all-inclusive policy and procedure manual. It is designed to answer frequently asked questions with specific guidance on common items.
- No one single person has the authority to provide guidance outside of this document without approval from the Morton County Soil Conservation District Board of Supervisors.
- This handbook is not an employment contract and it is not intended to create contractual obligations of any kind.

The Morton County Soil District Leadership Team is made up of the District Conservationist as the SCD staff daily supervisor and the Board of Supervisors. This team will be responsible for assuring organizational consistency by applying practices outlined within this guide.

Public Service Commitment

We serve our community through the eyes, ears and voices of those individuals we employ. We carefully choose our Team members and ensure they have one single commonality - a desire to serve. We, as a team, define the culture of service through our performance. If your Team's actions and behaviors are generally positive, the product of service will mirror the environment. If the Team's overall contribution is less than positive, the service level will suffer along with the overall reputation of not only the Department but you as well. In other words, your environment is a product of how you and your Team respond to the needs and wants of those we serve.

*Because we distinctly believe in a positive and pro-active culture, we insist that
YOU aspire each day to make a positive impact on other people's lives
through your own performance – no matter what job title you hold.*

Public Service is a worthy endeavor. It is the epitome of putting the organization and those we serve first. Although our constituents come first, we make every effort to create a balance so your needs are equally considered. We will work tirelessly to provide you with a value driven employment experience. In return, we ask for your employment contribution to be one filled with creativity, inspiration and kindness.

We give our customer requests the respect it deserves, not because you think it is important (or non-important) but because they believe it is important. Regardless of the nature of the request or how many times the same question comes in, we ask you to respect the request and honor that question each time it is asked. You are the expert in your job, not the customer.

Our Beliefs

Mission Statement:

“To help the residents of Morton County SCD protect its natural resources by education, financial and technical assistance.”

With a clear direction and the knowledge that service is the driving force of our organizational existence, the last piece is you, the employee - - our Team Member. It is your commitment and your direct service that will define our success. The role you have chosen comes with one single requirement - **to serve this organization in a manner respecting and upholding the Morton County Soil Conservation District's Core Values.**

We hold our beliefs and values in high regard so you will need to learn and be familiar with these values. They are inherent in how we do business and will serve as a guiding force in our daily actions, behaviors and decision making.

Core Values:

Our Core Values define who we are as an organization. You make a daily choice to serve alongside us as a Team Member. You have a duty to be a strong representative of who we are.

- We take a whole-hearted approach to **Responsible and Comprehensive Customer Service.**
- We work tirelessly to be **Stewards of Public Trust.**
- We are committed to hearing and responding to the **Diverse Voices and Ideas** surrounding us.
- We have a burning desire to **Lead** the community with **Ethics and Integrity.**
- We are committed to a **Culture of Team Work and Collaboration** built out of respect for one another.

Statement of Service

Conflicts may arise during the pursuit of our mission. Interpersonal frustrations and constituent tensions will inevitably occur. Our goal isn't to love everyone we serve (or serve alongside). Our goal is to work alongside one another professionally and courteously in pursuit of service.

During this pursuit, we ask for you to be kind and courteous throughout your work day. Take great care to manage your words, tone of voice, and your non-verbal cues. If you have gained a negative perception of another person, don't share with others. That perception is your own. Allow others to develop their own perceptions without you guiding and influencing their perception.

As conflicts arise, stay calm and collected. If you are having trouble moving past a situation, here is how we expect for you to handle the situation.

- As a Team Member, make sure you are free of fault before faulting others. A great way to gauge this question is to ask "How did I add to or worsen this situation". Prior to any discussion, it is important to know your involvement and your overall accountability for the failed situation.
- Attempt to collaboratively solve the problem with only those involved. The only individuals who can solve the problem are the ones involved. Don't seek justification from those outside of the situation. Rather, face it head on and actively find an effective resolution.
- If you are feeling resentment, anger or frustration with another Team Member, you have a duty to address those feelings. Don't let those feelings linger or build. If you do, you now know what to do. (See prior step)
- Remember, we all fall short from time to time. Give others room to falter. Don't be so quick to criticize. If you see someone struggling, offer them help, not criticism.
- In the spirit of a team environment, you must be committed to address these items quickly, constructively and directly.
- If someone is falling short in their work, give them a gentle reminder. They deserve to be the first to know and the first to resolve.
- Be ready to learn from your mistakes and the mistakes of those around you. Use these items as learning tools and not just conversation topics.
- If you have a concern, bring it forward. If you are truly committed to finding a resolution, place time and effort into your complaint by brainstorming effective resolutions prior to bringing your concern forward.

If you choose not to follow through with this recommendation, you must understand you are accepting and supporting the very behaviors or work problems causing anguish, frustration and/or uneasiness.

Guiding Competencies

If you get lost along the way, the following Guiding Competencies should guide you back between the guard rails. The competencies are a basic description of what behaviors are important to your overall success here at the District. We expect for you to use these expectations as tools to adjust your performance style to better meet the organization's expectations.

Competency: Accountability

Accountability is generated when a Team Member accepts full responsibility for their actions and the impact of those actions both as an individual contributor and a team contributor.

Behavioral Indicators:

- Follows through with commitments
- Adheres to guidelines, regulations, principles, standards, policies and procedures with limited exceptions
- Acknowledges and corrects mistakes without placing blame or making excuses
- Ability to balance quality performance and work load.

Competency: Collaboration

Team Members who foster cooperation and teamwork are collaborative contributors.

Behavioral Indicators:

- Demonstrates objectivity when listening to or soliciting ideas and input from others
- Identifies mutually beneficial solutions for Team Members, the Team, the Departments and the County
- Assists and supports Team Members inside and outside of their Department
- Communicates thoroughly with others providing accurate and up-to-date information
- Ability to share knowledge to improve a practice, policy or service need that best addresses the situation

Competency: Communication

Team Members who effectively communicate (internally and externally) provide quality information that is both reliable and timely.

Behavioral Indicators:

- Displays behaviors that allows others to view you as approachable
- Adjusts communication style to address the specific needs of the audience
- Demonstrates objectivity by refraining from immediate judgment and criticism of ideas; Provides constructive feedback in a manner sensitive to the feelings of others; Allows individuals to finish their intended message before responding
- Clearly and articulately communicates a message assuring others comprehend the intended message
- Assesses the level of understanding to ensure the message was effectively delivered

Competency: Credibility

Team Members who have earned trust and respect are viewed as credible resources within the organization. Generally, credibility is earned by honestly and professionally being responsive in all interactions.

Behavioral Indicators:

- Maintains promises and commitments made to others
- Ability to do the right thing, even when the right thing is difficult
- Ability to be unyielding when there is pressure
- Avoids situations and actions that may be perceived as inappropriate or a conflict of interest
- Respects and maintains security and prevents the release of confidential information

Competency: Professionalism

Team Members who maintain a strong level of professionalism carefully considers words, actions, appearance and mode of behavior and assures all behavior is in alignment with the organization's expectation.

Behavioral Indicators:

- Ability to consistently present an appropriate professional appearance
- Understands how an action or behavior can be perceived by an outside perspective
- Takes actions calculated to have a positive effect on others
- Works to develop and maintain positive working relationships by being a team contributor

Competency: Service Oriented / Quality Focus

Team Members who are effectively serving the needs of our customers are dedicated to accurate, helpful, timely and thorough service.

Behavioral Indicators:

- Shows concern for quality, accuracy and thoroughness of work
- Ensures all commitments are completed in a timely and quality manner
- Personally seeks to add value in every work assignment
- Identifies opportunities to improve quality of work and commits to the improvement process
- Addresses issues openly, constructively and professionally while encouraging others to do the same.

As a Team Member, it is important that you regularly evaluate yourself and ask if you could have done better. This will keep your skills sharp and your service sharper.

1. Are you taking professional accountability for your actions, behaviors and overall performance?

When a situation angers or frustrates you, is your first reaction to blame another person?
If so, try taking a different approach next time. When something goes awry, ask yourself,
“What could be done to prevent this in the future?” & Focus on the solution rather than the blame.

2. Are you staying professionally connected to those around you?

Do I take time to help my Team Members around me when they are in need?

3. Are you taking the time to communicate the good, the not so good and the better to those who need to know?

When I communicate the not so good, am I communicating constructively or am I complaining?

4. Do those around you see you as a credible leader within this organization? If not, what have you done to change that?

Am I taking the time to consider the perceptions of those around me?

5. Are you professional in your work interactions?

I know that I am not always perfect in my interactions.
When I do falter, do I take the time to apologize to those I may have affected negatively?

6. Is service a priority for you?

When a constituent frustrates me, can they see the frustration in my eyes, my tone or my actions?

Open Door Policy

We believe it is extremely important that you have an effective means of addressing work-related issues. By working together, we can resolve most any question or concern that may arise. If you have a problem or concern, we want you to tell us.

Please use the following procedure in expressing your concerns.

- First, talk to your daily supervisor – the District Conservationist. The District Conservationist is your principal contact with management. If you are uncomfortable, unable to discuss an issue or unsatisfied with the District Conservationist, you may ask to meet with a member of the personnel committee or a member of the Board of Supervisors.
- In the event your concern cannot be addressed with one of the members described above, you may reach out to the Morton County Human Resources Director or the Morton County States Attorney’s Office.
- You and your supervisor can satisfactorily resolve most employment related problems. Use your supervisor as your resource and first line of resolution.

We strictly prohibit retaliation against anyone for exercising his/her right to bring issues to the attention of management.

Choice of Language

Words have the ability to define, create, strengthen and encourage those around us. Words also have the distinct ability to hurt, debilitate and paralyze a person. John Franklin Stephens wrote it best when an individual used the word retarded. He stated, “You and society need to learn that being compared to people like me (referring to the term retarded when used sarcastically) should be considered a badge of honor. No one overcomes more than we do and still loves life so much.”

In this organization, we believe our words are meant to motivate, support and encourage one another. We strongly discourage language that has the potential to discount, demean or devalue another person. We simply ask for you to be considerate and refrain from using language that would degrade, diminish or disregard another individual. Remember, “Language affects attitudes and attitudes affect actions.”

Partner Descriptions

Morton County Commission (elected position)

County Commissioners are elected to terms of four years, and the five Morton County Commissioners are all elected at-large, and not by district. County Commissioners have a myriad of duties, powers, and responsibilities as prescribed by the 13 pages of Chapter 11-11 of the ND Century Code. Two of the primary duties are to oversee the fiscal affairs of the county, and to supervise the conduct of various county officers and department heads. Along with those primary items, commissioners are also responsible for the administration of county property, establishing and enforcing ordinances, maintaining transportation infrastructure, arranging for the conduct of elections, and providing benefits to employees. More details can be found in Chapter 11 of the ND Century Code.

The Morton County SCD presents a yearly budget and annual report to the County Commissioners and presents the requested mill levy report.

Morton County Auditor (elected position)

The Auditor is the Chief Financial Officer responsible for financial planning, record keeping and financial reporting. In addition, this office manages mill levies, elections and provides administrative support to the County Commission. Duties of this office also include maintaining an accurate inventory of all fixed assets, maintaining legal descriptions and parcel numbers for all property located in the county, administering insurance coverage for necessary county property, and coordinating licenses and fees i.e. hunting, fishing, beer and liquor licenses as well as bingo and raffle permits. The position also provides direct oversight of Buildings & Grounds and Human Resource activities that occur within County Government.

The Morton County SCD provides yearly financial reports or audits to the County Auditor.

Morton County State's Attorney (elected position)

The State's Attorney's Office is primarily charged with the prosecution of felony, misdemeanor, infraction and traffic cases as well as juvenile court matters and mental health hearings. The State's Attorney is the legal advisor for all county officials and is the chief prosecuting officer for Morton County SCD.

Morton County Highway Department

Most county citizens benefit from the work of the Highway Engineer or Superintendent, who is responsible for the County's roads and bridges. They run the county shop and all its activities and equipment, and work with engineering and construction firms on planning and providing for the transportation needs of county residents.

NDSU Extension Services

The County Extension Office focuses on enhancing lives and communities through educational efforts. This Department is knowledgeable in many areas from agriculture to parenting. A special emphasis is placed on strengthening agriculture within our County as well as developing the potential of youth, adults and our surrounding communities. The County Extension Agent often attends the Morton County SCD regular board meetings and presents a monthly report. The County Extension Agent serves as the Morton County SCD Official Secretary.

Morton County Parks

The Morton County Parks System operates and maintains nine parks throughout the county, three access points for the Missouri River, three hiking and biking trails and a mountain bike trail. Morton County Parks also proudly maintains eleven abandoned cemeteries.

Morton County Weed Department

The Weeds Department is responsible for protecting and preserving the agricultural, recreational, wildlife habitat and natural areas of the County from the degrading impact of exotic and invasive noxious weeds. A noxious weed is defined as “any exotic plant species that may render land unfit for agriculture, forestry, livestock, wildlife or other beneficial uses, or that may harm native plant communities.”

Planning and Zoning

The Department of Planning and Zoning is responsible for administration of Morton County zoning and subdivision regulations. Planning and Zoning staff provides support to the Morton County Planning and Zoning Commission, and also engages in long-range planning activities to guide land use and development within Morton County.

North Dakota Department of Health Division of Water Quality

The North Dakota Department of Health (NDDoH), Division of Water Quality, works to safeguard water quality for all uses. Water Quality is essential to public health, our natural environment, and economic development in North Dakota. Enforcement of state and federal environmental laws is accomplished through permitting, inspection, sampling, analytical services and monitoring activities. The Morton County SCD works with the NDDoH to improve water quality by applying for federally funded grants. The grant money is made available to producers in specific watersheds that want to establish best management practices (BMP's) on their land. Eligible BMP's positively impact water quality and are approved by the NDDoH for reimbursement to the producer.

Morton County Water Resource District Board

The Morton County Water Resource District Board is responsible for managing the various water resources and drainage areas in the District to include navigable streams and waterways as well as provide oversight of the Missouri West Water System.

Natural Resource Conservation Service

NRCS conservationists provide technical expertise and conservation planning for farmers, ranchers and forest landowners wanting to make conservation improvements to their land. Farmers, ranchers and forest landowners can receive financial assistance from NRCS to make improvements to their land. NRCS offers a variety of information, tools, and resources related to conservation. NRCS helps America's farmers, ranchers and forest landowners conserve the nation's soil, water, air and other natural resources. All programs are voluntary and offer science-based solutions that benefit both the landowner and the environment. The Morton County SCD works hand in hand with NRCS on a daily basis.

Commitment to Diversity

Equal Employment Opportunity

In coordination with our Core Value – **Diverse Voices and Ideas** – we maintain a sincere interest in providing equal employment opportunity to all applicants and Team Members.

Our Commitment:

- We will not discriminate against anyone due to any protected status or characteristic protected by any applicable federal, state or local law.
- We will reasonably accommodate any qualified individual with a disability during the candidate experience as well as the employment phase unless doing so would pose an undue hardship or create a direct threat to this individual, other employees or the general public.

Your Commitment:

- Any member of the Leadership Team is responsible for making sure all employment related decisions are based on lawful criteria.
- If you witness behavior that would diminish our commitment to Equal Employment Opportunity, please notify the Chairman of the Board of Supervisors or the Personnel Committee immediately.

Discrimination / Harassment / Bullying

In honor of our Core Values, we are committed to a **Culture of Team Work and Collaboration**. Any behavior inconsistent with this value will impede our ability to provide you and others with a safe and comfortable work environment.

Our Commitment:

- We have a sincere desire to prevent inappropriate behavior from occurring within our organization.
- We strictly maintain a zero tolerance policy against discrimination, harassment and/or bullying relating to any legally protected status or characteristic. Even if the behavior is not considered illegal, the behavior may still be inappropriate for the work environment.
- We are committed to addressing, correcting and disciplining for any behavior deemed inappropriate, especially if it is illegal in nature.
- We will offer mandated training annually on Discrimination/Harassment/Bullying through the Personnel Committee.

Your Commitment:

- If you are a witness to, become aware of or are a recipient of alleged harassing, discriminatory or offensive actions, please notify the Chairman of the Board of Supervisors or the Personnel Committee immediately.
- If you are witness to any inappropriate behavior within the workplace, do not ignore the behavior. This will only perpetuate and encourage the behavior to continue. Either constructively and professionally confront the wrongdoer or notify a member of authority who will.
- You will attend annual offerings of training to aid in the prevention of Discrimination/Harassment/Bullying.

Investigation of Discrimination, Harassment or Bullying:

Upon notification, Morton County SCD Board of Supervisors, in coordination with the Morton County States Attorney, will determine if an investigation is warranted. If an investigation is warranted, Morton County States Attorney will work with an appointed member of the Board of Supervisors. Supervisors may not initiate their own investigation for these types of allegations.

- We will not tolerate adverse treatment due to participation in an employment investigation. If you feel that you or another Team Member has been subject to retaliation, please notify a member of the Morton County Board of Supervisors or the Morton County States Attorney. Retaliation against a participant will be strictly prohibited. Any individual who engages in retaliation will be disciplined accordingly, up to and including termination.
- If an investigation supports a charge of harassment, discrimination or confirms offensive/inappropriate conduct, we will hold the offender accountable by enforcing appropriate discipline up to and including termination.

We strongly believe in a work environment where employees maintain clear boundaries between employee personal and business interactions. Although we do not prevent the development of friendships or romantic relationships between co-workers, we do expect for Team Members to establish appropriate boundaries as to how relationships are conducted during working hours and within the working environment.

The District Conservationist and the Board of Supervisors are subject to more stringent requirements under this policy due to their status as an authority figure, role model, access to sensitive information and their ability to affect terms and conditions of employment. We discourage subordinate/supervisor friendships and romantic relationships within the workplace. In the event a relationship arises between a Team Member and their subordinate/supervisor, refer to the Nepotism & Personal Relationship in the Workplace Policy.

General Employment Laws

To assure a strong commitment to **Public Stewardship**, our goal is to assure our Team Members are provided with general guidance and training on applicable employment laws within the public sector. The more education and general awareness we bring to this subject the stronger the commitment we build in fostering a respectful work environment. This work environment should bring you reassurance that your best interest is at our forefront.

Our Commitment:

- The Leadership Team will focus on building a workforce of committed, productive and respectful Team Members who find value in our beliefs.

Your Commitment:

- All members of the Leadership Team are responsible for maintaining awareness of applicable employment laws affecting Team Member employment.
- When you are formulating any employment decision, use only job-related factors as your basis for each decision.
- As you lead your Team, use a consistent method to apply work rules.
- Each Team Member within this organization is a valuable member and contributes to the overall success of this organization. You should regularly remind and recognize your Team of their value and commitment to this organization.
- In the event of a disciplinary situation, use the situation as an opportunity to coach and support the Team Member through the situation rather than using discipline as a punishment.
- Team Members deserve regular feedback that is accurate, direct and reliable.
- Each Team Member should have a documentation file where you regularly document their performance.
- Be cautious, careful and respectful in your interactions with Team Members. Your comments should be constructive, appropriate, accurate and respectful.
- Assure Team Member privacy by not disclosing facts (or assumptions) regarding their employment with other Team Members.
- Be careful not to enter into any employment promises with a Team Member. Our Leadership should be communicating factual information and not promises.
- When there are questions regarding pay and benefits, do not assist a Team Member with interpreting a pay item or a benefit item. You should refer them to the District Secretary or the Personnel Committee.
- If a complaint is brought to your attention, it is your responsibility to address each and every complaint in a timely and factual manner.
- In the event a candidate or a Team Member participates in a complaint/appeal, you must be respectful of their right and not retaliate based on their participation.

As a leader, your duty each day is to build and maintain a workforce dedicated to service and productivity. These commitments will guide you in your journey of leading others and leading them well.

Federal Laws Impacting Employment

Title VII of the Civil Rights Act of 1964 – Commonly Referred to as Title VII: Title VII prohibits you from discriminating against an applicant or Team Member based on race, color, religion, sex or national origin. As previously stated, all employment related decisions should be based on job-related facts rather than specific characteristics of any person.

US Code 19.83 - Government Services: It is unlawful to hinder a government employee from carrying out the duties of their respective position. (Physical obstruction, bribery, preventing an arrest, discharge of duties, etc...)

Age Discrimination in Employment Act of 1967 - Commonly Referred to as ADEA: ADEA offers protection to applicants and employees who are at the age of forty (40) and over. This simply means as decisions are being made age cannot factor into the decision.

Americans with Disabilities Act of 1990 - Commonly Referred to as ADA – amended in 2008: If an applicant or a Team Member has a known physical or mental limitation, Morton County SCD should ensure this individual has the ability to equally participate in employment related activities as those who are not limited. This is achieved through the Reasonable Accommodation Process completed by the Personnel Committee in coordination with your support.

Equal Pay Act of 1963 - Commonly Referred to as EPA: When determining pay, it is important to solely focus on equal skill, effort and responsibility within a similar work environment. Pay decisions will not involve an individual's gender.

Immigration Reform and Control Act of 1986 - Commonly Referred to as IRCA: When hiring new Team Members, the organization should focus on an individual's qualifications and soft skills. An individual's legal right to work will be determined during the onboarding process and should never factor into an employment decision, unless they are ineligible to work in the U.S.

Family Medical Leave Act of 1993 - Commonly Referred to as FMLA: If a Team Member has been employed for one (1) year and completed at least 1,250 hours of service, they may be afforded twelve (12) or twenty-six (26) weeks of job-protected leave per year in the event of a birth, adoption or foster care of a child (12 weeks); serious health condition of a child, spouse or parent (12 weeks); a serious health condition or pregnancy of a Team Member (12 weeks); or a spouse child, parent or "next of kin" of an injured military service member (26 weeks).

Uniform Services Employment and Reemployment Rights Act of 1991 - Commonly Referred to as USERRA: If an individual is a past, current or future service member, the organization must afford the Team Member appropriate military leave and applicable re-employment upon return.

National Labor Relations Act - Commonly Referred to as NLRA: Although public sector employees are not covered under the NLRA, the purpose and general idea is important for our Leaders to consider. This allows for Team Members to openly discuss employment related concerns without fear of reprisal. Although we aren't governed by NLRA, it is good practice to allow this discussion as long as it is appropriate and not disruptive to the work environment.

Genetic Information Nondiscrimination Act of 2008 - Commonly Referred to as GINA: When making employment related decisions, you should not allow genetic related information to factor into your decision. We are unable to acquire or use genetic related information except in specific circumstances. If obtained, this information must be kept confidential with the District Secretary and/or Personnel Committee.

Lilly Ledbetter Fair Pay Act of 2009: If an individual is subject to a discriminatory compensation decision or practice, the time period for filing a claim will restart each time a paycheck is issued.

State Employment Laws

North Dakota Public Employees Relations Act

- A Team Member may not be prohibited from engaging in political activity or be denied the right to refrain from engaging in such activity, except while on duty or acting in an official capacity.
- Team Members may participate in or communicate with an organization of employees without fear of reprisal, intimidation, or coercion. Payroll deductions can be made to these organizations.
- Team Members may report job-related misuse of resources or job-related violations of local, state or federal law, rule, regulation or ordinance without fear of reprisal.
- Team Members may be accompanied, advised and represented throughout a grievance proceeding by another Team Member or by a representative chosen by the Team Member.
- Morton County SCD may not directly or indirectly require or coerce any agency employee to participate in an activity unrelated to the performance of official duties.
- Morton County SCD may not require or coerce any agency employee to make any report unrelated to the performance of official duties.
- Morton County SCD may not require any agency employee to invest or contribute earnings in any manner or for any purpose, except for participation in the employee's retirement program.
- Morton County SCD may not restrict or attempt to restrict after-working-hour statements, pronouncements, or other activities not otherwise prohibited by law which pertains to matters of public concern, if the employee does not purport to speak or act in an official capacity.
- Morton County SCD may not restrict or attempt to restrict access of any employee to any member or committee of the legislative assembly.

Mediation of Disputes between Public Employers and Employees: In the event an employment matter is unable to be resolved amicably and creates a disruption to public service, Morton County SCD may seek assistance with the Mediation Board.

Chapter 14-02.4 Human Rights: It is the policy of this state to prohibit discrimination on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regard to marriage or public assistance, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer; to prevent and eliminate discrimination in employment relations, public accommodations, housing, state and local government services, and credit transactions; and to deter those who aid, abet, or induce discrimination or coerce others to discriminate.

Reasonable Accommodations for Pregnant Workers: This legislation requires employers of any size in the state to provide reasonable accommodations to a pregnant employee, if such accommodations would not unduly disrupt or interfere with the employer's normal operations, threaten the health or safety of the employee or others, contradict a business necessity of the employer, or impose an undue hardship on the employer.

Common (Court Created Laws) / Civil Law

Common Law/Civil Law is another item of contemplation for employers. Below, you will find various law theories for consideration.

Infliction of Emotional Distress: Assure your actions are consistent with the Morton County SCD Core Values. A Team Member should never have reason to claim valid emotional distress while under your supervision.

Defamation: If you are making comments regarding another individual, make sure your statements are respectful and accurate. Your actions may impact a Team Member's reputation. Spoken statements can be considered slander.

Health Information Portability Protection Act: The Privacy Rule controls how a health plan or covered health care provider discloses protected health information to an employer, including your manager or supervisor.

Invasion of Privacy: A Team Member has reasonable expectation of privacy during their employment with Morton County SCD. Any disclosures regarding employment details should not come from you, only from Personnel Committee. *Note: If you are using a personal cell phone (or other electronic methods for communication) for County business, your personal electronic devices, systems or software may be considered open record and available for review.*

Interference with Employment: Your goal with performance management is retention, not termination. If you are encountering a disciplinary situation, approach the situation in a supportive / coaching manner, not punitive in nature. References should only be provided by the Personnel Committee and/or District Conservationist.

Fraud or Negligent Misrepresentation: To avoid this type of claim, the assurances you provide to your Team Members must be based on factual information and not assumptions or interpretations.

Negligent Employment: If a Team Member poses a significant threat to the organization, its people or the general public, the County is obligated to address the behavior proportionately. If this Team Member injures another Team Member or the general public after the risk is known, Morton County SCD could be considered negligent.

Unlawful Imprisonment (Felonious Restraint): A Team Member or a member of the general public should not be held against their will. In the event of a concerning situation, contact the County Sheriff and the Personnel Committee immediately. If there is a need to detain an employee, the County will work with the Sheriff's Department and the States Attorney to address the situation. If we unlawfully detain an individual, it could be considered felonious restraint which is equivalent to a misdemeanor (NDCC 12.1-18-03).

Constructive Discharge: In the event a Team Member resigns in response to an intolerable work situation, the County may be at risk for a Constructive Discharge claim. If complaints are brought to your attention, it is critical that you thoroughly address the claim in a timely and responsive manner.

Discharge in Violation of Public Policy: All discharge decisions should be made on job-related information and not due to a Team Member's decision to exercise a legal right.

Breach of Contract: As a supervisor, you are ineligible to enter into any contract with a Team Member. Use cautionary language and assure your statements are factual-based and not employment related promises.

Breach of Implied Contract: This is an implicit (understood, unspoken or hidden) employment-related promise implying job security. Again, use cautionary language and assure your statements are factual based and not employment related promises.

Disorderly Conduct (NDCC 12.1-30-01): This type of conduct is considered unruly behavior resulting in a criminal offense.

Awareness and knowledge are the keys to avoiding legal liability. Each supervisory authority must be familiar with employment-related legal liability in order to prevent the behavior in the workplace.

Organizational Committees

Personnel Committee

The duties of the Personnel Committee are to draft, implement, maintain and recommend action to the board. This committee is also responsible for evaluating job descriptions, establishing and maintaining a competitive salary structure, and reviewing and evaluating the benefits offerings. The Committee also evaluates employment candidates and provides the Board with an Applicant Listing and a recommendation for movement into the interview and selection process. The Personnel Committee will also serve as a grievance board for employee complaints.

Team Member Safety Committee

Morton County Soil Conservation District will partner with Morton County to implement and monitor a Workplace Safety Program. This committee has a critical role within this organization as they focus on specific aspects of workplace safety such as:

- Periodic inspections
- Incident/accident reports
- Safety initiatives and improvements
- Safety awareness and education

Workplace Safety Policy

A safe work environment is the product of a strong safety culture within an organization. We strive to maintain a safe work environment for our Team Members and safe premises for the general public. We routinely review, scrutinize and update our safety policies and practices to ensure we have sound practices and a strong response system in place in the event of an injury, accident or exposure.

Our Commitment:

- Provide you with a work environment free from violence, threats of violence, unaddressed safety hazards, harassment, discrimination, intimidation and other disruptive behavior
- Provide safety education in the form of information, instruction, training and supervision
- Maintain a commitment in listening and addressing all Team Member concerns
- Continually improve organizational performance through effective safety management

Your Commitment:

- Actively involve yourself in promoting the health and safety of those around you
- Comply with safe work practices, with the intent of avoiding injury to yourself and others
- Wear protective equipment and clothing where necessary
- Comply with direction from management
- Maintain an orderly work area to prevent avoidable accidents, injuries and exposures
- Report all accidents and incidents on the job immediately, no matter how trivial
- Report all known or observed hazards to your supervisor

Reporting Procedures: In the event you are involved in an incident, receive an injury or are exposed to a potentially hazardous substance while on the job, notify the District Secretary within twenty-four (24) hours of the event. The District Secretary will then be required to file an incident/injury claim online within this same timeframe. Team Member and supervisor instructions can be found on www.workforcesafety.com. Any returning Team Member must provide a return to work note, from the treating physician, prior to returning to duty. This note must outline the return to work date as well as any limitations/restrictions to be observed.

Organizational Responsibilities: The Board will identify and educate Team Members on the chief hazards pertinent to their job and will also develop a Safe Operating Manual outlining standard operating procedures. As a Member of the Morton County SCD Leadership Team, you are directly responsible for the ongoing education and enforcement of safety practices within your Department.

Alcohol, Drug and Inhalant Free Workplace Policy

Morton County SCD has a vital interest in maintaining a safe, accountable, collaborative and team based work environment. Being under the influence of drug, alcohol or inhalant, while on the job, poses a significant safety threat to you and our community. Moreover, the use, manufacture of, sale, purchase, distribution, dispensation or possession of an illegal drug, alcohol or inhalant, in the workplace, creates unacceptable risk for the safety and welfare of individuals we employ and those our organization serves.

Morton County SCD recognizes our obligation to maintain a safe, healthy and efficient workplace and to protect County property, information, equipment, operations and reputation. As a condition of employment, you are required to abide by the terms and conditions of this policy. In addition, any individual whose position is partially funded by Morton County SCD or uses Morton County SCD property for business use must abide by this policy.

Supervisors, Managers and Lead Workers are required to maintain and enforce the expectations outlined within this policy. If a supervisor is found to be impeding the implementation or enforcement of this policy, disciplinary action will be considered, including termination. The discretion will be left to the Board.

Standard of Conduct: Morton County SCD prohibits the illicit or unauthorized use, manufacture of, sale, purchase, distribution, dispensation or possession of alcohol, illicit drug, illegal drug or inhalant while on Morton County SCD time, SCD property, during the operation/use of any SCD property or equipment or while working during a County related function. This includes the operation of any vehicle in the County/Federal Fleet.

- A Morton County SCD Team Member shall not possess, unlawfully manufacture, use, distribute or dispense any illegal drug, controlled substance, alcohol or inhalant.
- A Morton County SCD Team Member under the age of 21 shall not possess, sell, purchase or consume alcohol.
- A Morton County SCD Team Member shall not purchase, sell or provide alcohol to anyone under the age of 21.
- A Morton County SCD Team Member shall not possess/consume illicit/unlawful drug, alcohol, or inhalant on County property.
- A Morton County SCD Team Member shall not be under the influence of an illicit or unlawful drug, alcohol, or inhalant while on duty or on call.
- A Morton County SCD Team Member must consult their physician on medication effects of all prescribed medication relative to fitness for duty and the ability to work safely. Restrictions affecting a Team Member's ability to perform their job, noted by a physician, must be promptly disclosed to the District Conservationist. The underlying medical condition may remain confidential.

Any detectable amount of an illicit or illegal drug, alcohol or inhalant, while on County business is strictly prohibited. For purposes of this policy, on a go forward basis, an un-prescribed inhalant is considered a drug by the County.

Candidate Drug and Alcohol Screening: Any candidate receiving a conditional offer of employment, including part-time and seasonal positions (including seasonal candidates returning from previous years), are subject to drug and alcohol testing. In order to be considered for employment, the candidate must successfully pass the drug and alcohol screening. Prior to any testing, all candidates will be provided with this drug and alcohol testing policy. Each candidate will be required to sign the Drug and Alcohol Screening Acknowledgement confirming the policy has been received, read, and that the expectations are clear.

A candidate may refuse the right to test. However, if a refusal occurs, the candidate voluntarily removes themselves from the selection process. Each candidate will be required to acknowledge receipt and understanding of the policy prior to testing and finalization of offer. Upon refusal to test or if a positive identification for drug or alcohol use is made, either through testing or other means, the pre-employment process may be placed on hold.

If a positive result is identified, the candidate will be offered a confidential meeting to determine contributing reasons other than drug or alcohol use. Candidates will be provided with the option to:

- Obtain and independently test, the remaining portion of the positive urine specimen (candidate's expense);
- Obtain the written test result and submit to an independent medical review (candidate's expense).

Candidates will be provided with the option to appeal within three (3) days of the event. The request must be made in writing and submitted directly to the Board. During the appeal period, the pre-employment selection process will be postponed pending the outcome of this process. If the appeal process concludes a positive screening or if the candidate fails to follow through with additional testing options, the employer must revoke the conditional offer in writing to the candidate.

Team Member Drug and Alcohol Screening: Team Members will be provided with a copy of this policy. Each Team Member will be required to sign the Drug and Alcohol Screening Acknowledgement confirming the policy has been received, read, and that the expectations are clear.

The employer reserves the right to conduct drug and alcohol screening at time of hire (pre-employment screening), annual random selections (random screenings), demonstrated Team Member behavior causing reasonable suspicion of use, and at time of an accident, incident or injury. If a positive result is identified, the Team Member will be offered a confidential meeting to determine contributing reasons other than drug or alcohol use. Affected Team Members will be afforded the opportunity to:

- Obtain and independently test, the remaining portion of the positive urine specimen (Team Member's expense);
- Obtain the written test result and submit to an independent medical review (Team Member's expense).

Team Members will have the option to appeal within three (3) days of notification. The request must be made in writing and submitted directly to the Board. During the appeal period, the employment status of the Team Member will be suspended, with the ability to use vacation leave or compensatory time. If the Team Member is without leave, the suspension will be without pay.

If the process concludes a positive screening or if the Team Member fails to follow through with additional testing options, the issue will be brought forward to the Personnel Committee for further review and a professional recommendation will be made to the Board. The Morton County Board of Supervisors will make any and all final decisions for disciplinary action, up to and including termination.

Drug and Alcohol Training and Education: Morton County SCD will recommend District Supervisors and SCD staff to attend an annually training on signs and behavior of drug and alcohol use; intervention methods and standard protocol for addressing Reasonable Suspicion situations. Morton County SCD is responsible for training all staff on health and safety concerns with drug and alcohol use.

Team Member Drug and Alcohol Conviction Reporting Requirement: Team Members are required to report, within 5 days, any conviction relating to drugs or alcohol to the District Secretary or to a Personnel Committee member. A conviction means a finding of guilt (including a plea of nolo contendere) or imposition of a sentence or both by any federal or state judicial body charged with such responsibility. Within thirty (30) days of the final conviction report, Morton County SCD Board of Supervisors will determine the appropriate and necessary action against the Team Member consistent with federal and state laws and regulations.

Services for Drug and Alcohol Use/Abuse: St. Alexius Team Member Assistance Program is a free program for a Morton County SCD Team Member. A dedicated counselor will work with a Team Member on a Drug and Alcohol Use/Abuse assessment and work with the Team Member to identify the proper course of action. St. Alexius Team Member Assistance Program Contact Information: 1.800.327.7195

Team Member Accountability Statement: A Team Member retains responsibility for his or her own actions at all times regardless of his or her mental state even if altered by alcohol, drugs or inhalants.

Consequences for Policy Violation: If the process concludes a positive screening or if the Team Member fails to follow through with additional testing options, the issue will be brought forward to the Personnel Committee for review and any final decisions for disciplinary action, up to and including termination, will be made by the Morton County SCD Board of Supervisors.

Rehabilitation and Team Member Assistance: Rehabilitation assistance in lieu of discharge may be offered at the Team Member's expense. These situations will be determined on a case by case basis at the Board level.

- To a Team Member who requested rehabilitation assistance, prior to testing; or
- To a Team Member who violated this policy providing the violation does not constitute serious misconduct.

Inspections and Searches: Morton County SCD may conduct unannounced general inspections for drugs or alcohol on Morton County SCD premises or in Morton County SCD vehicles, equipment or worksites. Team Members are expected to cooperate. In areas where an employee may have a reasonable expectation to privacy, the area may be searched if the Team Member is provided with advance notice, a legitimate business reason for the search and the Team Member is afforded the opportunity to accompany (not participate) in the search.

A Team Member's consent to a proper and legal search is a condition of employment, and the Team Member's refusal to consent may result in disciplinary action, including termination, even for a first refusal. All refusal situations will be reviewed by the Board of Supervisors for decisions on disciplinary action, up to and including termination.

A search or seizure cannot take place without prior approval from the Personnel Committee.

Illicit or illegal drugs, drugs believed to be illegal, drug paraphernalia and other contraband found on Morton County SCD property or worksites will be turned over to the Morton County Sheriff's Department and the full cooperation given to any subsequent investigation.

Other forms of contraband, such as firearms, explosives, and lethal weapons, will be subject to seizure during an inspection or search. A Team Member who is found to possess contraband on Morton County SCD property or worksites or while on Morton County SCD business will be subject to discipline up to and including discharge at the Board of Supervisors discretion. If a Team Member is the subject of a drug-related investigation by Morton County SCD, the Team Member may be suspended pending completion of the investigation.

Confidentiality: All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by Morton County SCD as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.

Driving and Traffic Violation Policy

We deeply value the safety and well-being of our Team Members, our constituents and the general motoring public. Due to the risk of motor vehicle accidents resulting from traffic congestion, unsafe driving habits, road conditions and distractions, Morton County SCD is instituting this safety policy. This policy applies to all Team Members responsible for driving while on the job or utilizing a piece of heavy equipment.

Safety Requirements

- Inspect vehicles/equipment prior to use to ensure they are in safe operating condition. If a vehicle/equipment is unsafe to operate, address the issue and do not operate until it passes inspection.
- Drivers must have the ability to drive safely. Fatigue, medications and physical injuries can negatively affect the safe operation of a vehicle/equipment.
- Drivers must conform to all traffic laws and make allowances for adverse weather and traffic conditions. Speeding and aggressive behavior is considered unacceptable and will not be condoned.
- Seat belts must be worn while the vehicle/equipment is in motion.
- Cell phone usage should be limited while operating a vehicle/equipment. Texting, emailing and other non-verbal messaging is completely prohibited while driving or while the vehicle is being operated.
- Hitchhikers are not permitted in County or Federal vehicles. Any passenger permitted in a County vehicle will only be permitted if conducting County business or if reasonable cause exists.
- Cargo should be secured and all doors should be locked, both when the vehicle is in route and when it is parked.
- Be respectful of the rights of other drivers and pedestrians.
- Drivers may not be under the influence of drugs or alcohol while operating a County or Federal vehicle.
- Morton County SCD may review motor vehicle reports annually.
- If there is a change in license status that would impact your ability to operate a vehicle/equipment, you must notify your supervisor or a member of the Personnel Committee immediately.
- Team Members are responsible for maintaining a valid driver's license if they are required to drive to accomplish a job duty.

Safety Enforcement: Team Members may be subject to disciplinary action, up to and including termination, for policy violation. Morton County SCD will identify avenues to assist in preventing voluntary policy violations. Technological options such as Drive Mode or Drive Safe Mode will be considered.

Accidents: If you are involved in a work related vehicle or heavy equipment accident, you will be required to complete an Accident Report on the same day of the accident (unless seriously injured). You will also be responsible for taking a Post-Accident Drug/Alcohol Screen directly following the accident, unless you are seriously injured. Management will review all accidents and determine whether they were preventable or non-preventable. A preventable accident is defined as an accident in which the driver failed to do everything reasonably possible to prevent it from occurring.

Motor Vehicle Report (MVR) Standards: MVRs may be checked annually for those who are required to drive for County purposes. The MVR will be reviewed for status and to determine if driving record is within parameters set by the County.

Criminal Conviction Policy

You must report any criminal conviction(s) (criminal convictions and pleas that are acknowledgements of criminal responsibility, including but not limited to prayers for judgment, registration as a convicted sex offender with any governmental authority as a result of any prior conviction for a sex offense, and/or any convictions or pleas that are acknowledgements of criminal responsibility subject to the jurisdiction of a military court) during your employment with the Morton County SCD.

You must report applicable convictions within five (5) business days of the conviction to the District Conservationist or Personnel Committee. You must provide written documentation describing the criminal conviction(s) in question. Morton County SCD will subsequently review the material and make a determination regarding the conviction within five (5) business days of receipt.

A willful failure to report a criminal conviction under this policy will be eligible for disciplinary action, up to and including termination.

General Employment

Office Hours

We take a whole-hearted approach to **Responsible and Comprehensive Customer Service**. To assure responsible public access, the Morton County SCD will be open to the public during the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, with the exception of Holidays, Board approved or emergency related closures. All offices must remain open during core business hours, unless approval is granted by the Board of Supervisors.

The Standard Work Period will consist of seven (7) days for general staff members beginning at 12:01 a.m. each Sunday.

You may be required to work over and above your Standard Work Period whenever necessary to carry out the work of the Department.

Break Period

Mid-Morning / Mid-Afternoon Break: We allow two 15-minute breaks, one midmorning and one mid-afternoon. You may leave your work area during your break. Where it is necessary to have someone on duty at all times, care should be taken to make sure the work assignment is covered. Breaks may not accumulate, be added to a meal period or be used at a later time. They are provided on a “use it or lose it” program. Smoke breaks should be included in the allotted time for break periods. If an employee leaves the premises during any (paid or unpaid) break period, the County should take reasonable care to not request the individual to intermingle a work-related function with a break period. In the event an employee is involved in an accident, injury and/or exposure during a break period, the employee may be ineligible to receive benefits under Workforce Safety and Insurance.

Lunch Break: You are required to take at least a thirty (30) minute unpaid lunch break if you work more than five (5) consecutive hours. You are required to take your lunch break between 11:00 a.m. and 2:00 p.m. unless approved by your supervisor. You should be completely relieved of all work duties and free to leave your work area. If you choose to forgo your lunch break, you must do so in writing with consensus from your supervisor.

Nursing Mothers: We provide all nursing mothers with an opportunity to express breast milk for her nursing child for 1 year after the child’s birth. The nursing mother will dictate the number of breaks along with lengths of breaks as long as the breaks are reasonable and appropriate. We also provide nursing locations that are secure from view and intrusion. Please reach out to the District Conservationist for guidance during this process.

At Will Employment

Each Team Member within Morton County SCD is considered an At Will Employee. The status of an At Will Employee simply means that Morton County SCD reserves the right to terminate your employment at any time for any lawful reason. In addition, you reserve the right to resign your position at any time for any reason. Any policy outlined by Morton County SCD will not limit or modify the At Will Employment Clause. In addition, any policy governed by Morton County SCD will not form an express or implied employment agreement/contract.

Probationary Period

At the onset of employment, Team Members will serve a three (3) month probationary period. The probationary period may only be extended to a maximum of six (6) months in sum total. The probationary period allows both you and the District to evaluate your overall fit with our organization.

Upon successful completion of the probationary period, you may be eligible for a wage increase. The wage increase will be based on initial hiring wage and not an adjusted wage. The employee and Personnel Committee must complete the probationary evaluation outlining the history of performance. The Personnel Committee will review the evaluation and provide the Board of Supervisors with a recommendation. Upon approval, the probationary increase will take effect on pay period following the Board's decision.

If you move upwards into a new position, you will be placed on a probationary period. Lateral moves may be ineligible for the probationary increase. Positions with increased responsibilities may be considered for the probationary increase, if any, with Board approval.

Team Members may not formally appeal probationary terminations, with the exception of alleged harassment/discrimination.

Employment Categories

Morton County SCD assigns an employment classification to each position along with a position status. The position will be classified as exempt or non-exempt. The position will further be defined as full-time, part-time, or seasonal.

Classification Status:

- A non-exempt position earns compensatory/overtime pay for hours worked over the standard work period.
- An exempt position is excluded from overtime earnings.

Position Status:

- Full-Time Team Members regularly work a standard set of hours of 40 in a work period. These Team Members are eligible to participate in the SCD Benefit Program.
- Part-Time Team Members work less than the standard work week. These Team Members are eligible to participate in the SCD Benefit Program; however, premiums/accruals will be pro-rated based on the average number of hours worked by the Team Member.
- Seasonal Team Members are brought in year after year to work during a specific season. These individuals are not eligible to participate in the SCD Benefit Program.

Flexible Work Arrangements

Morton County SCD has a sincere interest in offering flexible, family-friendly work arrangements. We allow you the opportunity to use a flexible work schedule to meet your work and family demands.

A flexible schedule includes a variety of options, all involving certain core hours (9:30 a.m. – 2:30 p.m.) during which everyone must be present, coupled with flexible arrival and departure times.

We also have specific limitations we must observe, as outlined below.

- Hours flexed during the work week must be approved by your supervisor prior to usage.
- Hours may be flexed during a work week, not outside of a work week (no overtime gained while flexing hours).
- You may not use a Saturday or Sunday to flex your work week, unless it is work driven.
- Flexible Work Arrangements should not result in a monetary gain over and above a similarly situated Team Member.

In the event an Alternate Work Schedule has an adverse impact on the County, our work environment or your employment, Morton County SCD may rescind the approval of the alternate schedule. Although we encourage these types of arrangements, we also require respectful and moderate usage. Extensive use of this benefit may result in the denial of requests or disciplinary action.

Secondary Employment

As a full-time Team Member, your employment with Morton County SCD is considered to be your primary employment. All other employment responsibilities will be considered secondary employment. Secondary employment must not:

- Create either directly or indirectly a conflict of interest with your primary employment; or
- Have an impact on, or create any possibility of conflict with, County operations;
- Impair your ability to perform all expected duties, or to make decisions and carry out in an objective fashion the responsibilities of your position; and/or
- Establish moral turpitude;

If you have secondary employment obligations, you must notify your supervisor. If there is a conflict, Morton County SCD will work with the Team Member to resolve the conflict.

General Hiring Policies

Veterans Preference

In compliance with North Dakota Century Code Chapter 37-19.1, Morton County SCD will consider veteran's status if it meets the eligibility criteria. Prior to hiring, when an eligible veteran has applied, consult with the Morton County SCD Board to assure Veteran's Preference is appropriately considered.

Re-employment Standards

Previously employed Team Members may be eligible for consideration of re-employment up to one year from the date of separation if the following are met:

- The Team Member resigned or separated while in good standing.
- The Team Member applies and meets the minimum qualifications for the position available.
- Upon meeting the minimum qualifications, the Team Member must successfully meet pre-hire qualifications.
- Personnel Committee shall certify that the individual meets the current qualifications before being re-employed.

Regular Team Members who are subject to reduction in force (RIF) or those who resigned and/or separated while in good standing, may also be eligible for reinstatement.

A previous Team Member may have an adjusted accrual date for the purpose of determining the monthly leave accrual. The accrual will be based on length of employment, prior government experience and breaks in service. This will be determined by the Personnel Committee.

The starting rate of pay will be determined by the current Morton County SCD Personnel Committee and Board of Supervisors and Salary Schedule.

Background Check

The goal of the Morton County SCD Background Check Program is to hire qualified individuals who will positively represent this organization and effectively serve our community. In order to achieve this outcome, the background check will serve a critical function in the selection process in determining an applicant's employability. This information will help us assure we are providing and maintaining a safe work environment for our Team Members and those who seek our services.

A complete background check will be completed on each individual who is extended an offer of employment to work for Morton County SCD. A partial background check may be completed on applicants prior to a job offer, not to exceed the final five applicants. The partial background check will be comprised of an education verification, reference check and prior employment review. Morton County SCD will conduct an annual review of MVR records for all individuals currently employed and required to drive in the line of duty. In the event of a job promotion, Morton County SCD will also complete a complete background check prior to the official transition. Upon hire, all Team Members must maintain the standards of conduct outlined within this policy.

In the event of a criminal violation, you must immediately report the arrest and corresponding outcome of the violation to the District Conservationist and/or a member of the Personnel Committee. If a pattern of habitual offenses create organizational risk, Morton County SCD will be required to address the habitual offender in the event it raises County liability. In the event a violation occurs on County time or while using County property, you must immediately notify the District Conservationist or a member of the Board of Supervisors.

- Information collected by Morton County SCD may include past employment, education, character, finances and reputation. (i.e. Validation of Social Security Number, Prior Employment Verification, Multi-County Criminal Check, Federal Criminal Check, Education/Certification Verification, Motor Vehicle Check, National Sex Offender's Registry, and a Federal Background Check)
- Information collected from previous employers and other sources will be limited to job-related information.
- Morton County SCD may check criminal arrest and conviction records as part of the applicant selection process.
- Arrest information may only be considered in a hiring decision if the conduct underlying the arrest justifies an adverse employment action.
- Conviction information may only be considered in a hiring decision if the information is job related and consistent with business necessity. The Morton County SCD will determine this information by using the Green Factors. **The Green Factors will assess the nature and gravity of the offense or conduct, elapsed time since the offense, conduct or sentence completion and the nature of the job held or sought.** All criminal convictions used in employment decisions must effectively link specific criminal conduct, and its dangers, with the risks inherent in the duties of the position.
- If there is evidence of an error in the record, outdated record or another justifiable reason, the Morton County SCD must not include that record in an employment decision.
- Morton County SCD may only collect credit information on applicants consistent with the guidelines set forth by the federal Fair Credit Reporting Act (FCRA) and the organization must obtain the candidate's written authorization before obtaining a credit report. If the results of the credit check are negative, we will inform the applicant before taking adverse action based on the results by providing the applicant with a Statement of Consumer Rights from the Federal Trade Commission, offer the applicant the opportunity to review a copy of the credit report, and advise the applicant of his or her rights to dispute inaccurate information.
- Information obtained from the background check process will only be used as part of the employment process and will be kept strictly confidential.

If an individual is screened out due to an arrest or conviction record, the employer will conduct an Individual Assessment as recommended by the EECO. If the individual does not respond to our attempts to gather additional information about the background, we will make the employment decision absent the information.

The **Individualized Assessment** will include a review of:

- The facts or circumstances surrounding the offense or conduct;
- The number of offenses for which the individual was convicted;
- Older age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense or conduct;
- Rehabilitation efforts, e.g., education/training;

- Employment or character references and any other information regarding fitness for the particular position; and
- Whether the individual is bonded under a federal, state, or local bonding program

In an effort to assure fair employment practices and equal employment opportunity, we are compliant with all applicable federal, state and local laws when conducting background checks. The following criteria may demonstrate unfitness for County employment. Please use the Individualized Assessments for all declinations.

Background Check Decision Matrix			
Type of Offense	Severity of Offense	Time Frame	Course of Action
Offenses Against People	Felony / Misdemeanor	< 7 years	Decline with consideration of Green Factors
	Felony / Misdemeanor	7+ years	Complete Individualized Assessment
Offenses Against Property	Felony / Misdemeanor	< 7 years	Decline with consideration of Green Factors
	Felony / Misdemeanor	7+ years	Complete Individualized Assessment
Drug Offenses	Distribution, Sale, Trafficking, Manufacture of Drugs	< 7 years	Decline with consideration of Green Factors
	Distribution, Sale, Trafficking, Manufacture of Drugs	7+ years	Complete Individualized Assessment
	All Other Drug Offenses	< 2 years	Decline with consideration of Green Factors
		2-7 years	Complete Individualized Assessment
		7+ years	Consider Engaging w/Caution If there is a pattern of continued use, decline.
Driving Offenses	DUI(s) (LE Only)	< 2 years	Decline with consideration of Green Factors
	DUI(s) (LE Only)	3+ years	Complete Individualized Assessment
	DUI(s) (CDL Holders)	Anytime	Single Offense: Complete IA Multiple Offense: Decline
	DUI(s) (Driving Positions)	< 7 years	Complete Individualized Assessment
	DUI(s) (Driving Positions)	7+ years	Consider Engaging w/ Caution
	DUI(s) (Non Driving Positions)	Anytime	Complete Individualized Assessment
Driving Offenses (Driving Positions Only)	Individual Accruing five (5) or more points under the North Dakota Point System.	Length of Abstract	Complete Individualized Assessment

Non-verifiable Background Info	Cannot obtain 7 years of verifiable background information through reasonable means	N/A	Decline
NOTE: Do not engage any applicant who is dishonest during the recruitment and selection process or who has participated in actions considered moral turpitude (within the past ten (10) years).			

Immediate Rejection Criteria

- The applicant lacks preliminary requirements.
- The applicant is unable to perform the essential job functions, with a reasonable accommodation.
- Applicant was previously terminated from a public service agency for concerning conduct.
- Applicant used or attempted to use political pressure/bribery to secure an advantage in appointment.
- Applicant has directly/indirectly obtained information to which the applicant is not entitled.
- The applicant declines an appointment or withdraws their application from consideration.
- If the position works directly or indirectly with a vulnerable population, the candidate/Team Member may not be a register of the Sex Offender's Registry.

Additional Consideration Criteria for Rejection

- If an employee is uninsurable for coverage under the Employer Program while operating County Fleet/equipment, the County will evaluate and determine the appropriate response.
- Applicant maintains recent or current affiliation with, and/or support of any organization or group which advocates the violent overthrow of the state of or the United States government, or who professed goals are contrary to the interest of public safety and welfare.
- For driving specific positions, an individual receiving five (5) or more points under the North Dakota Point System current Driver's Abstract will be subject to review and possible corrective action.
- Fraudulent use of Unemployment Benefits of Sick Leave Benefits within prior employers;
- Conclusion made by a physician/ psychiatrist/psychologist questioning the suitability to perform the duties
- Morton County SCD will use a combination of the State of North Dakota Drivers Abstract and other states abstract to compile a five (5) year driving history for driving specific positions.

Nepotism & Personal Relationships

In compliance with North Dakota Century Code 11-10-25, Morton County SCD is committed to providing employment opportunities based on an applicant's qualifications and soft skills and not based on their status as a relative. In the event of new employment, transfer, promotion and/or demotion, a candidate or current Team Member may be considered ineligible due to their relative status. A new employee will not be able to a) work directly for or supervise a relative and/or b) occupy a position in the same line of authority where conflicts of interest may arise.

A relative is considered a spouse, parent (to include step and relationships by marriage "in-laws"), child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin and cohabitating couples or significant others.

The areas considered a conflict of interest are including but not limited to: public comment or complaint concerning an employed relative, work direction, all aspects of performance management to include performance evaluations, coaching sessions, corrective actions, classification modifications, salary policy, recruitment, selection, promotions, transfers, training, employee development opportunities and disciplinary actions to include: suspension, demotion and termination.

In the event of extenuating circumstances where the incoming Team Member will work directly for or supervise a relative, the Board may consider a board resolution to approve the nepotism or resignation/termination.

Monthly Pay Policy

Morton County SCD has established the Monthly Pay Policy in accordance with the Fair Labor Standards Act which establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting our Team Members.

Period of Payment

Morton County SCD will pay hours worked on a monthly basis for full time employees. This will occur on the twenty seventh (27th) of every month. If the pay date falls on a weekend, the pay day will be the preceding Friday.

Each month, Team Members will be paid for hours worked. Seasonal employees are paid on a bi-weekly basis.

Pay Advances

Morton County SCD does not offer the option of pay advances.

Overtime Eligibility

The Fair Labor Standards Act identifies two categories of employees when paying out wages. The category will define whether an employee is eligible for the overtime provisions granted by the FLSA.

Non Exempt Employees will be eligible to receive overtime for physical hour(s) worked exceeding forty (40) hours; when approved by the District Conservationist and/or Board.

Leave Utilization

An employee may only utilize vacation and sick leave in the event they are short hours in a given work period. An employee may not claim vacation and/or sick leave over and above the Standard Work Period.

Overtime

All hours worked in excess of the “Standard of Hours” will be paid at a rate of one and a half (1.5) times the employee’s regular hourly rate. These hours must be hours that are physically worked. In the event there is a holiday present during the work period, any hours in excess of forty (40) will be paid at the regular rate, unless it exceeds the holiday benefit. The rate will be equivalent to the rate at the time hours were worked.

Overtime will only be offered on hours physically worked. You must gain prior approval from a member of the Board of Supervisors when working any hours that would be considered overtime (any hours over the standard 40 hour work week).

Compensatory Time

You may choose to earn compensatory time in lieu of overtime. Any hours that would be chargeable as overtime would be multiplied by 1.5 and placed into a Compensatory Time Bank until you choose to use the accrued time as leave. The Compensatory Time Bank may house a maximum of one hundred (100) hours. All hours exceeding the maximum will be paid out at your regular rate of pay, at time of payment. At the end of each calendar year (December 31st), any unused compensatory time hours will be paid out at your regular rate of pay.

You must be provided with the ability to use the compensatory time at your discretion unless doing so would unduly disrupt business operation.

At time of termination, you will be paid out your compensatory balance at the regular rate of pay or the average rate of pay over the past three years, whichever is higher.

Holiday Pay

Holiday pay will be provided to you at your standard rate of pay, not to exceed eight (8) hours per approved Holiday, unless additional hours are granted to NRCS employees. If you are required to work on a Holiday, you will earn hours worked, plus the holiday benefit.

- The annual holiday schedule is governed by Natural Resource Conservation Service.
- Holiday pay **will not** be considered as time worked for the purpose of overtime calculations.
- If an employee is on a scheduled “paid” leave, the employee will be entitled to receive Holiday Pay.
- If an employee is on “unpaid” leave, the employee will not be entitled to receive Holiday Pay.
- An employee who desires to observe a religious holiday, not recognized by Morton County SCD, may request the time off and utilize paid leave (excluding sick leave).

Inclement Weather

In the event of an approved closure, Morton County SCD will pay staff for hours of closure at their regular rate to be recorded as admin leave. If an employee elects to leave work early due to deteriorating weather conditions, and the office closes later in the day, the employee need only charge annual leave for the time from their departure until the time that the office closes. Administrative leave is charged from the time the office closes. If an employee is scheduled to work but is unable or unwilling to travel to work due to weather conditions, annual leave will be charged for the time the office remains open. If the office ultimately closes later that day, the employee will be able to use administrative leave. If an employee had scheduled and approved annual leave or sick leave for a given day the employee shall be charged that leave regardless of the weather conditions and regardless of whether the office opens or closes.

Rounding of Hours

When determining the total number of hours worked or accrued, the hours must be rounded to the nearest quarter hour (7 Minutes and Below = Round Down / 8 Minutes and Above = Round Up).

Travel Time

A non-exempt employee will be compensated for time operating a motor vehicle when traveling for work.

- Non Exempt Employees, who are considered an operator/passenger while traveling away from home for one night or more, will be compensated at their regular rate of pay unless the hours exceed the “Standard of Hours”.
- Non Exempt Employees, who are considered an operator/passenger while traveling away from home for one day and no overnight stay, will be compensated for all hours except travel to and away from home unless prior approval from the board.
- Travel time to and from your place of residence is not considered work time.

Reimbursement for Expenses

District employees are authorized to receive reimbursement for expenses incurred while on official District business. All travel outside of general working region must be authorized; out-of-state travel requires approval of the Board of Supervisors to be reimbursed for expenses.

Each Employee claiming travel expense reimbursement shall submit only one voucher for each calendar month of pay period.

Specific requirements and allowances for travel expenses are authorized under Section 44-08-04 of the North Dakota Century Code. Director of the Office of Management and Budget shall adopt rules establishing mileage reimbursement for actual and necessary travel in the performance of official duty when the travel is by motor vehicle; the use is required by the employing entity. The director shall amend the rules when necessary to set reimbursement at the same rate as established by the United States General Services Administration for privately owned vehicles.

Error in Payroll Processing

In the event that an error is made in the administration of payroll processing, Morton County SCD will make the necessary adjustments as soon as practical.

- For adjustments in the amount of \$200.00 or less or adjustments favoring the employer that exceed \$200.00, Morton County SCD will adjust on the following pay period.
- For adjustments exceeding \$200.00 and favoring the employee, Morton County SCD will run an exception payroll in order to provide payment to the employee.
- For special circumstances, Morton County SCD may deviate from this standard if it favors the employee or if it involves an employee who is terminating employment.
- All Adjustments will require a member of the Personnel Committee to formally acknowledge and approve the adjustment prior to the adjustment being made. At times, an employee will be required to sign prior to the adjustment.

Responsibility for Time and Attendance

Employee: You have a responsibility to comply with County guidelines regarding time and attendance. You (except elected officials) must submit a monthly time record outlining time worked, compensatory time utilized/accrued and leave utilized/accrued. You are also responsible for providing immediate notification to the District Secretary if there is an error in payment.

Management: The District Conservationist and Board of Supervisors are responsible for being knowledgeable of our pay practices as well as the basic requirements, regarding payment of wages, outlined within this policy and the FLSA. Supervisors are also responsible for ensuring that time accounted for by employees is a true and accurate reflection of actual time worked.

District Secretary: The District Secretary is responsible for reviewing and approving all timesheets and ensuring standards used to prepare the timesheet are reflective of the practices outlined within this policy. A specifically appointed board member will be responsible for reviewing the District Secretary's time sheet at the following board meeting for verification and approval.

Compensation Program

We have developed the Employee Compensation Program with the goal of attracting and retaining highly qualified Team Members. We make every effort to provide equitable salaries in recognition of your employment contributions. The goal of this program is to be legally compliant, non-discriminatory, consistent, equitable, flexible, understandable and for the program to be administratively feasible. We developed this model based on grades of positions and steps throughout the grade.

- A position grade represents the level of education obtained/job experience. As the pay grades increase, the complexity and responsibility also increase. The Morton County SCD Board of Supervisors can increase the rate of pay at any time.
- A step represents years of service within the job/grade. As a Team Member gains years of service, they would also gain upward movement through step increases.

Each pay grade has a salary associated with the grade. Annually, each position within Morton County SCD is evaluated based on this criterion to assure its competitive pay ranges. If adjustments are required, the Morton County SCD Personnel Committee will seek Board approval for Pay Schedule adjustments.

Annually, Morton County SCD may determine a dollar/percentage amount for equitable distribution among staff. This is considered an Annual Adjustment. Each full-time and part-time Team Member will receive the Annual Adjustment.

The Personnel Committee may justify an increase/decrease due to a position's increase/decrease in responsibilities. The Board of Supervisors must agree on the increased/decreased rate of pay and approve the request.

New Hire Starting Wage

The initial wage of a new Team Member should be determined by the Personnel Committee and the Board of Supervisors based upon experience or other qualifications. The Board of Supervisors will use the Pay Schedule for guidance.

Probationary Increase

At the conclusion of probation, a Team Member may be offered a wage increase upon successful completion of probation. The employee and Personnel Committee must complete a probationary evaluation to qualify the Team Member for the increase. If a Team Member does not successfully perform during the probationary period, the board may withhold the increase.

Temporary Additional Duty Pay

At times, a position may require Temporary Additional Duty Pay for a specific Team Member due to a short-term need. In the event this occurs, the Board of Supervisors must agree on the increase and must be approved at a board meeting.

Benefits Program

Morton County SCD provides you with a comprehensive and competitive benefits program. We believe in offering you a wide variety of programs to assist you in the event of a benefit need. We also believe in providing you with easy access to your benefits, tools to educate you on our offerings and educational resources related to health and wellbeing.

Eligibility

You are eligible to participate in the Morton County SCD Employee Benefit Program if you work at least 20 hours per week as a full- or part-time Team Member. You may also enroll the following dependents in our program.

Spouse: Legally Married Spouse

Dependent: Natural-born, adopted or guardianship

Dependents are eligible through age twenty-six (26) regardless of their financial, student or educational status. The child(ren) must only be ineligible for any other employer provided plan. The Morton County SCD pays for the employees full health insurance benefit. If an employee wishes to add a spouse or dependent(s) to the health insurance policy, the additional charge will be the responsibility of the employee.

Important Benefit Information

Group Health Insurance

Employees of the Morton County SCD who work at least 20 hours per week are eligible to enroll in the County's group health insurance, through Blue Cross and Blue Shield program. Note: If an employee fails to enroll in the health insurance plan within the first 30 days of employment, the employee will be required to wait until the annual enrollment period.

Morton County SCD pays 100% of the premium for a single policy. If the employee wishes to add an eligible dependent(s) to the policy, the employee will be responsible for paying the dependent(s) premium.

Nationwide Retirement Program

District employees are eligible to participate in the Morton County Retirement Program through Nationwide Retirement Solutions. Eligibility is based on continuous years of service. District contributions based on years of service are as follows:

0-3 years	4%
4-10 years	5%
11 years and over	6%

Each employee eligible to participate must contribute a minimum of 3% to earn the District's years of service contribution. If the employee's contribution amount is less than the 3% minimum the District will only match the employee's contribution. A per year maximum, by dollar amount, is determined by Nationwide.

Timeline for Enrollment

To enroll in the Morton County SCD Team Member Benefit Program, you will be provided with three options.

Enroll at Time of Hire:

At time of hire, a Morton County SCD Team Member may enroll in any benefit offering Morton County SCD provides. The benefit effective date will be based on the benefit type.

Effective Dates for Coverage:

Nationwide Retirement – Upon Probation Completion

Group Health Insurance – 1st or 16th Day of Month Following Hire

Enroll during Open Enrollment:

Employees will be locked into those elections until an Open Enrollment period. Open Enrollment allows you an opportunity to evaluate your current needs and determine if changes are necessary. If you decide on a change, you can make those changes during the Open Enrollment period becoming effective at the first of the year. The Open Enrollment period generally begins mid-October and will last through the first full week of November. Specific dates will be assigned each year.

We offer a Passive Enrollment process for renewal of Team Member elections. This allows benefit elections to rollover into the upcoming year without any formal action from the Team Member.

At Time of a Qualified Life Event:

In the event you have a life changing event necessitating a mid-year benefit change, you may qualify for a Qualified Life Event. A Qualified Life Event will allow a mid-year change for significant events such as a loss or gain of other coverage, birth, adoption, marriage, divorce and death. The effective date of change will be the date of the qualifying event.

In order to qualify, you must notify the District Secretary within thirty one (31) days of the event. You will be asked to provide supporting documentation justifying a mid-year change.

Events May Include:

Marriage or Divorce

Birth, Adoption or Guardianship of a Child

Death of a Dependent

Loss or Gain of other Coverage

Significant Change in Cost of Other Coverage

Change in Employment Status

Dependent Child Reaching Max Eligibility Due to Age

Dependent Care FSA: Child Turning 13

Leave Program

Our generous leave program includes a vacation, sick leave, family sick leave, holiday, civic duty, military, bereavement, and an unpaid leave component. These programs are designed to support and strengthen your ability to balance of work and family responsibilities. All leave requests must be pre-approved prior to the leave utilization unless it is an emergency.

Part-time employees will be eligible for a pro-rated leave benefit consistent with the average number of hours worked daily, not to exceed eight (8) hours in a day. The formula for prorated leave is based on the number of hours worked divided by the number of hours available in a pay period, rounded up to the next quarter.

Seasonal employees are not eligible for the Leave Program.

Upon termination, the last month's accrual will be pro-rated based on the number of hours worked in the respective month, to include leave and holiday hours prior to last day of work.

We encourage the use of leave in order for you to maintain a healthy work/life balance. However, we do request that leave is used respectfully and in moderation. When leave is used excessively it impacts our ability to depend on you to be at work. This has the potential to negatively affect the office morale and creates added pressure on your co-workers. Satisfactory attendance is a standard requirement for your position; therefore, we ask for your help in making respectful leave choices.

Vacation Leave

Vacation Leave is intended to provide you with an opportunity to take paid time off to pursue vacations and other personal endeavors. It is expected you will schedule vacation leave at-least forty-eight (48) hours in advance of the leave requested.

If you are a full-time Team Member, you will earn vacation hours based on the number of years you have been employed.

Years of Service	Hours Per Month	Hours Per Year	Days Per Month	Days Per Year
1 Through 3	8	96	1	12
4 Through 7	10	120	1.25	15
8 Through 12	12	144	1.5	18
13 Through <18	14	168	1.75	21
18+	16	192	2	24

You may carry over two hundred and forty (240) hours into the new plan year. Any hours as of 12/31 that go unused over and above this maximum you will forfeit those hours.

Vacation Leave must be used in increments of a quarter hour (fifteen minute increments).

New permanent employees shall begin to accrue annual leave from the date of the probationary employment.

Upon resignation, termination or death, you or your beneficiary (in the event of death) will be eligible for full payment of balance at your current hourly rate. Any unauthorized or unearned annual leave taken shall be deducted from the employee's last pay check.

Calculations for fractional months shall be made on the following basis:

Employees leave benefit will be prorated depending on the number of hours worked in the benefit period.

Sick Leave

The Morton County SCD Sick Leave Program is considered a privilege and not a benefit earned as our Vacation Program. The intent of the program is to provide you with paid time off to obtain medical services, medical treatment or to recuperate from illness or injury.

You should request approval for sick leave prior to the start of your schedule. If you are out for 3+ consecutive days, the District may request a physician certification verifying the nature of the illness or injury to include beginning date, ending date and any limitations/restrictions.

If you are placed on leave based on physician orders, you must provide the District with documentation justifying the need. Upon your return, you must provide the employer with a Return to Work Slip outlining any limitations or restrictions. You may not return to work until this documentation is received by the District.

If you are a full-time Team Member, you will accrue sick leave hours in the amount of eight (8) hours per month. Part-timer accruals will be prorated based on hours worked.

This plan offers an unlimited number of carryover hours into the next plan year.

Sick Leave must be used in increments of a quarter hour (fifteen (15) minute increments).

Upon resignation or death, you or your beneficiary (in the event of death) will be eligible for partial payment of your sick leave balance. You will be offered 50% of earned and unused sick leave, not to exceed 300 hours at your current hourly rate. If you have been fired from Morton County SCD, you will be ineligible for the payment of unused sick leave. Any Unauthorized or unearned sick leave taken shall be deducted from the employee's last pay check.

Sick leave utilization is the rate at which you are using your accrued leave. In the event the County identifies a concerning pattern of use or misuse, the County reserves the right to address this issue as a disciplinary issue. Generally, the County considers total leave utilization to be respectful and moderate at 5% of total usage and under. If the Leave Utilization Rate is over and above 5%, Morton County SCD will take notice of the percentage and determine if there is a legitimate need for leave. If there is a legitimate reason for leave, the County will not pursue disciplinary action. If there is no legitimate reason for leave, the County will consider the Performance Counseling Process. Leave utilization will not take into consideration time counted toward the FMLA (Family Medical Leave Act).

Travel for pleasure is not allowed while on paid Family Sick Leave, exceptions may apply.

Family Sick Leave

If an immediate family member has to obtain medical services, medical treatment or has a need to recuperate from illness or injury, you may take paid time away from work to attend to this family need. You may use up to eighty (80) hours of sick leave annually to care for an immediate family member.

An immediate family member would be defined as a spouse, parent, sibling, stepparent, grandparent, child (natural, adoptive, foster, stepchild, grandchild) and in loco parentis (stand-in parent). This also includes in-laws and step relationships alike.

Travel for pleasure is not allowed while on paid Family Sick Leave, exceptions may apply

Holiday Leave

If a designated holiday occurs on Saturday, you will be granted the preceding Friday off. If the holiday occurs on a Sunday, you will be provided the following Monday off. If you are required to work on a holiday, you will earn an additional Half Time Benefit of 0.5 for each hour worked

New Year's Day	Memorial Day	Columbus Day
Martin Luther King Day	Independence Day	Thanksgiving Day
President's Day	Labor Day	Christmas Day
Veteran's Day	Any Day Approved by NRCS	

Donated Leave Program

Morton County SCD offers a Donated Leave Program to provide you with additional reassurance and resources in the event you face a financial hardship due to a medically related event (extended serious, catastrophic, or unforeseen illness, injury or impairment) preventing the employee from working. This program establishes a way of allowing employees to share their accumulated vacation and sick leave with others in need.

All benefit eligible Team Members who accrue and utilize the Employee Leave Program are eligible to donate and receive a benefit from this program. This program is not available to temporary/seasonal Team Members who do not earn leave.

Applications for Donated Leave will be required of all participants who would like to use the Voluntary Leave Transfer Program to supplement unpaid leave. You may complete a Leave Recipient/Donation Application to apply.

To qualify, you have to meet several criterions.

- You must have exhausted all hours of your accrued combined leave (Vacation, Sick and Compensatory).
- You must provide medical documentation confirming an extended serious, catastrophic or unforeseen illness, injury or impairment. A minor illness, injury or impairment will not qualify. It must be considered serious in nature.
- If you are considered over the moderate level of use, you may be disqualified from receiving donated leave.

Contributions will be accepted by completing a Leave Recipient/Donation Application. A benefit eligible Team Member may contribute a minimum of one (1) hour to a maximum of forty (40) hours in a single year.

Civic Duty Leave

As a public service employer, we are fully committed to ensuring our Team Members fulfill their civic responsibilities. As time and work allow, we provide you the opportunity to take paid time away to participate in both jury and witness duty. In order to qualify for Civic Duty Leave, there are several guidelines.

- While on involuntary jury/witness duty, you will be provided with Civic Duty Leave hour for hour of civic service, up to eight (8) hours in a day. District payments will be made to make an individual monetarily whole. If you receive civic payments in return for your service, the District will pay you a full day of wage, minus any wages earned as civic payments.
- If you are representing the District as a witness, you are considered on-the-job. You should not gain any additional compensation while testifying as a District Official.
- If you are voluntarily appearing as a witness, you are ineligible for Civic Duty Leave.

Military Leave

We are committed to protecting job rights for those absent due to military leave. We guarantee that no eligible Team Member will be denied employment, reemployment, promotion, or other benefit of employment due to your participation in the military. Furthermore, you will not be subjected to retaliation or adverse employment action because of your participation.

Military duties may include leaves of absence taken by members of the uniformed services (including Reservists and National Guards) for training, periods of active military service, funeral honors duty and any evaluation time determining fit for duty status. These benefits are generally limited to five years of leave of absence.

Unless military necessity prevents it, you should provide the District with notice of military leave as far in advance as possible.

We request written notice along with a copy of your military orders. However, this is not required under USERRA.

Your benefits will continue while on military leave as follows:

- If you are on extended military leave you can continue group health insurance coverage under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins.
- You must pay the required premium to maintain coverage. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months. You will be required to pay the employee and the employer costs of coverage.
- Employees do not accrue vacation, personal leave or sick leave while on a military leave of absence.
- During your military leave, you have the option of using any available vacation or compensatory hours at your discretion.
- With respect to the Nationwide Retirement Plan, you will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, you may choose to make up any of the missed employee contributions. These contributions must be made within a period that begins with your reemployment not to exceed the length of the employee's military service. Upon making your contributions, you will receive all associated company match for such contributions.

Upon your return from military service, you will then be reinstated in the following manner:

Less than 91 days of Military Service:

- You will be placed in a position you would have attained without a military service interruption; or
- If unqualified for the position, after reasonable efforts by the District, you will return to your previously held position.

More than 90 days and Less than 5 years of Military Service:

- You will be placed in a position you would have attained without a military service interruption or a position of like seniority, status and pay, consistent with the duties you are qualified to perform; or
- If unqualified for the position, after reasonable efforts by the District, you will return to your previously held position or a position of like seniority, status and pay, consistent with the duties you are qualified to perform.

Employee with a Service-Connected Disability: If after reasonable accommodation efforts, you are found unqualified for employment

- You would be placed in another position of similar seniority, status and pay for which you are qualified for or could become qualified with reasonable efforts by the District; or
- If unqualified, you would be placed in a position in the nearest approximation.

Upon your return from military leave, you have a specific timeframe to submit an application for reemployment. You will need to provide military discharge documentation to establish timeliness of the application for reemployment, the duration of the military service and the honorable discharge from the military service requirement.

Less than 31 days: You must report for reemployment the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the your residence.

31 days or more but less than 181 days: You must submit an application for reemployment with the District Secretary no later than 14 days following the completion of service.

Over 180 days: You must submit an application for reemployment with the District Secretary no later than 90 days following the completion of service.

For a Hospitalization or Convalescing from a Service-Connected Injury: You must submit an application for reemployment with the District Secretary no later than two years following completion of service.

If you fail to reapply, you may not be entitled to reemployment. In addition, these conditions may also disqualify you from reemployment.

- If the District has significantly changed to make reemployment impossible or unreasonable.
- Reemployment would pose an undue hardship upon the District.
- Your employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
- You did not receive an honorable discharge from military service.

Your benefits upon reemployment are as follows.

- You will receive seniority and other benefits determined by seniority held at the beginning of military leave, plus any additional seniority and benefits attained, with reasonable certainty, had you remained continuously employed.
- Your time spent on active military duty will be counted toward eligibility criteria for FMLA leave.
- You will not be discharged, except for cause, for up to one year following reemployment.

Bereavement Leave

If you encounter the unfortunate event of death of your immediate family member, you may qualify for twenty-four (24) hours of bereavement leave. An immediate family member would be defined as a spouse, parent, sibling, stepparent, grandparent and child (natural, adoptive, foster, stepchild, grandchild). This also includes in-laws, step and in loco parentis relationships alike.

Leave of Absence – Without Pay

In the event you have a need to take extended time away from work to meet a work/life balance need, Morton County SCD may offer you the option of unpaid leave and you will be required to exhaust all paid leave options at time of leave departure. Leave without pay may not extend past a one (1) year period. If the leave without pay extends past the one year period, the Morton County SCD will offer no guarantee of future employment. You will be ineligible for the Employee Benefits Program and will be ineligible to earn time toward length of service or vacation accruals.

Requests for a Leave of Absence, Without Pay will require approval by the Morton County SCD Board of Supervisors.

Leave of Absence – Critical Care Leave

In the event you have a critical care need, you may qualify for Critical Care Leave. In order to qualify, you must be:

- Ineligible for Family Medical Leave;
- Facing a temporary leave of absence of at least six (6) weeks due to a medical disability not covered by WSI;
- A victim of domestic violence;
- A victim of a criminal act; and/or
- A victim of a natural disaster.

To request Critical Care Leave, you place your request in writing to the Morton County SCD Board of Supervisors. Supporting documentation to support your eligibility criteria will be required for consideration.

If approved, you will be required to exhaust all available paid options prior to the beginning of Critical Care Leave. Any request may be revoked at any time, by the Board of Supervisors. Critical Care Leave Requests will be granted in increments of up to 12 weeks at one time. Each new request will required the Board of Supervisors approval.

Administrative Leave

Administrative Leave is a general leave status, initiated by the supervisor, without loss of pay or benefits. Administrative Leave must be approved by the Personnel Committee or District Conservationist prior to implementation to assure leave is administered consistently throughout the organization. Generally, this form of leave is used during an employment investigation when a Team Member is accused of wrong doing.

Administrative Leave temporarily suspends an employee from performing all job duties and does not allow the Team Member to act in an official capacity during the leave. When a Team Member is placed on Administrative Leave, it is not considered a disciplinary action, confirmation of wrongdoing and the leave will not negatively impact a Team Member's performance record.

Performance Management Program

The Morton County SCD Performance Management Program uses regular performance discussions to guide a Team Member into successful performance. This is achieved by collaborative and ongoing discussion between you and your supervisors openly discussing your performance contributions to the organization. These discussions should focus on what you do for the organization (job duties) and how you go about accomplishing those duties (competencies). These conversations should occur regularly and any guidance/feedback provided should be consistent with our Morton County SCD Core Values and the Morton County SCD Core Competencies.

Our Commitment:

- We will provide a consistent approach in managing Team Member performance. This will allow for a full understanding of your job duties, the associated competencies, performance expectations, criteria for successful performance, annual performance indicators, value-driven goals and if needed, development plans to increase the likelihood of successful future performance.
- On an annual basis, you will be provided with an Annual Performance Evaluation. This should be completed no later than January 31st of each year, reviewing the prior calendar year's performance. The information contained within this review will be well-thought out, objective, comprehensive and provide an accurate representation of your overall contributions to Morton County SCD. The information contained within your annual review will be information and material that you are familiar with through prior discussions with your supervisor tie to annual raises.
- In the event your performance or behaviors become misaligned with the performance standards, we will provide you with a fair opportunity to address and correct the performance and/or behavior. If the situation is considered serious/severe, we may be required to take a more finite approach to sufficiently address the situation such as suspension, demotion and if warranted, termination.
- Supervisors are strongly encouraged to oversee your performance throughout the year and to provide regular, supportive and constructive feedback designed to strengthen your performance contributions. Ongoing communication allows the supervisor to address issues in a timely fashion effectively fostering your development.
- Our goal with the Performance Management Program is to inspire performance improvement while renewing your commitment to this organization. Our focus will be on retention of our Team and not the termination of staff when performance issues arise. Termination will only be considered when the situation is severe in nature and/or when a Team Member has lost their commitment to this organization.

Your Commitment:

- Align (and regularly re-align) your overall performance with the Morton County SCD Core Values and Morton County SCD Core Competencies.
- Be a constructive participant in your own performance by identifying ways to further develop or enhance your current level of performance.
- Be considerate and respectful of your supervisor's observations. They may differ from your own. If there are significant disagreements regarding your performance, use the "collaborative and ongoing performance management discussions" as an opportunity to work through and resolve those differences.

Annual Performance Evaluation

Initially (Jan – Mar), you and the Personnel Committee and/or the District Conservationist should meet to discuss your major job responsibilities, review expected outcomes and set performance objectives for the Performance Management Cycle.

Throughout the Performance Management Cycle (Jan – Dec), your supervisor will regularly measure your performance against the stated performance objectives. As performance improves, evens out or stagnates, the supervisor will document and communicate the details of the assessment. Praise and recognition will be provided for progress. In the event concerns are brought forward, both you and the supervisor will develop improvement initiatives designed to further strengthen your performance contributions.

Team Members assigned a probationary status must be formally evaluated prior to the conclusion of the probationary period. A probationary increase in wage may not be provided until the formal evaluation has been completed.

The performance evaluation is expected to:

- Clearly articulate how well you are performing your duties through accountability (job duties) and competency (how you do your job) measurement;
- Establish ratings for each assigned accountability and competency which are measured against previously communicated expectations;
- Identify professional development opportunities; and
- Implement a Performance Improvement Program tailored to address specific deficiencies when needed.

Performance Counseling & Constructive Discipline

The Performance Counseling & Constructive Discipline Process is a gradual counseling process focused on communication, coaching and collaboration in the event deficiencies arise. This process provides Morton County SCD with a flexible structure to address performance, conduct and/or attendance related deficiencies. Our goal with this process is to provide you a meaningful opportunity to improve if and/or when problems arise.

We have designed this process to be fair, supportive and opportunity-driven. You will define your own success by how you perform, how you conduct yourself and how you react and respond to challenging situations. The outcome of any disciplinary situation will be determined by your actions and your genuine desire for improvement.

1. How serious were your actions;
2. What is your performance history;
3. How are you responding to the situation; and
4. Are you genuinely committed to improving your situation?

Morton County SCD Leadership Team is responsible for assuring Team Members are provided with an environment where accountability thrives. Accountability requires clear roles, responsibilities and expectations. Your supervisor is committed to consistently providing you with supervisory support, constructive feedback, training opportunities and if necessary, constructive discipline.

All Morton County SCD Team Members should regularly look for opportunities to continually improve their contributions to the workplace. As a public steward, you have an important responsibility to serve and to serve others

well. Continued emphasis on improved work habits through effective orientation, training, regular discussions of performance and annual performance evaluations are inherent for a healthy work environment.

Levels of Performance Counseling: Morton County SCD offers a variety of opportunities to address deficiencies as they arise. This system is progressive in nature; however, if the event is significant, the supervisor should choose the level of discipline most proportionate to the offense.

Prior to the implementation of any form of performance counseling, the applicable member of the Morton County SCD Leadership Team will have properly documented the situation. The documentation should be prepared in coordination with the District Conservationist. The documentation will be a factual representation of the events. The documentation will help shape the contents of the formal performance counseling document.

Listed below are brief descriptions for each option offered.

- **Coaching Session:** This is an option for relatively minor situations. This conversation should be designed to identify necessary performance adjustments to prevent the need for future discipline. If a supervisor focuses on early intervention, most disciplinary situations could be avoided.
- **Verbal Warning:** In many situations a verbal warning/counseling is enough to prevent a decline in future performance. Although it is considered a Verbal Warning, this warning should be drafted in letter format. It should include a summary of the event, the level of discipline, the purpose of discipline, the impact, the expectations, history of past performance and the consequences.
- **Written Warning:** In the event the situation escalates or new problems are brought on, the supervisor will be responsible for following up with a Written Warning. This is similar to the Verbal Warning but weighted more as a disciplinary response. This should follow the same format outlined in the Verbal Warning description. If the event requires a more serious response, proceed with the proportionate level of discipline.
- **Performance Improvement Plan:** The Performance Improvement Plan and the Final Written Warning are synonymous. If it is a performance related concern, utilize the Performance Improvement Plan route. If the Performance Improvement Plan is unsuccessful, the employer should consider termination as the next step. If the Performance Improvement Plan showed promise for improvement but improvement is still required, consider a Final Written Warning as a last chance opportunity.
- **Final Written Warning:** The Performance Improvement Plan and the Final Written Warning are synonymous. If it is conduct related, use the Final Written Warning Route. If the Final Written Warning is unsuccessful, the employer should consider termination as the next step.
- **Demotion:** This should be utilized in very rare instances. If there is a poorly performing Team Member, we will not move the poor performer to another area. Demotions are generally considered in the event of position elimination, organization restructuring and a Team Member desired demotion. All pay decisions for demotions will be based on the current Morton County SCD Salary Schedule.
- **Suspension:** Generally, this option is not utilized within Morton County SCD.
- **Termination:** In the event of gross misconduct or when the progressive steps of the Performance Counseling Model fail to produce sustainable results, the employer should consider terminating employment.

All expectations should be drafted in the SMART format.

- Specific:** Each goal/expectation should be focused on a specific task.
- Measurable:** Each goal/expectation must provide an objective means to measure success, i.e. completion date.
- Achievable:** The goal/expectation should be realistic and achievable.
- Relevant:** Each goal/expectation should relate to the job duties.
- Timely:** Goals/expectations should have corresponding deadlines.

Any timeline imposed on a Team Member during the performance counseling process must be equivalent to at least one full cycle of work.

Steps for Performance Counseling

The Morton County SCD Leadership Team has a critical role in conducting a fair and objective investigation for any disciplinary situation. In the event a supervisor needs to initiate the Performance Counseling Process, the District Conservationist will work, in coordination with the Personnel Committee, to thoroughly and consistently address the situation. It is important for accountability and discipline to be applied in a fair and consistent manner from person to person.

Step One: Is this a serious or severe infraction? If no, move to Step Two. If yes, consider the need for Administrative Leave.

Step Two: Plan the Investigation. The investigation process is intended to confirm or disprove the validity of the concern.

Step Three: Notify the Team Member of the deficiency and obtain their explanation and/or justification. This should be done discreetly and confidentially.

Step Four: Determine the employer's response. The employer's response should be corrective in nature and non-punitive, unless the event involves illegal activity, theft, substance abuse, intoxication, fighting, intentional acts causing harm and/or other acts of violence.

The level of discipline should be proportional to the severity of the infraction. A more serious infraction may warrant discipline at a higher level than a less serious infraction.

The supervisor must have an understanding of the facts and circumstances before assessing discipline. The supervisor must show the Team Member was provided with the necessary training, education and expectations before implementing discipline.

Step Five: Implement the appropriate level of discipline.

The supervisor will now be responsible for communicating the discipline. This should be done in a confidential setting and in a supportive manner.

Be specific in describing the performance problem; make sure the Team Member understands exactly the improvement that is needed and to what extent and explain the consequences of continued job deterioration.

This is your opportunity to inspire improved performance and gain a renewed commitment to the job. This is not a time to disparage or criticize the Team Member. You are there to strengthen and support their recovery, not abandon and criticize the Team Member.

The discussion should stay on topic and not derailed by emotions. You should never engage in diagnosing personal problems of the Team Member. You may offer the Employee Assistance Program but that should be the limit of your personal involvement.

Obtain the Team Member's commitment of improved performance. The Team Member should develop an Action Plan outlining what they will do to solve the problem.

Document the exchange.

Step Six: Follow up with the Team Member until the situation has sufficiently resolved itself.

Impact of Performance Counseling & Constructive Discipline

Team Members, who have been placed on a Performance Improvement Plan or have received a Final Written Warning, within one year of annual increases, will be ineligible for the increase. At the discretion of the Personnel Committee a Team Member who has significantly met and sustained performance expectations may be considered eligible for the annual increase.

Grievance Eligibility

Any Counseling Sessions, Verbal Warnings, Written Warnings, Performance Improvement Plans and Final Written Warnings are not considered an eligible item within the Morton County SCD Grievance Procedure.

Any action where there is a tangible loss of pay, benefit or status may be considered an eligible item within the Morton County SCD Grievance Procedure.

Appeals and Grievance Policy

When you are in disagreement with an employment related decision, we will provide you with a fair opportunity to express those concerns. Generally, you will work through these concerns with the Personnel Committee. In the event you are dissatisfied, you may be able to appeal the employment decision. Employment decisions related to a demotion, suspension, termination, reduction in pay or an assigned classification are eligible for appeal.

Team Members may also utilize the grievance process to address unresolved or unaddressed complaints. Initially, a Team Member must show the interest and fortitude to address concerns at the lowest level possible. In the event collaborative efforts fail, you may have the option of filing a formal grievance. Listed below, you will find several important components of this process.

- If you are participating in an appeal or formal grievance, Morton County SCD will not retaliate based on your participation.
- If you fail to comply with any associated timeframe, your appeal or grievance will be formally dismissed.
- The Board of Supervisors may extend time limits based on justifiable cause. All participants must be notified in writing of such reasons for the extension.
- If you voluntarily terminate your employment, you will be ineligible to participate in the appeal and/or grievance process.
- You may be accompanied, advised, and/or represented throughout the appeal /grievance proceeding by a representative. All representatives must conduct themselves respectfully and professionally.
- You may not use regular work hours, facilities or equipment to prepare for the appeal and/or grievance process. The Employer's Responding Party may use work time to prepare as this is a defined duty.

You must submit your appeal and/or grievance in writing, utilizing the Appeal / Grievance Form. The Personnel Committee will manage the process as each phase should be routed through this department. If the origin of the grievance involves members within the Appeal / Grievance Process, the affected member will conflict out of the process and a substitute stand-in will be chosen by the Board of Supervisor's Chairman and the assigned Portfolio Holder.

Employer's Responding Parties in Progression

Team Member > Supervisor > Board

Phases of the Appeal / Grievance Process

1. **Phase One:** To initiate an appeal and/or formal grievance, you must complete the Appeal/Grievance Form within fifteen (15) days following the event.
 - If a mutual agreement is reached, you and the immediate supervisor will document the Appeal/Grievance Form.
 - If an agreement is not reached, you and the immediate supervisor document the Appeal /Grievance Form.

The Appeal Grievance Form must be returned to the Personnel Committee.

2. **Phase Two:** If an appeal and/or grievance remains unsettled, you may submit your grievance to the next supervisory level. This must be completed within fifteen (15) days of the completion of Phase One.
 - The employer's responding party will have 15 working days from the receipt of the appeal/grievance, to respond.
 - Utilize the Appeal / Grievance Form to record the existence or nonexistence of an agreement.
3. **Phase Three:** If the appeal and/or grievance remains unsettled, you may forward the grievance to the Personnel Committee, within fifteen (15) days of the completion of Phase Two. The Personnel Committee will work to mutually resolve the grievance between the two parties within fifteen (15) days from the receipt of all written material.
4. **Phase Four:** If the appeal/grievance remains unsettled, you may forward to the Morton County SCD Board of Supervisors, within fifteen (15) days of the completion of Phase Three. The Morton County SCD Board of Supervisors will work to mutually resolve the grievance between the two parties within thirty (30) days from the receipt of all written material.

Ineligible Items for the Appeal and/or Grievance Process

1. Issues that are pending or have been concluded by direct appeal to the Board of Supervisors or through other administrative or judicial procedures.
2. Relocation or transfer of an employee within the department that results in no change of pay, benefits, and/or classification.
3. Temporary work assignments.
4. Budget and organizational structure, including the number of assigned employees within any organizational unit.
5. The manner and method of performing work assignments, including performance evaluations, unless in the case of discrimination.
6. Benefits.

Administrative Policies

Dress Code

Morton County SCD expects for you to use good judgment when it comes to your appearance. Please give adequate consideration to the neatness of your appearance, the strength of fragrances worn and place consideration into your overall hygiene. When you are preparing yourself for work, give consideration to the job task and dress in a manner befitting the job.

The way you dress contributes to the overall workplace culture and professional reputation of this organization. A professional appearance provides a favorable impression to those we serve. To assure favorable impressions, your daily supervisor will exercise reasonable discretion in determining the appropriate attire, while keeping these expectations in mind.

- Clothing and accessories should be neat and clean in appearance;
- Perfumes, colognes and aftershave must be used respectfully and in moderation;
- Clothing and footwear must be used in common areas;
- Please refrain from workplace dress considered to be: sheer (without proper under coverage), tight fitting, revealing, inappropriate and/or vulgar words/slogans/advertisements), shorts (walking shorts permitted)), inappropriate footwear and/or styles/dress considered extreme.

This policy is intended to provide an expectation of reasonable dress. We place great trust in our Leadership Team to identify what is and isn't appropriate for the workplace. If you are unsure of an article of dress, please use the criterion above. Members of the Leadership Team may send you home if dress is considered inappropriate. The time will be at your expense either through the use of vacation leave, compensatory leave or unpaid leave.

In the event of a medical need or religious accommodation, please contact the District Conservationist to discuss the availability of options.

Confidentiality

As a Morton County SCD Team Member, you have varying levels of access to confidential information. Due to the fact that confidentiality is an essential element of effective functioning of Morton County SCD, it is necessary you know, understand and make every effort to comply with our confidentiality standards.

- You must respect the privacy of our constituents and hold in confidence all information considered confidential while obtained in the course of their employment.
- You must respect confidences shared by colleagues in the course of their professional relationships and transactions.
- You must not use confidential information for your own benefit or for the benefit of others.
- You must not divulge or communicate confidential information to any unauthorized person either during or after your employment with Morton County SCD.
- You must not attempt (successful or not) to access information on any individual (private or public) for which you are not authorized or for any reason other than those which are prescribed.

- You must not acquire, use, copy or transfer confidential information except to the extent necessary to fulfill your employment duties.
- You must not discuss confidential information in any setting unless privacy can be assured with the exception of information that may be released by law or through District Policy. Confidential information must not be discussed in public/semipublic areas.
- You must take precautionary measures to assure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology.
- In the event you must remove confidential information from a secure environment, you must take every precaution to secure the information so no other unauthorized person comes in contact with such information.

The Morton County SCD may have additional confidentiality policies relating to program issues. You shall review all materials provided to acquaint yourself with program confidentiality policies.

Morton County SCD has zero-tolerance for disclosure of confidential information considered intentional or unintentional. Any authorized disclosure of confidential information is a violation of Morton County SCD's Confidentiality Policy and may be a violation of state and federal laws. Confidentiality violations may be cause for disciplinary action up to and including termination.

Job Abandonment

A Team Member who does not voluntarily report to work or call a supervisor for two consecutive work periods will be considered to have abandoned his/her job.

Reduction in Force

If it is necessary to achieve a reduction of the work force, the Board of Supervisors may separate any employee because of a lack of funds, curtailment of work, or as the result of reorganization.

Responsible Use of Electronic Communications

We recognize the benefits that a computer, email and the internet has in enhancing our overall workplace communication. For that reason, you are encouraged to use County/Federal owned technology reasonably and appropriately. We ask for you to consider the Morton County SCD Core Values and this policy to govern your overall use of County/Federal owned technology.

Use Guidelines

- All technology provided by the County/Federal Government, including computer systems, communications networks, company-related work records and other information stored electronically, is considered District/Federal property. In general, use of the Districts/Federal technology systems and electronic communications should be primarily job-related.
- You have the option of using these resources on a very limited basis as long as you use good judgment throughout your personal use.
- You may not use District/Federal internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature.

No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference may be transmitted. Harassment of any kind is prohibited.

- Disparaging, abusive, profane or offensive language; inappropriate material; and/or any illegal activities (piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e-mail) are strictly forbidden.
- Copyrighted materials belonging to entities other than the District may not be transmitted without permission of the copyright holder.
- You may not use the system in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files and "spamming" (sending e-mail to thousands of users.)
- E-mail and other electronic communications are not private or confidential. The District reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including Internet use, transmitted by or stored in its technology systems, whether onsite or offsite.
- Internal and external e-mail, voice mail, and text messages are considered business records and may be subject to discovery in the event of litigation.

Right to Monitor and Consequences for Misuse

All District/Federal-supplied technology, including computer systems, equipment and company-related work records, belongs to Morton County SCD/Federal Government. We will routinely monitor use patterns and address misuse as needed.

If you violate this policy, you may be denied future access, and, if appropriate, be subject to disciplinary action up to and including termination.

Avoidance of Impropriety

In coordination with our Morton County SCD Core Value, "To **Lead with Ethics and Integrity**", you should take the necessary precautions to avoid actions that may result in or create the appearance of using public office for private gain, giving preferential treatment to any business or person, losing independence or impartiality, making decisions outside official channels, or adversely affecting public perception of the integrity of Morton County SCD or any of its departments or programs.

Conflict of Interest

Within Morton County SCD, it is important we have an objective approach to completing our assigned responsibilities. At times, a position and/or board appointment may create a conflict with your duty. In the event a Conflict of Interest arises, you will need to thoroughly evaluate your situation to assure that you do not knowingly proceed with an impending conflict of interest. Here are several restrictions you should be aware of:

- You may not receive remuneration in any form from an individual, business, corporation, or any other entity for services rendered while acting as a District official.
- You may hold outside employment unless precluded by statute. Outside employment should not create a conflict of interest with constitutional duties, statutory duties and/or the performance level assigned to you or your office.

- An employee engaged in political activity as defined in NDCC 39-01-04, may have a potential conflict of interest and should explain the duties and responsibilities to the Personnel Committee to determine conflict of interests. The employee will be required to take annual leave for any time taken during normal working hours to carry on such political activity.

Political Activity

The Hatch Act is a federal law governing political activities of officers or employees of a state or local agency if their principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency.

This law restricts you from using official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; directly or indirectly coerce, attempt to coerce, commend, or advise a state or party, committee, organization, agency, or person for political purposes; or be a candidate for public office in a partisan election.

North Dakota Century Code Section 44-08-19 provides “No public employee shall engage in political activities while on duty or in uniform.” And also NDCC Section 39-01-04 provides a definition for “political activity” to include “any form of campaigning or electioneering, such as attending or arranging for political meetings, transporting candidates, or workers engaged in campaigning or electioneering, distributing campaign literature, political guide cards, and placards, soliciting or canvassing for campaign funds, transporting electors to the polls on election day, and any other form of political work usually and ordinarily engaged in by state officers and employees during primary and general election campaigns.”

NDCC Section 16.1-10-02 also provides “No person may use any property belonging to or leased by, or any service which is provided to or carried on by , either directly or by contract, the state or any agency, department, bureau, board, or commission thereof for any political purpose.”

These rules apply to engaging in political activities during work hours only. They do not make a distinction between “active forms” such as handing out pamphlets or making speeches in support of a candidate, party or issue and “passive forms” such as displaying posters or wearing buttons supporting a candidate, party or issue.

Be careful of forwarding e-mails concerning political issues or candidates. Such acts may violate these laws and also violate Morton County SCD’s policies concerning misuse of the e-mail system. If you violate these provisions, you may be subject to disciplinary action up to and including termination.

Again, while off-duty and not in uniform employees have the same rights as others to engage in political activities and hopefully you will exercise those rights freely.

Lobbying

A Morton County SCD Team Member must act in their official capacity and present testimony or be invited to appear before the council or committee for the purpose of providing information. NDCC 54-05.1-02.

An employee of Morton County SCD, other than elected officials, must take annual leave for activities involved in lobbying at the State Legislature outside of his/her official capacity, unless the Board of Supervisors has approved such lobbying.

During the time period, should the Board not be in session, such lobbying outside of the employee's official capacity, will need to be approved by the Board of Supervisors.

Morton County SCD employees, other than elected officials, who are proposing legislation that may affect the County are required to have the proposal reviewed by the Board of Supervisors. County employees, other than elected officials, who testify in hearings for or against legislation that will affect Morton County SCD policy must also notify the Personnel Committee.

Voting

We strongly encourage you to participate in the voting process at all statewide, special, primary, or general elections. The County will grant Team Members, who are qualified to vote, time off from work for the purpose of voting during your regular work schedule. This time will be charged from the employee's annual leave benefit.

Nursing Mothers

We provide all nursing mothers with an opportunity to express breast milk for her nursing child for 1 year after the child's birth. The nursing mother will dictate the number of breaks along with lengths of breaks as long as long as the breaks are reasonable and appropriate. We also provide nursing locations that are secure from view and intrusion. Please reach out to the District Conservationist for guidance during this process.

Solicitation and Distribution

In order to protect and encourage overall productivity, we restrict oral solicitations and distributions of information/materials on County premises. "Passive" solicitation (i.e. e-mail, product sitting on desktop with a written memo) by employees or outside solicitors is allowed.

- You are not allowed to solicit or be solicited during working time. Passive solicitation may occur during breaks and lunch periods.
- You are not to engage in commercial, faith-based, charitable, political or civic solicitations and/or distributions while on County premises.
- Those who are not Morton County employees have no right to enter Morton County premises at any time to solicit and/or distribute information and/or materials.
- You may schedule outside vendors to visit during working hours and use meeting or break rooms to distribute or order goods while employees are on break.

Morton County SCD's Ethical Commitment

We have a moral obligation and a genuine desire to willfully comply with any laws and regulations. We expect you to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct. During both working and non-working hours, your actions should inspire public trust, impartiality and devotion to the best interests of the Morton County SCD and our constituents.

To ensure ethical and impartial business, it is prohibited for you to:

- Offer, accept or solicit money, property or service or other items of value by way of gift, favor, inducement, or loan with the intent that the offer would influence, or the recipient would be influenced by such conduct in the discharge of public duties. The value of a gift must be \$50 or less.
- Use official position, uniform or badge to secure special advantage in business, personal gain, or other benefit derived from such relationship.
- Use any District/Federally-owned facility, building, equipment, materials, or vehicle for their personal use or benefit, or for the personal use or benefit of any other individual. No employee shall have unauthorized possession of District property.
- Invest or hold a financial interest, directly or indirectly, in any business entity, transaction or business endeavor that would create a conflict between the Morton County SCD employee's duty to uphold the public trust and the individual's private interest.

The abuse of these policies can result in disciplinary action up to and including termination, depending on the severity of the violation. In general, the use of good judgment, based on ethical principles, will be the guideline for acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the District Conservationist or a member of the Personnel Committee.

Team Member Handbook Acknowledgement

I acknowledge that I have received a copy of the Morton County SCD Team Member Handbook dated 01/12/2017.

- I understand that this handbook replaces any and all prior verbal and written communications regarding Morton County SCD's working conditions, policies, procedures, appeal processes and benefits.
- I have read and understand the contents of this handbook and will act in accordance with these policies and procedures as a condition of my employment with Morton County SCD.
- I have read and understand the Morton County SCD Core Values of Morton County SCD and I agree to act in accordance as a condition of my employment with Morton County SCD.
- I also understand that if I have questions or concerns about this document, I will reach out to the District Secretary or a member of the Personnel Committee for clarification.
- Finally, I understand that the contents of this handbook are policies and guidelines, not a contract or implied contract. The contents of this document may change at any time.

Please read this document carefully to understand these conditions of employment before you sign this document.

Print Full Name

Team Member Signature & Date