

Fulton County Personnel Policy

Revised 2023

Based on the Model County Personnel Policy
Of the Arkansas Association of Counties Updated 2020.07.01

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I Introduction and Purpose

Welcome to employment with Fulton County, Arkansas (the County). The purpose and intent of this County Personnel Policy is to establish at-will employment as the default employment policy for the County and to state the general employment policies issued by the County Quorum Court in its capacity as the legislative branch of County government. *See Ark. Const. Amend. 55 §§ 1 & 4; Ark. Code Ann. § 14-14-805(2).* The Policy is also intended to establish uniform personnel policies and benefits for all County employees.

This Policy Manual is subject to revision and update annually, or as needed, by a vote of the Quorum Court through recommendation of a Personnel Policy Committee. The County Judge shall appoint a committee if one is not active.

The Sheriff's Office (and jail) shall follow policies in this manual, and maintain an additional Personnel Policy Manual which will include, and specifically focus on, aspects of state law which affect or regulate the Sheriff's Department or County Jail requirements, policies and personnel. It shall be updated as related state laws change. The Sheriff shall appoint and maintain an active Personnel Policy committee. Any changes to the or variations from the County Personnel Policy must be presented to the County Personnel Policy Committee for presentation to the Quorum Court.

County employees are "at-will" employees. County employment is not for a specific period and employment may be terminated at any time, with or without notice, and with or without cause. The provisions set forth in this Personnel Policy do not guarantee any fixed terms or conditions of employment. The Policy neither creates an expectancy of future employment nor establishes grounds upon which employee discipline or dismissal must be based. At any time, the County Quorum Court may revise, supplement, or rescind the policies, practices, and benefits set forth in the Policy subject to, or as may be required by, applicable law.

Consistent with the day-to-day administrative responsibility of his or her elected office, a County elected official may adopt executive employment policies to apply to the employees of that office. Such executive employment policies shall not conflict with this uniform Personnel Policy adopted by the Quorum Court. A County elected official has discretion to determine the application, meaning, and intent of the provisions of the Personnel Policy as they relate to the employees of that official's office. *See Ark. Code Ann. § 14-14-805(2).*

Any County employee is entitled to request a hearing before the County Grievance Committee (see section VIII, B) in the event the employee believes that the executive decision of a County elected official or other supervisor violates the state or federal constitution, state or federal law, state public policy, or this County Personnel Policy duly adopted by the County Quorum Court.

We are serious about the important work of the County. We are equally serious about adhering to the procedural and substantive requirements of applicable law. County employees are expected to read, understand, and comply with the policies set forth in the County Personnel Policy. Any questions should be directed to an employee's elected official or supervisor.

II County Policy Directives

- A. The County and its officials will treat all employees and citizens in a manner that is: (i) rationally related to the effectuation of legitimate County objectives; and (ii) uniformly applied to all persons similarly situated.
- B. County officials and employees shall not misuse or abuse governmental power.
- C. County officials and employees shall not engage in any intentional act that is illegal (contrary to applicable statutes or judicial decisions) or unconstitutional (contrary to the Arkansas Constitution or the United States Constitution).
- D. County officials and County employees shall not omit the performance of any duty that is affirmatively required by applicable law (statutes and judicial decisions).
- E. County officials and employees shall not participate in any County contract or transaction in which they have a direct or indirect personal interest. County officials and employees shall not accept or receive any property, money, or anything of value in exchange for, or arising out of, any County contract or transaction. *See Ark. Code Ann. § 14-14-1202.*
- F. County officials and employees shall not engage in any act that would constitute corruption, gross immorality, criminal conduct, malfeasance, misfeasance, or nonfeasance in office. *See Ark. Code Ann. § 14-14-1311.*
- G. Each County elected official shall administer the day-to-day administrative affairs of his or her County office in a lawful and constitutional manner, and in accordance with applicable law (statutes and judicial decisions), the U.S. Constitution and Arkansas Constitution, and this County Personnel Policy.

III County Employment Policies

A. At-Will Employment.

- 1. Under its authority as the legislative branch of County government, the County Quorum Court adopts “at-will” employment as the default employment policy for each County employee. County employment is not for a specific period and employment may be terminated at any time, with or without notice or liability of any kind (except for wages earned and unpaid), and with or without cause.

2. A County employee serves at the pleasure of the elected County official who hires and supervises the employee. Newly elected County elected officials have the discretion to rehire County employees who served under a predecessor. County employees have no expectancy of continued employment or property interest in future employment under a newly elected County official.
- B. Claims of Property Interest in Employment. If, notwithstanding the express provisions to the contrary in this County Personnel Policy, a County employee contends that he or she has a property right in his or her employment or a substantial expectancy of continued employment, or that the County or supervising elected official must have just cause for reduction in pay or removal of position, then the employee must assert such contention at a grievance hearing requested in the time and in the manner set forth in this Policy.
- C. Equal Employment Opportunity. It is the policy of the County to provide equal employment opportunity for all County employees. Accordingly, the County will not engage in any form of employment discrimination based on race, color, national origin, sex or gender, religion, age, disability, veteran or military status, genetic information, sexual orientation, gender identity, or any other legally-protected status. The County hereby affirms its desire to maintain a work environment for all County employees that is free from all forms of unlawful employment discrimination. Employment discrimination based on race, sex or gender, color, national origin, religion, age, disability, veteran or military status, genetic information, sexual orientation, gender identity, or any other legally-protected status is a violation of County policy as well as federal and state law, and will not be tolerated.
1. If you believe you have been the subject of unlawful employment discrimination, you should **immediately** report the problem to your supervisor. If the conduct or condition allegedly involves your supervisor, you should report it immediately to the elected County official under whom you serve. If the conduct or condition allegedly involves the elected County official, you should immediately report the conduct or condition to the County Judge. If the conduct or condition allegedly involves the County Judge, you should immediately report the conduct or condition to the County Grievance Committee. "Immediately" normally means the same day of the alleged discrimination. The failure to make a timely report of alleged discrimination may be a factor used in deciding the merits of the allegation. Your complaint will be promptly investigated. All County employees are expected to cooperate fully in such investigations. To the extent feasible, all internal investigations and/or actions taken to resolve complaints of unlawful employment discrimination will be confidential.
 2. Retaliation against any County employee for making a complaint under this policy or for providing information during an investigation under this policy is strictly prohibited, will not be tolerated, and is a violation of this policy.

3. Any County employee who violates this policy will be subject to appropriate discipline, up to and including termination. Any supervisor who knowingly permits discrimination or retaliation to take place in his or her areas of supervision will be subject to appropriate discipline, up to and including termination.

D. Anti-Harassment Policy. The County provides a workplace free from harassment based on race, color, national origin, sex or gender, religion, age, veteran or military status, genetic information, disability, sexual orientation, gender identity, or any legally-protected status. Harassment includes any verbal or other conduct that demeans, insults or intimidates an employee or group of employees because of their race, color, national origin, gender, religion, age, veteran or military status, genetic information, disability, sexual orientation, gender identity, or other legally-protected status. Prohibited conduct includes, but is not limited to, jokes, labels, names, verbal abuse, ridicule or stories offensive to a protected group of persons.

1. Because of the County's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including:
 - a. Unwelcome sexual advances, including unwelcome requests for dating and requests for sexual acts or favors.
 - b. Verbal abuse of a sexual nature, including sexually-related comments or joking and graphic or degrading sexual comments about another's appearance.
 - c. Nonverbal abuse of a sexual nature, including suggestive or insulting noises, leering, whistling or making obscene gestures, e.g., giving someone the finger, and the display of sexually suggestive objects or pictures.
 - d. Physical conduct of a harassing nature, including inappropriate touching or brushing the body of another.
 - e. Any other verbal, nonverbal or physical conduct of a harassing nature.
2. If you believe you have been the subject of harassment by anyone, including supervisors, elected County officials, co-workers, citizens, or vendors, you should **immediately** report the conduct to your supervisor. If the conduct allegedly involves your supervisor, you should immediately report it to the elected County official under whom you serve. If the conduct allegedly involves the elected County official, you should immediately report the conduct to the County Judge. If the conduct allegedly involves the County Judge, you should immediately report the conduct to any member of the County Grievance Committee. "Immediately"

normally means the same day of the alleged harassment. The failure to make a timely report of alleged harassment may be a factor used in determining the merits of the allegation. Your complaint will be promptly investigated. All County employees are expected to cooperate fully in such investigations. To the extent feasible, all internal investigations and/or actions taken to resolve complaints of harassment will be confidential.

- a. Discrimination or retaliation against any County employee for making a complaint under this policy or for providing information during an investigation is strictly prohibited, will not be tolerated, and is a violation of this policy.
- b. Any County employee who violates this policy will be subject to appropriate discipline, up to and including termination. Any supervisor who knowingly permits harassment or retaliation to take place in his or her areas of supervision will be subject to appropriate discipline, up to and including termination.

E. Disabilities Policy. The County will provide reasonable accommodations to qualified individuals with disabilities, unless to do so would cause an undue hardship. An accommodation is a change in the work environment or in the way things are customarily done that is not unreasonable and that enables an individual with a disability to enjoy equal employment opportunity. Generally, an individual with a disability must inform his or her immediate supervisor that an accommodation is needed. When the disability and need for accommodation are not obvious, the County may require the individual to provide documentation from a medical provider concerning the disability and the need for a reasonable accommodation.

F. Genetic Information Nondiscrimination Policy. The County complies with the Genetic Information Nondiscrimination Act (GINA) and the Genetic Information in the Workplace Act (GIWA). GINA and GIWA prohibit employers and other entities covered by these laws from requesting or requiring the disclosure of genetic information of an employee or family member of an employee, except as specifically allowed by these laws. To comply with these laws, employees should not, directly or indirectly, disclose any "Genetic Information" to the County at any time. "Genetic Information" includes an employee's family medical history, the results of an employee's or family member's genetic tests, the fact that an employee or an employee's family member sought or received genetic services, and genetic information of a fetus carried by an employee or an employee's family member or an embryo lawfully held by an employee or family member receiving assisted-reproductive services.

G. Immigration Reform and Control Acts. The County complies with the Immigration Reform and Control Acts of 1986 and 1990. Every newly-hired County employee shall

complete an I-9 Form before commencing employment.

- H. Political Activity. County employees are encouraged to participate in the election process, but assistance to candidates or issues must only be rendered on the employees' own time and County property must not be involved. County employees are not to endorse candidates or issues in their official capacities as County employees, or on behalf of the County or any County office. The legal provisions are summarized as follows: (1) County employees are prohibited from engaging in partisan political activity during the hours they are performing work for the County, excluding personal leave time; (2) political banners, posters, or literature should never be allowed or displayed in a County office; (3) political bumper stickers or decals should never be displayed on County property or any County-owned vehicle; County-owned vehicles must not be used during or after work hours to promote or assist the candidacy of any person or any ballot issue; (4) no County employee shall approach other County employees for any political purpose or use threats or coercion to require or persuade any employee to contribute to a particular candidate or cause. At the discretion of the County Judge or other elected County official who supervises a County employee, a County employee may be granted leave without pay for an extended absence to participate in a campaign.
- I. Social Media Policy. Social media includes all means of communicating or posting information or content of any sort on the Internet. The same principles and guidelines applicable to County employee conduct also apply to County employees' activities online. Any conduct that adversely affects an employee's job performance, the performance of fellow employees, or otherwise adversely affects the interests of the County may result in disciplinary action up to and including termination. This policy applies to comments made under the employee's name or under a pseudonym used by the employee as a username. Harassment and cyber-bullying of any County employee will result in termination. Comments that discriminate against any protected class of individual under Title VII, the United States or State Constitution, or under any other civil rights statute will result in appropriate discipline, up to and including termination. County employees should avoid posts, "likes," or other social media activity during work hours and on County-owned equipment, unless authorized to do so by a supervisor or consistent with County policy. State law prohibits electioneering by public servants during work hours. Employees should consider any political activity to be electioneering—employees should follow the County's Political Activity Policy with all online posts.
- J. Internet Policy. The use of computers with Internet access is vital to the ability of the County government to research issues, obtain information, and communicate with other government entities; however, using County equipment to access and/or transmit inappropriate material through the Internet is detrimental to the efficient operations of the County government.
1. Inappropriate material shall be defined as games and material (including text and graphics), that meet the legal definition of obscene.

2. The accessing, downloading, scanning or transmitting of inappropriate material on County computers is prohibited, except when necessary for activities by law enforcement officials and only when specifically related to criminal investigations.
3. Any employee violating this provision shall be subject to discipline, up to and including termination, at the discretion of the department head or elected official (or authorized representative).
4. Elected Officials may, at their discretion, request to analyze the computers within their respective department(s) in order to locate and remove any inappropriate material that may exist.

K. Freedom of Information Act. The County complies with the Arkansas Freedom of Information Act (FOIA). Upon receiving a FOIA request, a County employee shall immediately notify his or her supervisor, or elected official, of the FOIA request. Any supervisor or elected official receiving notice of a FOIA request shall take steps to ensure timely compliance with the request. Employees shall not provide records, or otherwise respond to a FOIA request, without consulting with their supervisor or elected official.

L. County Property.

County employees are responsible for the proper use and care of county property and for returning items to the appropriate person, area, or department. The county expects all employees to call attention to any condition or practice you observe which could be dangerous. Your prompt cooperation can be helpful in such cases and help protect the safety of others. It is the duty of each employee to familiarize him/herself with and know and follow all safety and operating procedures, department rules, supervisory instructions, and to report to work punctually and maintain good attendance records. County employees are respected to conduct themselves in an orderly and considerate manner.

The County's telephones, fax machines, photocopying equipment, computers, vehicles, and other property are to be used for business purposes only. County property is restricted to business use to assist County employees in the performance of their jobs. Occasional de minimis use of County property for personal, non-business purposes is permitted—however, such personal use should not negatively affect the use of County property for business purposes or negatively affect employee performance. All physical property, offices, vehicles, business equipment, software, computer systems, electronic systems and all information stored, transmitted, received, initiated, or contained in the County information system are County property. The County reserves the right to monitor, copy, use, delete, publish, and log all network, Internet or local activity including email, software use, or other activity with or without notice—County employees should have no expectation of privacy when using these resources.

IV Hiring, Transfer, and Termination

The County Employment Policies set forth in this County Personnel Policy apply equally to hiring, promotion and demotion, transfer, and termination.

- A. Hiring. The County Quorum Court shall establish the number and compensation of all County employees. The job title, classification, and annual pay rate shall be specified for each position of a County department or County office in the annual budget. Positions cannot be advertised as vacancies, nor may persons be hired into positions, until positions are authorized by the Quorum Court. The County Judge shall hire all County employees except those employed by other County elected officials as permitted by Ark. Const. Amend. 55, section 3. Policies regarding hiring and firing adopted by the Quorum Court shall be only advisory upon County elected officials and employees hired by them as required by Ark. Const. Amend. 55. Employment policies of a general nature adopted by the Quorum Court shall be the decision of the County and binding as permitted by Ark. Const. Amend. 55, section 1 and Ark. Code Ann. § 14-14-805 (2).
- B. Reduction or Removal of Pay or Position. A County elected official may reduce or remove pay or position for any reason that is rationally related to the effectuation of any conceivable legitimate County objective. It is not possible to list all conceivable rational bases for reduction or removal of pay or position; however, examples include but are not limited to:
1. Misrepresentation, dishonesty, or self-dealing conduct;
 2. Intemperate conduct;
 3. Insubordination, including the failure or refusal to follow the legal orders of an elected County official or other supervisor;
 4. Negligent, reckless, knowing, or intentional destruction of County property;
 5. Abuse or misuse of your position as a County employee;
 6. Any conduct, act, or omission that interferes with or impairs your ability to properly and effectively perform your duties as a County employee;
 7. Any rational change in the mode or manner of operations, including any rational decision regarding the persons selected by an elected County official or supervisor for the delivery of County services.
- C. Termination. All termination decisions shall be deemed to be a suspension without pay until the time to request a grievance hearing has passed. An employee shall be permitted to use their accrued comp time or vacation time for the days of unpaid suspension. If the employee requests a grievance hearing, they shall continue in unpaid leave status until the

conclusion of the grievance hearing, and a final termination decision is rendered by the Elected Official.

- D. Appointment of Employees to Fill Vacancies in Elected Offices. When an employee is appointed to fill a vacancy in an elected office, pursuant to applicable law, such shall have the right to return to his or her latest vacated position as an employee upon either resignation from or expiration of said appointment. Such return shall be at and include whatever grade/step/salary increases would have normally occurred had that person remained in the latest vacated position as a county employee.

This right of return in no way, however, affects the rights of the county or an existing or future elected official to terminate the employment of any employee appointed to fill a vacated elected office and subsequently returned to the latest vacated position as an employee.

Additionally, any employee employed to fill the position vacated by the employee so appointed, shall be notified that employment is temporary and subject to the appointed employee's subsequent decision to return to the previous position. The employee, so employed, shall receive full fringe benefits afforded to full-time, regular employees.

- E. Rehired Employees. An employee who leaves County employment and who returns within 180 days from their last date of work will return to County employment with their prior tenure status for benefits including vacation accrual rates. Employees shall not be credited any time off that remained in their banks, but was not paid out at termination (e.g. sick leave).

Rehires shall be considered as new employees and treated the same as any other new employee with reference to salary, employee benefits, rate of accrual for leave purposes and any other applicable provisions for new employees. Employees returning after being laid off and veterans returning from active duty, are not considered new hires.

- F. Constitutionally-Protected Conduct.

1. It is the policy of the County to comply with the Constitutions and laws of the State of Arkansas and the United States, and the public policy of the State of Arkansas. These laws include: (i) laws prohibiting unlawful discrimination based on race, color, national origin, sex or gender, religion, age, disability, veteran or military status, genetic information, sexual orientation, gender identity, or any other legally-protected status; (ii) laws prohibiting retaliation for exercising a constitutionally-protected liberty right (e.g., free speech, free association, political patronage, access to courts, privacy, etc.); and (iii) laws requiring that governmental action be rationally related to a conceivable legitimate government objective.

2. Should any applicant, employee, or person requesting County assistance or services contend that he or she is the victim of unlawful discrimination, unlawful retaliation, or unlawful arbitrary government action, he or she shall request, in the time and manner set forth in this County Personnel Policy, a hearing before the County Grievance Committee to provide the elected official with notice of the alleged unlawful action, and the opportunity to voluntarily conform the conduct of the County, County officials, and County employees to the requirements of County policy (including conformity with the Constitutions and laws of the State of Arkansas and the United States, and the public policy of the State of Arkansas).
- G. Background Investigations. Background investigations may be conducted for applicants at the discretion of the hiring elected official, or as required by law. All background investigations will be performed by a third party in compliance with the law.
- H. Drug-Free and Alcohol-Free Workplace Policy. The County is committed to protecting the safety, health, and wellbeing of all employees and the public in our workplace. The County has established a workplace program that balances our respect for individuals with the need to maintain an alcohol-free and drug-free environment. The purpose of this policy is to assure worker fitness for duty and to protect the County's employees, passengers, and the public from the risk posed by misuse of alcohol and use of prohibited drugs. This policy is intended to comply with all applicable federal regulations governing workplace anti-drug and anti-alcohol programs.
1. Testing. To ensure the accuracy and fairness of drug and alcohol testing, all testing will be conducted by National Med Test, and in compliance with all applicable laws and regulations. Prohibited controlled substances are those defined by the Federal Controlled Substances Act and applicable Arkansas statutes governing controlled substances. An employee whose initial drug test result is positive and who requests a test of the split sample will be suspended without pay until the County receives the result of the split test. The cost of the split test will be paid by the County, to be reimbursed by the employee. A negative result from the split test will render the first test invalid and the employee will be reinstated with back pay and will waive the reimbursement requirement related to the cost of the split test.
 2. Prescription Drugs, Over-the-Counter Drugs, and Medical Marijuana. Prescription drugs and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription—however, a safety-sensitive employee who has been prescribed a medication that might cause drowsiness or otherwise impair the employee's ability to safely perform job functions has an affirmative duty to report use of such prescription. The County shall engage in the interactive active process to determine if the prescription drug use creates a direct threat of safety to the employee, or others, and shall inquire as to accommodations that would permit the

employee to continue to work in a safety-sensitive position, despite the use of the prescription.

When proper notification is made and the prescribing healthcare practitioner provides a statement that the employee will not pose a direct threat to themselves or others and is otherwise able to perform their essential job duties, despite the use of the prescription medication, the employee may continue working in the same position. If a statement is not provided, or if a provided statement does not certify that the employee's use of the prescription will not impair the employee's ability to safely perform job functions, a reasonable effort will be made to assign the employee to another position, if available.

The illegal or unauthorized use of prescription drugs is prohibited. Medical marijuana usage under the Arkansas Medical Marijuana Amendment is subject to Act 593 of 2017. An employee who holds a safety-sensitive position is not permitted to engage in the current use of medical marijuana while employed in the safety sensitive position. A safety-sensitive employee shall be removed from their position if they test positive for marijuana, or if the employer has a good-faith belief the employee is engaged in the current use of medical marijuana. This applies even if the employee is a qualifying patient under the Amendment and/or holds a registry identification card. Employees are also subject to discipline, up to and including termination for the following acts related to medical marijuana:

- a. Possession, ingestion, smoking, or otherwise using marijuana while on duty, or on the premises of the County, regardless of duty status; or
 - b. Being under the influence of marijuana while on duty, or on the premises of the County, regardless of duty status.
3. Post-Offer / Pre-Employment Testing. County officials who hire for a position may elect to conduct post-offer / pre-employment testing on any prospective County employee. Testing under this section shall be consistent among job classes under an elected official and within departments. The prospective employee will not be employed until the test results are received by the County Clerk. The County Clerk will then notify the Elected Official or Department Head of the testing results. A prospective employee cannot start work until the post-offer / pre-employment test result is received.
4. "Safety-Sensitive Positions" include, but are not limited to, positions involving a safety-sensitive function pursuant to regulations governing drug and alcohol testing adopted by the U.S. Department of Transportation and the Arkansas General Assembly, or identified as safety-sensitive under the Fourth Amendment. Safety-sensitive positions typically involve job duties where impairment may present a clear

and present risk to co-workers or other persons. A safety-sensitive position includes any position where a momentary lapse in attention could result in injury or death to another person. A safety-sensitive position includes, but is not limited to, a position in which a drug or alcohol impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to:

- a. carry a firearm;
- b. perform life-threatening procedures;
- c. work with confidential information or criminal investigations;
- d. work with controlled substances;
- e. maintain a commercial driver's license;
- f. drive a vehicle or operate heavy equipment as part of normal duties;
- g. serve as a mechanic on County vehicles;
- h. serve as a dispatcher for law enforcement or emergency services; or
- i. be prepared to use justified physical force against persons to maintain order or security for persons detained by the county.

5. Testing of Safety-Sensitive Employees. Safety-sensitive employees are subject to testing to detect the presence of alcohol and controlled substances, including:

- a. post-offer / pre-employment testing;
- b. random testing;
- c. reasonable-suspicion testing;
- d. post-accident testing; and
- e. return-to-duty testing and follow-up testing.

8. Random Testing of Safety-Sensitive Employees. Employees in safety-sensitive positions will be subject to random, unannounced testing. A computerized program shall determine the individual safety-sensitive employees to be randomly tested.

9. Reasonable-Suspicion Testing. A County employee who is reasonably suspected of being intoxicated, impaired, under the influence of alcohol or drugs, or not fit for duty, shall be suspended from job duties with pay pending an investigation and verification of condition. Only an elected County official or supervisor who has been trained in reasonable-suspicion testing requirements may initiate reasonable-suspicion testing.

10. Post-Accident Testing. A County employee shall be screened for the presence of controlled substances and alcohol, as soon as practicable, following his or her involvement in an accident involving a County vehicle or equipment, under the following situations:

- a. an accident that results in the loss of human life;
- b. an accident that results in a moving violation citation;

- c. an accident that involves bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or,
- d. an accident that involves one or more vehicles incurring disabling damage as a result of the accident (requiring any vehicle to be transported away from the scene).

11. Disciplinary Action. The following shall result in immediate discharge:

- a. refusal to take a mandated test for drugs or alcohol;
- b. a positive drug test (once the time limit for requesting a split test has expired, or upon receipt of a positive result from the split test); or
- c. a positive alcohol test.

12. Records. All records regarding the County's Drug-Free and Alcohol-Free Workplace Policy shall be confidentially maintained, in a secure location with controlled access. Although records maintained by the County will remain confidential, such records may be used in legal proceedings in defense of the County, its agents, and employees, and such records may be otherwise disclosed as required or allowed by law.

I. Evaluation Period.

All newly hired County employees shall serve a six (6) month evaluation period. The purpose of this period is to allow the hiring official time to observe the employee's performance and ability to perform the job.

While all County employees are employees-at-will and are evaluated yearly, new hires are evaluated on a quarterly basis during the first (1st) year of employment.

After completion of six (6) months of continuous, full-time, regular employment, employees are entitled to use their accumulated leave with pay. New hires will receive two personal days to use during the six (6) month evaluation period. **Rehires are treated as new hires for this and all purposes in this policy.**

J. Attendance.

Unauthorized Absences. Employees are expected to be at their workstations on time and to work the number of hours scheduled. Employees who are absent from work without prior authorization or who are tardy to work have the responsibility to immediately advise their supervisor of the circumstances. The supervisor will determine if the circumstances are understandable and infrequent and assess if it is necessary to require the use of earned vacation leave, or to report as unauthorized absence. Employees who are absent or tardy without authorization can be docked (not-paid) for the time in question and then be reported as Unauthorized Absence ("UA") on the department "Payroll Worksheet" which is submitted to the payroll department. Employees are not in pay status if assigned UA. UA is to be assigned in fifteen (15) minute minimum increments for the period determined as appropriate by the supervisor. Three (3) days of UA in a 12 month period will lead to disciplinary action up to and including termination.

If an employee anticipates being tardy or absent, then the employee has the responsibility to personally notify their supervisor in advance of the work period. If this responsibility cannot be met, they are to notify their supervisor immediately upon reporting to work and explain why they could not notify prior to the start of the work period. Employees who are absent for two (2) consecutive workdays without personally notifying their supervisor will be considered as having voluntarily resigned their position.

K. Separations.

1. Resignation

Any employee contemplating resignation is urged to discuss this decision with his/her supervisor before submitting his/her letter of resignation to the hiring official. Employees are requested to give two (2) weeks notice of resignation to provide the County with an opportunity to find a suitable replacement. A copy of the resignation shall be placed in the official personnel file.

2. Termination

In the even that any full-time employee is terminated, voluntarily or involuntarily, the department head or elected official will complete the appropriate Status Change Form. Terminated employees are entitled to be paid for the time worked, and for vacation leave earned to the effective date of termination. Termination pay shall be paid as a lump sum checks for time worked and unclaimed leave.

3. Lay-Off

- i. Should circumstances cause a need for a County-wide reduction in the number of County employees, the decision to lay-off employees shall be made by the County Judge for those departments under his/her jurisdiction and by the other elected officials for their respective departments.
- ii. Laid off employees, who are rehired without a period of one year, may be reinstated to their former position as the salary level closest to that earned at the time of lay-off (if available) with the rights relating to the rate of leave time accrual. The County cannot guarantee that the same or similar position (or same or similar salary) will be available upon return.

V. Employee Classification, Attendance, and Compensation

- A. Employee Classifications. The County's office hours for normal business are 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. A full-time County employee is an employee who occupies a full-time position with the County and who works a full-year schedule for the County (regularly works 32 hours a week). Full-time County employees are expected to work during County office hours, with an unpaid lunch break each day and two paid breaks each day of up to 15 minutes per paid break. Paid breaks may not be taken at the beginning or end of the work day, nor at the beginning or end of the lunch break.

A part-time County employee is an employee who works less than 80 hours a month for three consecutive months.

- B. Base Salary. Base salary amounts refer to the starting salary of an employee when hired. When employees receive a raise their base salary increases. The base salary does not include any overtime, shift differential or extra compensation or reimbursement. Base salary for County employees and other compensation issues are addressed in a separate Salary Ordinance.
- C. Employee Attendance. As public servants, timely and consistent attendance is an essential job function of every employee of the County, therefore County employees are expected to be on the job during their scheduled hours. Excessive tardiness and/or absenteeism creates an undue hardship on County Offices and Departments and will result in disciplinary action, up to and including termination.
- D. Overtime Work and Compensatory Time. The County complies with the Fair Labor Standards Act (FLSA).
 - 1. Non-exempt, hourly status shall be the default status for all employees of the County and shall be eligible for overtime compensation. **This status is not affected by the Quorum Court's appropriation of wages in a "salary" amount for budget purposes. The salary amount set by the Quorum Court shall be divided by the expected annual number of hours worked for each position to determine an hourly amount.** (EX: Appropriation of \$26,000.00 salary. Employees scheduled 40 hours a week, 52 weeks a year for 2,080 hours expected to be worked annually. $\$26,000 / 2,080 = \12.50 per hour.)
 - 2. As authorized by the FLSA, the County's employees who are eligible for overtime compensation shall receive, in lieu of overtime pay, compensatory time off at the rate of one and one-half hours of compensatory time for each hour of overtime worked.
 - 3. The normal work period shall be 40 hours per week for all County employees except employees engaged in the provision of law enforcement (including jailers) and ambulance services. The normal work period for law enforcement (including jailers) and ambulance personnel shall be 171 hours per consecutive 28-day work period.
 - 4. Overtime shall only be worked in emergencies or when public health, welfare, and the safety of the community is in danger. Overtime shall not be worked without the approval of the elected County official or supervisor designated by the elected County official to approve overtime. This includes checking emails and/or phone messages outside business hours—non-exempt employees shall not check emails and/or phone messages, or otherwise work outside of business hours without approval. Overtime worked shall be compensated as set forth in this policy whether

approved in advance or not, but employees who work overtime without approval as set forth in this policy are subject to discipline up to and including termination.

5. No civilian employee shall accrue more than 120 hours of compensatory time. No public safety employee (law enforcement officer or jailer) shall accrue more than 120 hours of compensation time. After an employee accrues the maximum hours of compensatory time, the employee shall be paid any additional overtime at a rate of one and one-half times the employee's normal hourly rate, for each hour of overtime worked (subject to normal withholdings for taxes, etc.). Payments for accrued compensatory time may be made at any time and shall be paid at the regular rate earned by the employee at the time the employee receives such payment. At the end of each year, all accrued but unused compensatory time will be paid in full.
6. Upon termination of employment, an employee who has accrued compensatory time shall be paid for the unused compensatory time at the employee's average hourly rate during the last three years of employment, or the employee's final hourly rate, whichever is higher.
7. An employee who requests time off for any reason including sick leave, shall be required to exhaust their accrued comp time before they are permitted to use other forms of leave (sick, vacation, etc.).
8. All earned compensatory time must be used within 28 days.
9. All County elected officials and department heads will maintain timesheets to be filled out by all employees on a weekly basis (regardless of exempt or non-exempt status). All time sheets shall be signed under oath by the non-exempt employee and signed by the elected official or department head. Time sheets shall be provided to the County Judge's Office to be kept as permanent records. If an elected County official or department head fails to provide the required and approved time sheets to the County Judge, the County Clerk shall not issue subsequent paychecks.
10. Paid leave days shall not count towards time worked in a work period for calculating overtime. Only time worked by an employee shall count toward calculating overtime (including time worked on a holiday).
11. A person who accepts employment with the County or continues in employment with the County shall be deemed to have agreed to receive compensatory time off in lieu of overtime compensation as set forth in this policy.

E. Overtime and Leave Time Liability Control Procedure.

1. Employees Required to Personally Sign and Certify Timesheets. Each non-exempt County employee shall *personally* sign his or her time sheet, certifying: "My

signature certifies that the above recorded hours worked and leave taken are correct.”

2. County Judge’s Office to Keep Employee Time Sheets as a Permanent Record. The signed/certified employee time sheets shall be timely provided to the County Judge’s Office at the end of each pay period to be kept as a permanent record (for at least five years). The County Clerk shall not issue subsequent pay checks.
 3. County Judge’s Office to Calculate Payroll from Non-Exempt Employee Time Sheets. The County Judge’s Office will calculate payroll for non-exempt employees, including overtime pay, vacation leave pay, sick leave pay, and holiday pay, based on the signed/certified time sheets and in reliance upon the employees’ signed certification that the hours worked and the leave time taken are correct.
 4. County Judge’s Office Not to Issue Check without Signed/Certified Timesheet. The County Judge’s Office shall not issue a paycheck to a non-exempt employee if the required employee time sheet(s) is/are not signed and certified by the employee (personally) or are not timely provided to the County Judge’s Office.
 5. Logbook of County’s Total Paid Time-Off Liability. The County Judge’s Office shall keep a record in a separate logbook of accumulated compensatory time, sick leave time, and vacation leave time, showing all such time earned and all such leave time taken by the employees who have earned such leave time.
 6. Report Total County Overtime Liability Monthly. The County Judge’s Office shall provide a monthly report to the County Treasurer, the County Clerk, or the Quorum Court (upon request), reporting the amount of the County’s accrued compensatory time debt.
 7. Pay Overtime when Required by Policy. The County Clerk shall issue an overtime check to an employee any time the employee’s total hours of accrued compensatory time exceed the compensatory time limit set by the Quorum Court in the County’s Personnel Policy (120 hours, see D. 5 above).
 8. Accumulated Compensatory Time Debt Paid in Full by the End of the Year. The Arkansas Constitution prohibits deficit spending, multi-year contracts, and lending the credit of the County. Therefore, accrued compensatory time accumulated by County employees in December shall be paid in full at the end of each year.
 9. Quorum Court to Manage the County’s Compensatory Time Debt from Month to Month. The Quorum Court shall use its appropriation power (including re-appropriation power) to modify the County’s budget throughout the year so that the County has the funds to pay the compensatory time debt that has accumulated throughout the year and at the end of the year.
- F. No County Gifts. The Arkansas Constitution prohibits the County from using public money to confer a private benefit. Ark. Const. Art. 12, § 5. County elected officials, department heads, and supervisors shall comply with this constitutional provision and shall not offer or award more paid leave time (holiday, vacation, sick, or compensatory) than authorized by this County Personnel Policy.

G. Emergency Service Employees

This section outlines exceptions to the general policies included in this manual for the County's Emergency Services Employees.

Emergency Services Employees shall be defined as:

- Law Enforcement employees
- 911 Department
- Office of Emergency Management
- Road Department

Note: During times of an emergency, whether natural or man-made, employees not typically classified as Emergency Service Employees may be called upon to act in some capacity as emergency responders.

1. Vacation – Emergency Services Employees

Vacation time shall be earned and awarded in the same manner as all other County employees, with the exception that:

2. Compensatory Time– Emergency Services Employees

- a) Emergency Service Employees may accrue a maximum of eighty (80) hours of compensatory time in lieu of overtime pay. Overtime hours worked during the normal work period may be accrued as compensatory time, up to forty (40) hours, after which overtime hours will be either paid at one and one-half their hourly rate or accrued as additional compensatory time, at the discretion of the Elected Official or Department Head.
- b) Overtime pay is allowed upon approval of the Elected Official or Department Head, and only when the budget of that particular department or office is sufficient to cover the expense of the overtime.
- c) Employees will be permitted to use the accrued compensatory time within a reasonable (28 days) time after request is made, provided the employee's absence will not create a genuine operational problem for the County.
- d) Elected Officials and Department Heads will make every effort to keep overtime and compensatory time accruals within manageable levels.

3. Sick Leave – Emergency Services Employees

Emergency service Employees shall earn sick leave in the same manner and amount as all other employees. Sick leave shall be taken in hourly increments, based upon the regularly scheduled work shift of the employee.

5. Holiday Pay – Emergency Services Employees

Holiday pay for Emergency Service Employees will be given in hours based upon the regularly scheduled work shift of the employee.

6. Inclement Weather Policy – Emergency Services Employees

Emergency Service Employees, by nature of their positions, are not eligible to exercise the options listed in the Inclement Weather Policy. Any absences that occur during periods of inclement weather will be charged against any available vacation time or accrued compensatory time or will otherwise be unpaid.

VI. Administrative Leave and other Benefits

A. Group Insurance Programs:

1. Fulton County may, at its discretion, provide a plan of group medical insurance to County employees. Part-time (less than 32 hours per week) or seasonal employees (fewer than 90 days per year) are not entitled to participate in the County's insurance plan.
2. The cost of coverage for the employee may, at the County's discretion, be paid by Fulton County. Coverage for the families of individual employees may be provided, if desired, by the employee and shall be at the employee's expense.
3. Continuation of coverage for employees who would otherwise lose coverage as a result of certain events will be offered coverage in accordance with regulations

- B. Holiday Leave. The County will be closed and all County employees will be granted paid leave to observe the 13 legal holidays listed below. Additional holidays may be proclaimed by the County Judge. Employees who are required to work on a holiday shall receive the holiday pay in addition to their regular rate of pay for any hours worked on the holiday (including overtime/comp time where applicable).

Any holiday pay shall not exceed 8 hours.

1. New Year's Day—January 1
2. Martin Luther King Birthday – 3rd Monday in January
3. Presidents Day—3rd Monday in February
4. Good Friday
5. Memorial Day—Last Monday in May
6. Juneteenth – June 19
7. Independence Day—July 4
8. Labor Day—1st Monday in September
9. Columbus Day
10. Veterans Day—November 11
11. Thanksgiving Day—4th Thursday in November
12. Christmas Eve—December 24
13. Christmas Day—December 25

All full-time employees also get eight (8) hours for their birthday. Birthday's must be use during the birthday month. If the employee is unable to use it during the birthday month they can use it at another time with the approval of their supervisor.

- C. Annual Vacation Leave. **Annual vacation leave is designed to provide county employees with opportunities for rest and relaxation.** All regular full-time county employees are eligible for annual vacation leave after an initial qualification period during

their first continuous year of service. Employee are entitled to vacation time each year, based upon the number of years of continuous service they had completed as of December 31.

You may take your vacation at times and in amounts (days or weeks) that you are eligible for after approval by your supervisor.

County employees must take annual vacation leave before December 31, of each eligible year or lose it. Annual vacation leave from one calendar year cannot be applied to the following year.

1. Holidays during Annual Vacation Leave

When a recognized county holiday occurs during a vacation week, an employee will receive an additional work day off immediately before or after the vacation period to substitute for the holiday. The day(s) will be with pay calculated in the same manner as annual vacation leave.

Single days of annual vacation should not be scheduled on a recognized county holiday. You may be granted recognized holiday time off at the approval of your supervisor as an observed holiday if operating conditions and efficient scheduling will permit.

b. ELIGIBILITY REQUIREMENTS FOR ANNUAL VACATION LEAVE

Vacation time will be allotted in increasing increments, based on tenure, as seen in the chart below.

Vacation Time

Years Served	Vacation time (in hours)*	Vacation time (in days)	Vacation time (in weeks)
1 Year	40 Hours	5 Days	1 Week
2 Years	40 Hours	5 Days	1 Week
3 Years	80 Hours	10 Days	2 Weeks
4 Years	84 Hours	10 Days, 4 Hours	2 Weeks, 4 Hours
5 Years	90 Hours	11 Days, 2 Hours	2 Weeks, 10 Hours
6 Years	96 Hours	12 Days	2 Weeks, 16 Hours

7 Years	102 Hours	12 Days, 6 Hours	2 Weeks, 22 Hours
8 Years	108 Hours	13 Days, 4 Hours	2 Weeks, 28 Hours
9 Years	114 Hours	14 Days, 2 Hours	2 Weeks, 34 Hours
10 Years	120 Hours	15 Days	3 Weeks
11 Years	124 Hours	15 Days, 4 Hours	3 Weeks, 4 Hours
12 Years	128 Hours	16 Days	3 Weeks, 8 Hours
13 Years	132 Hours	16 Days, 4 Hours	3 Weeks, 12 Hours
14 Years	136 Hours	17 Days	3 Weeks, 16 Hours
15 Years	140 Hours	17 Days, 4 Hours	3 Weeks, 20 Hours
16 Years	144 Hours	18 Days	3 Weeks, 24 Hours
17 Years	148 Hours	18 Days, 4 Hours	3 Weeks, 28 Hours
18 Years	152 Hours	19 Days	3 Weeks, 32 Hours
19 Years	156 Hours	19 Days, 4 Hours	3 Weeks, 36 Hours
20 Years	160 Hours	20 Days	4 Weeks

*Based on a full-time 40 hour/week employee.

4. ANNUAL VACATION LEAVE PAY

Annual vacation pay- Full-Time County Employees

Pay is calculated by multiplying your vacation pay by the time in your vacation day (not to exceed 8 hours) or vacation week (not to exceed 40 hours). Vacation pay rate is defined as your base rate of pay in effect at the end of the preceding calendar year or at the time you take vacation, whichever is greater.

5. Scheduling Annual Vacation Leave

Vacations will be scheduled at such times as your supervisor finds most suitable considering your wishes, the efficient operation of the unit concerned, and your length of service relative to others in your department.

Vacations must be applied for in advance by submitting a request to your supervisor.

6. Termination of County Service – Annual Vacation Leave Pay

Upon termination of county employment (see definition below), you will be paid for any annual vacation time to which you are entitled.

When termination results due to the death of an employee, eligible annual vacation leave will be paid to your spouse, estate, or other authorized individual. This shall be paid in a lump sum payment within thirty (30) days after legal notice is presented to the County Judge.

County employees shall be paid in a lump sum for all vacation time not taken in the calendar year they are terminated. An employee terminated on December 31 or within two (2) days after is eligible for annual vacation leave pay for the preceding calendar year for which they are entitled by length of service.

An employee must be employed by Fulton County on December 31 to be eligible for the preceding annual vacation leave pay.

Any county employee terminated for theft, intentional damage to property, causing bodily injury to others, or any criminal offense shall forfeit any and all rights to annual vacation leave or pay.

7. Reinstated County Employee – Annual Vacation Leave

Any person reinstated to employment with Fulton County after having terminated in good standing shall be eligible for annual vacation leave after completion of one year of service. The amount of annual vacation leave that the employee receives will be at the discretion of their supervisor; however, it shall not be more than that entitled to an employee based on previous length of service.

D. Unemployment Insurance

Employees of Fulton County are covered by the Arkansas Employment Security Law.

E. Retirement

All employees must participate in the Federal Social Security System and the Arkansas Public Employees Retirement Fund in accordance with present standards.

F. Sick Leave. Sick leave accrues to all eligible employees at the rate of eight (8) hours per month. Sick leave begins to accrue with the first day of work for the full-time employee.

Sick leave may be taken in increments as low as .25 hours (15 minutes). No sick leave may be taken unless earned—employees are not permitted to borrow against leave days to be accrued in the future. Accrued sick leave may not exceed 720 hours. Any sick leave above 720 hours at the end of a year will be automatically forfeited. See Attendance Section iii page 32.

G. COVID-19 Leave Policy. As outlined in Ordinance 2021-02. [Include here (as amended?)]

H. Closing of the Courthouse for Widespread Illness or Inclement Weather.

1. Purpose: The general policy regarding inclement weather is that Fulton County government offices do not normally close because of hazardous driving conditions. However, the obligation to provide services to the citizens of Fulton County must be balanced with the risk of danger to the public and to County employees. It is, therefore, appropriate that guidelines which reflect the need for safety of our citizens and employees be established.
2. Provisions: In the event of early morning severe inclement weather conditions, the Judge's Office will determine whether this inclement weather policy will be placed into effect and will announce its implementation before 6:30 am, if at all possible.

On days that the Courthouse is closed due to widespread illness or inclement weather, all employees will receive their usual compensation.

County Employees who are required to work on days the courthouse is closed due to widespread illness or inclement weather may include:

1. Clerk's office employees for the purpose of election times, who may work at the direction of the Clerk.
2. Sheriff's Department personnel, who may work at the direction of the Sheriff.
3. Personnel essential for maintenance of the heating and water systems in the courthouse and county buildings, who may work at the direction of the County Judge.
4. County Road Dept. employees, who may perform necessary work at the direction of the County Judge or Road Foreman.

Any employee described above who performs work authorized by the County Judge, Road Foreman, Sheriff, or Clerk on a day the Courthouse is closed, will receive eight (8) hours of personnel holiday time. Personal holiday time will be forfeited if not used within six months of accrual. Each elected official, department head, or supervisor of employees shall be responsible for informing The County's employees under his or her supervision of the closure of the

Courthouse due to widespread illness or inclement weather. Ordinance 2023-17

- I. Bereavement Leave. An employee shall be entitled to 3 days of bereavement leave per calendar year for a family member. Family members shall be limited to parent/step-parent, child/step-child, siblings, spouse, aunt/uncle, in-laws, grandparents, great-grandparents, grandchildren, or nieces or nephews or any individual acting as parent or guardian of the employee. It shall not include cousins or other family members further removed than those listed in this section.
- J. FMLA Leave. The County complies with the Family and Medical Leave Act (FMLA). The eligibility criteria and general guidelines used in administering this policy are set forth below. Interpretation of circumstances not specifically covered in this policy will be made in accordance with applicable law. The FMLA was designed to promote our country's interest in preserving family unity while accommodating the legitimate interests of employers. The FMLA seeks to minimize the potential for employment discrimination on the basis of gender consistent with the Equal Protection Clause of the Fourteenth Amendment by assuring that leave is available for both women and men.
 1. Employee Eligibility Criteria. To be eligible for FMLA leave, employees must have been employed by the County at least 12 months, whether consecutive or intermittent, and worked at least 1,250 hours during the twelve 12-month period. All absence from work for covered military service is counted in determining an employee's eligibility for FMLA leave. The County will grant up to 12 weeks of unpaid FMLA leave per year to eligible employees.
 2. Qualifying Events for FMLA Leave. FMLA leave may be taken for any one, or a combination of, the following reasons:
 1. Care of the employee's child (birth or placement for adoption or foster care);
 2. Care of the employee's spouse, dependent child, or parent with a serious health condition;
 3. Serious health condition that makes the employee unable to perform the essential functions of his/her job;
 4. A "qualifying exigency" resulting from the covered active duty or the call or order to covered active duty of the employee's spouse, son, daughter, or parent who is a military member of the National Guard and Reserves or the Regular Armed Forces; and,

5. Care of the employee's spouse, son, daughter, parent, or next of kin, who is a covered service member with a serious illness or injury incurred or aggravated by service in the line of duty. (Employees eligible for this type of leave may be eligible for up to 26 workweeks of leave, rather than the usual 12.)
3. "Serious Health Condition." An illness, injury, impairment, or physical or mental condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing care by a healthcare provider. Generally, a serious health condition involving continuing treatment by a health care provider includes, but is not limited to a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a healthcare provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a healthcare provider; or treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
4. Pay Status During FMLA Leave. FMLA leave is unpaid leave. However, any available paid time off, including qualifying workers' compensation leave, sick/vacation or comp time, will run concurrently with FMLA leave, until such leave is exhausted. Once an employee's paid benefits are exhausted, he/she will be in an unpaid status during the remainder of his/her FMLA leave.
5. How Much FMLA Leave May be Taken. An eligible employee taking FMLA leave is entitled to up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying event(s) as listed above. The 12-month period is a rolling 12-month period measured backward from the date an employee uses any FMLA leave. Leave to care for a seriously injured or ill active-duty military member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. When both spouses are employed by the County, they are together entitled to a combined total of 12 workweeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement of a child with the employees, and to care for a parent (but not in-law) with a serious health condition.
6. Intermittent or Reduced Work Schedule Leave. FMLA leave may be taken intermittently or on a reduced work schedule when medically necessary due to the employee's or family member's illness. Leave to care for a newborn or for a newly placed child may not be taken intermittently or on a reduced work schedule. If an employee takes leave intermittently on a reduced work schedule basis, the

employee must, when requested, attempt to schedule the leave so as not to unduly disrupt County operations.

7. Notice. An employee should request FMLA leave by notifying their supervisor or elected official and requesting the FMLA forms. When leave is foreseeable, the employee must provide the County with at least 30 days' notice.
8. Medical Certification. An eligible employee is required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. The County may have a designated individual contact the employee's health care provider to clarify or authenticate the initial certification with notice to the employee; and/or require the employee to obtain a second opinion by an independent County-designated provider at the County's expense. If the initial and second certifications differ, the County may, at the County's expense, require the employee to obtain a third certification from a jointly selected health care provider. During FMLA leave, the County may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. The employee must provide the County with periodic reports regarding the employee's status and intent to return to work when requested. Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work. FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Failure to provide requested documentation may lead to termination of employment.
9. Designation of FMLA Leave. The County will notify the employee whether leave has been designated as FMLA leave and how much leave will be counted against the employee's leave entitlement. The County may provisionally designate the employee's leave as FMLA leave if the County has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave.
10. Continuation of Benefits. During FMLA leave, the County will continue an employee's group insurance coverage under the same conditions as if the employee were working. An employee on FMLA leave will continue to be responsible for his/her portion(s) of group insurance premiums. FMLA leave is not a "qualifying" event under COBRA. If the employee does not return to work, the employee may be liable to the County for repayment of insurance premiums paid by the County during the employee's FMLA leave.
11. Return from FMLA Leave. Upon return from FMLA leave, the County will place the employee in the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment. An employee is entitled to

reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of layoff, reduction in force, or other reasons, the employee would not be employed at the time job restoration is sought. The County reserves the right to deny reinstatement to exempt, eligible employees who are among the highest paid ten percent of the County's employees ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the County's operations. An employee returning to work must be able to perform the essential functions, with or without reasonable accommodations, of the position the employee held before the leave or an equivalent position with equivalent pay, benefits, and other employment terms.

12. FMLA Rights and Obligations. The County will not: (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law providing greater family or medical leave rights.
- K. Leave Without Pay. Leave without pay may be granted as required by the American's with Disabilities Act as a reasonable accommodation. Leave without pay for a non-ADA or FMLA reason may be granted at the elected officials discretion but shall not exceed six (6) months. An employee on leave-without-pay (for any reason) retains all earned vacation leave and sick leave, but does not accumulate leave time, does not participate in County group insurance programs (at County expense), and does not receive pay for legal holidays or otherwise. An employee on leave-without-pay shall have the right to reinstatement to the position vacated or an equivalent position upon the conclusion of the approved leave-without-pay period. An employee on leave-without-pay may pay the total cost of any County group insurance program during such leave and be fully reinstated into such program(s) on return, where the program allows this.

Leaves must be applied for by submitting to your supervisor a "Request for Leave without Pay" form. This form must be approved by the Elected County Official for whom you are employed. The Elected County Official should submit this form for the County Judge's approval.

Leave without pay will not exceed six (6) months. At the expiration of such leave, the employee shall be reinstated without loss of pay or rights, unless the position is no longer available due to Quorum Court or budgetary reduction in staff.

L. Maternity Leave

Sick leave and annual leave will be granted for maternity use, after which, leave without pay must be used.

- M. Military Leave. The County complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which protects applicants and employees

who serve in the military from discrimination in the areas of hiring, job retention, and advancement. USERRA provides job and benefit protection for employees who serve in the military, and it provides certain reemployment rights to any employee who has been absent from work due to service in the United States uniformed services. The County will grant a military leave of absence to any employee who is required to miss work because of service in the United States uniformed services in accordance with USERRA. You must notify the County if you receive notice that you will require a military leave of absence unless providing such notice is precluded by military necessity, impossible, or unreasonable. You should provide the County with a copy of your official orders. When you receive notice that you will need a military leave of absence, please contact your supervisor for further information regarding your rights and responsibilities under USERRA.

- N. Jury Duty Leave. A County employee called to serve on a jury must notify his/her supervisor immediately upon notice so that his/her work schedule can be modified to accommodate jury duty. A full-time County employee serving as a juror in state or federal court shall be entitled to leave with pay, and such service or necessary appearances in court shall not be counted as vacation leave or sick leave, though an employee may choose to use vacation leave or sick leave to be paid for absence necessitated by jury duty.

O. Attendance

- i. Scope. The provisions contained herein pertaining to leave or holidays do not define or establish grounds for discipline or dismissal of an employee but are merely designed to appraise an employee of the policies of Fulton County as pertains to attendance.
- ii. Policy. Regular attendance is essential to the operations of the county. The responsibility for maintaining a good attendance record is an important part to the job of every county employee. It is important to the efficient operation of the county that every employee is at work as scheduled.
- iii. Sick Leave. (See F above.) You should notify your supervisor before your scheduled report-to-work time if you are unable to report for duty because of health reasons. Sick leave should be approved by your supervisor and/or the Elected County Official for whom you work.

If you become ill while at work, you should notify your supervisor before leaving your job. Sick leave should be approved before an employee can receive pay for such time off. When sick leave and annual leave are exhausted or not approved, the employee will be placed on leave without pay.

All full-time county employees shall be eligible for sick leave with pay after (1) month of continuous service.

An employee with six (6) months of continuous service but less than twelve (12) months shall be eligible for sick leave consisting of six (6) days.

An employee with twelve (12) months continuous service shall be eligible for sick leave consisting of twelve (12) days per calendar year (January 1 through December 31).

Sick leave may be accumulated to a total of 90 days.

- iv. Verification. Frequent short periods of illness, especially before and after holidays or weekends. Should be verified by a certificate from a competent physician attesting the claim of illness by an employee. Sick leave in excess of three (3) days should be verified by a physician's statement.

Extended illness that exceeds accumulated sick leave will be charged to annual leave. When sick leave and annual leave are exhausted, the employee will be placed on leave without pay.

An employee returning to work after an extended illness that has exhausted all his or her sick leave in the previous calendar year shall be eligible for the sick leave normally granted for the new year after ten (10) continuous working days.

*Fulton County employees who have sick days are able to volunteer them to another employee who has zeroed-out their sick days. They cannot give the days to them for payment. They must be used for sick days only (Ordinance 2008-6).

You may receive payment for unused sick days when your employment is terminated with the county. You must have accumulated at least 20 days of sick leave before becoming eligible.

20-30 Days of accumulated Sick Leave -----Payment for 10 Days

31-40 Days of accumulated Sick Leave -----Payment for 15 Days

41-50 Days of accumulated Sick Leave -----Payment for 20 Days

51-60 Days of accumulated Sick Leave -----Payment for 25 Days

61-90 Days of accumulated Sick Leave -----Payment for 30 Days

- P. Donation of Paid Leave. Fulton County Government allows employees to donate vacation, sick or compensatory leave to other county employees who do not have sufficient accumulated paid leave. While the County establishes a mechanism for such leave transfers, participation is entirely voluntary and donations are anonymous, unless donors elect otherwise. The supervising Elected Official shall make the final decision to either approve or disapprove applications for the donation of paid leave.

Situations in which the donation of paid leave may be requested include:

- Catastrophic illness or injury of an employee;
- To care for a catastrophically ill or injured family member;
- To deal with the death of a family member;
- To address a catastrophic casualty loss suffered due to a terrorist attack, fire, or natural disaster.

1. Responsibility of Department Head, Elected Official or Designee
 - a. Determine if the recipient is eligible to participate in the program and obtain documentation verifying the specific need.
 - b. Verify that all paid leave has been exhausted by the recipient and that the donor has sufficient paid vacation leave and/or compensatory hours.
 - c. Complete the Application for Donation of Vacation Leave form (available from the Payroll Office) and attach supporting documentation.
 - d. All completed applications with required attachments must be signed by the Elected Official and then submitted to the Payroll Office for processing. The Payroll Office will ensure that the appropriate transfers are made and paid leave account balances are updated accordingly.
2. Responsibility of the Recipient:
 - a. Obtain the appropriate medical verification and submit to the supervising Department Head, Elected Official or Designee.
 - b. Agree to use the paid leave credits donated; and if any credits are not used, it is understood that they must be returned to the Donor.

VII. Informal Procedure for Reporting/Resolving Perceived Harassment and other Job-Related Complaints

- A. Purpose. The purpose of this section is to provide a procedure for reporting any conduct or condition perceived to be discrimination, harassment, retaliation, violation of state or federal law, or other job-related complaints and to enable the County to act affirmatively, if needed, to assure compliance with the law. Any County employee may also utilize the Grievance Hearing Procedure below to bring such a matter before the County Grievance Committee. Any County employee may also informally raise a grievance with the County Judge as a mediator - if the County employee is dissatisfied with the County Judge's informal resolution, the County employee may still utilize the Grievance Hearing Procedure. The County may, in its discretion, hold a hearing prior to any decision or deprivation.
- B. Affirmative Duty to Report. If a County applicant or employee considers the conduct of a County official, agent, or employee, or a workplace condition, to constitute prohibited discrimination, harassment, or retaliation, or a violation of state or federal law, the applicant or employee has a duty to report it immediately to the applicant or employee's supervisor, supervising elected official, or the County Judge. If the conduct or condition allegedly involves the employee's supervisor, supervising elected official, and/or the County Judge, the employee shall report the conduct or condition to the County Grievance Committee. Immediately is defined as the same business day on which the conduct occurred, but no later than the next business day if same day reporting is not feasible. If the person reporting the alleged harassment or other condition is not satisfied with the action taken or if the alleged harassment or other condition continues, the person shall report the matter to the County's Prosecuting Attorney or a Deputy Prosecuting Attorney.

- C. Affirmative Duty to Act. Any County supervisor, elected official, or the County Judge receiving any report of discrimination, harassment, retaliation, or violation of state or federal law has a duty to take appropriate action, if and as required by law, and/or report the matter to either the supervising elected official, the County Judge, or the County Grievance Committee so that appropriate action can be taken and the person originating the report can be informed of the action taken and the person originating the report can be informed of the action taken.
- D. Continuing Duty to Report. If the person reporting the alleged discrimination, harassment, retaliation, or violation of state or federal law is not satisfied with the action taken or if the alleged discrimination, harassment, retaliation, or violation of law continues, the reporting person shall report the action to the County Grievance Committee.
- E. Confidentiality. Except to the extent necessary to implement this policy and remedy the alleged discrimination, harassment, retaliation, or violation of law, the identification of the person reporting the conduct or condition shall remain confidential.
- F. No Adverse Employment Action. **The County shall not take adverse action against a person for reporting conditions or conduct reasonably believed to be prohibited discrimination, harassment, or retaliation, in violation of the law or the state or federal Constitution, or in violation of state public policy.**

VIII. Grievance Hearing Procedure

- A. Purpose.
 - 1. The purpose of the Grievance Hearing Procedure is to establish a procedure for resolving grievances of County applicants and County employees to enable the County, through its Grievance Committee, to: (a) hear about alleged violations of the law, the state or federal Constitution, or state public policy, and (b) have the opportunity to take affirmative action to enable the County to voluntarily conform the conduct of County officials and County employees to the requirements of the law, the state or federal Constitution, or state public policy.
 - 2. If an applicant or employee does not follow this affirmatively required Grievance Hearing Procedure, the County will raise waiver and estoppel as affirmative defenses to any claims against the County filed by the applicant or employee via any administrative or judicial procedures otherwise available for redress of grievances.
 - 3. Any decision of the Grievance Committee shall be advisory to the County Judge (relevant elected official), but not binding on the County Judge/elected official.
- B. County Grievance Committee.

1. The County Quorum Court may appoint the membership of the County Grievance Committee as a standing Personnel Committee—such appointment of the Grievance Committee membership must be done by ordinance, and members of the Grievance Committee must be designated by position (not by name). If the Quorum Court has not appointed a Grievance Committee, then the Grievance Committee shall be the Quorum Court. The persons to serve for any hearing will be the persons holding the committee position at the time the discipline or dismissal decision was made for which a hearing is requested.
 2. If the Grievance Committee determines that an executive decision or action of a County official violates the law or the Constitution, the Grievance Committee shall declare the decision or action to be illegal or unconstitutional and recommend the County official (or advise the County Judge) to modify the decision or action to conform to the law, the state or federal Constitution, or state public policy.
 3. The Grievance Committee shall not substitute its operational judgment for that of a County elected official if the official's decision or action does not violate the law.
 4. With respect to employees hired by the County Judge, the decision of the County Grievance Committee shall be only advisory as required by Ark. Const. Amend. 55, section 3. For all other employees, the decision of the County Grievance Committee shall be the decision of the County as permitted by Ark. Const. Amend. 55, section 1.
 5. If a County official refuses to abide by the Grievance Committee's decision, the Grievance Committee must access the courts to seek an order enjoining the supervisory official from acting contrary to the law, the state or federal Constitution, or state public policy—if the Grievance Committee fails to seek a court injunction, the Grievance Committee may be deemed to have acquiesced to the decision of the supervisory official and the decision of the supervisory official may be deemed the County's final decision with respect to the employment action taken.
- C. Timely Grievance Hearing Request Required. A grieving applicant or employee must submit a written grievance hearing request after any claimed deprivation of the applicant or employee's property, liberty, or statutory/constitutional rights. A written grievance hearing request must be delivered to the County Grievance Committee in care of the County Judge no later than the close of business on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a hearing is requested. The written grievance hearing request must state: (1) the grievance for which a hearing is requested; (2) the alleged factual basis of the grievance; and (3) the relief sought. If an applicant or employee fails to submit a timely hearing request as required under this section, the County will raise waiver and estoppel as affirmative defense to any claims against the county filed by the applicant or employee via any administrative or judicial procedures otherwise available for redress of grievances.
- D. Automatic Suspension with Pay for Terminations. Any termination of employment shall automatically be a suspension with pay for three full business days (weekends and holidays

excluded) during which the terminated employee may request a pre-deprivation grievance hearing, which shall be granted if requested. If the employee requests a hearing under this section, the suspension with pay shall continue until the conclusion of the hearing before the County Grievance Committee. If the employee requests a continuance of the pre-deprivation grievance hearing under this section, a continuance may be granted at the discretion of the Grievance Committee, but the employee will not be paid for the period of the continuance. In no event shall a suspension with pay status continue for more than 14 days unless extended by decision of the Grievance Committee. All accrued but unpaid leave time (vacation leave, compensatory time, etc.) will automatically run concurrently with the period of suspension with pay, unless the employee prevails in his or her grievance, in which case the employee will not forfeit any unpaid leave time during the period of suspension with pay.

- E. Back Pay Provisions when an Employment Decision is Reversed. If an employee is rehired, reinstated, or any employment decision is reversed after the grievance hearing, the County shall pay the wages the employee would have earned, but did not, due to the unconstitutional or illegal actions taken, from the date of termination, demotion, or unpaid leave through the date of the reversal.
- F. Written Response to Hearing Request Required. The County Grievance Committee shall provide a written response to all timely grievance hearing requests. If the hearing request is granted, the Committee's response shall state the date, time, and location of the hearing. If the hearing request is denied, the Committee's response shall state the reason(s) for the denial.
- G. Mediator Role of County Judge. Upon receiving notice of a request for a hearing before the County Grievance Committee, the County Judge may choose to conduct an informal hearing of the dispute to mediate a solution acceptable to both the grieving applicant or employee and the supervising County official(s). The mediation will be concluded by the County Judge before the hearing before the County Grievance Committee begins. The mediation may be conducted in any manner the County Judge believes will offer the best opportunity for resolving the dispute informally and by agreement.
- H. Hearing Procedure.
 - i. The hearing shall be held in public if required by law (such as under the FOIA). The employee may, at any time, decline or end the hearing and accept the intended discipline or termination.
 - ii. The hearing shall be transcribed by a court reporter (not merely a tape recorder) upon request by the grieving employee or the employee's supervising elected official at the expense of the requesting party. At the hearing, on the record, the parties shall suggest any desired hearing procedures and state any complaints

regarding: (i) the notice; (ii) the date, time, or location of the hearing; (iii) the opportunity to refute charges; and (iv) the impartiality of any decision maker(s).

- iii. Informal rules of procedure and evidence shall be followed at hearings: (i) witnesses shall testify under oath; (ii) parties shall be allowed to be represented by legal counsel at their own expense; (iii) parties shall be allowed to examine and cross-examine witnesses; (iv) parties should be granted a reasonable continuance if requested prior to the hearing in writing and if reasonably necessary for stated reasons to prepare adequately for the hearing.
- iv. The Grievance Committee will hear the evidence and argument offered by the parties and vote without public discussion or deliberation. Only the Grievance Committee's decision, expressed as a single word agreement or disagreement with the elected official's underlying employment action, but not the factual or legal reasoning, shall be announced publicly. No notes should be taken by members of the Committee.
- v. Public access to applicant or employee grievance records is authorized only if approved by the applicant or employee or authorized by the Arkansas FOIA.

IX. Grievance Hearing Issues and Burdens of Proof

- A. Property Interest Hearing—Claim of Property Interest in Employment. The grieving employee has the burden of proving by a preponderance of the evidence that he or she has a legitimate claim of entitlement to his or her employment—despite the County's at-will employment policy—and not a mere subjective or unilateral expectancy of continued employment. If the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that there is just cause for the intended discipline or dismissal.
- B. Liberty Interest Hearing—Claim of Unconstitutional Retaliation. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she has engaged in constitutionally-protected conduct that was a substantial or motivating factor in an adverse employment decision, discipline, or dismissal. If the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the adverse employment decision, discipline, or dismissal would have occurred in the absence of the constitutionally-protected conduct.
- C. Liberty Interest Hearing—Claim of Disability Discrimination. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is a qualified individual with a disability who, because of the disability, has been treated or affected differently than another person regarding job application, procedures, advancement, dismissal, compensation, training, or other terms, conditions, or privileges of employment. If the applicant or employee meets his or her burden of proof, the

supervisory official has the burden of proving by a preponderance of the evidence that the difference in treatment or effect is job-related and necessary to effectuate a legitimate County objective, that performance of the job cannot be accomplished by reasonable accommodation, or that the needed accommodation would cause the County undue hardship.

The following definitions apply to claims of disability discrimination:

- i. “Disabled” or “disability”: A physical or mental impairment that substantially limits one or more major life activities of an individual; having a record of such impairment; or being regarded as having such an impairment. Being “regarded as having such an impairment” may include individuals with conditions such as obesity or cosmetic disfigurement and individuals perceived to be at high risk of incurring a work-related injury.
- ii. “Discrimination” includes: (i) limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status; (ii) participating in contractual or other arrangements that have the effect of subjecting individuals with disabilities to discrimination; (iii) using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination; (iv) imposing or applying tests or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test or selection criteria are job-related and consistent with County necessity; (v) failing to make reasonable accommodations to the known limitations of a qualified individual with a disability unless an accommodation would impose an undue hardship on the operation of the County; or (vi) denying employment opportunities because a qualified individual with a disability needs reasonable accommodation.
- iii. “Reasonable accommodation” examples include: (i) making existing facilities used by County employees readily accessible to the disabled; (ii) restructuring non-essential elements of the job; (iii) flexible or modified work schedules/locations; (iv) reassignments to other positions; (v) acquisition or modification of equipment or devices; and (vi) permitting the use of vacation or an unpaid leave of absence.
- iv. “Undue hardship” is an action requiring “significant difficulty or expense,” considering: (i) the overall size of the County with respect to the number of employees, number and type of facilities, and size of the budget; (ii) the type of operation maintained by the County including the composition and structure of the workforce; and (iii) the nature and cost of the accommodation needed.
- v. “Qualified individual with a disability”: An individual with a disability who, with or without reasonable accommodation, can perform the “essential functions” of the employment position held or desired.

- vi. “Essential functions”: Job tasks that are fundamental but not marginal (not every job task is to be included in determining the essential functions).
- D. Interest Hearing—Claim of No Rational Basis for Different Treatment. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she has been treated differently than another similarly-situated person. If the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the different treatment is rationally related to the effectuation of a legitimate County objective.
- E. Liberty Interest Hearing—Claim Arbitrary Decision—No Legitimate County Objective. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conceivable legitimate governmental objective of the County. If the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the action taken is rationally related to the effectuation of a conceivable governmental objective of the County.
- F. Liberty Interest Hearing—Claim Arbitrary Decision—Violation of State Public Policy. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is being treated in a manner that violates the public policy of the State of Arkansas as established by the Arkansas General Assembly or the Arkansas Supreme Court. If the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the adverse employment decision, discipline, or dismissal is not in violation of the established public policy of the State of Arkansas.
- G. Name Clearing Hearing—Claim of Deprivation of Liberty Interest in Future Employment. The grieving applicant or employee has the burden of alleging that a “stigmatizing charge” has been publicly communicated by the County or a County official or employee and requesting an opportunity to publicly clear his or her name. If the applicant or employee meets his or her burden, the County shall provide the applicant or employee a public hearing opportunity to clear his or her name.

X. Issues Not Addressed in the Personnel Policy

Questions or issues may arise that are not specifically addressed in the County’s Personnel Policy. As explained above, the County elected officials and County Judge have discretion to determine the application, meaning, and intent of the provisions of the Personnel Policy as they relate to the employees of that County elected official’s office. Consistent with that discretion, the County elected officials and County Judge may issue policy memorandums to County staff to address questions or issues that are not addressed in the County Personnel Policy.

TRAVEL POLICY

Section 111 of the 1977 Acts of Arkansas allows that Elected Officials and County Employees shall be reimbursed for reasonable travel expenses in the conduct of county affairs where such incurrence of expense is not discretionary in the conduct of duties assigned by law; and allows for the reimbursement of expense for meals, lodging and travel.

A. County Elected Officials and employees shall be entitled to receive a daily allowance for lodging for any individual while traveling within the State of Arkansas at a rate of not to exceed \$125.00 per day, and at a rate not to exceed \$130.00 per day while traveling beyond the borders of the State of Arkansas. In extraordinary circumstances, the County Judge may approve an amount more than these limits.

B. Reimbursement for the purchase of meals shall be based on reasonable actual expense, not to exceed \$50.00 per day. Elected Officials have the option to set individual reimbursement per meal rate, based on circumstance of travel. Meals provided as part of a registration fee shall not be a reimbursable expense. Receipts for meals must be provided. Alcoholic beverages will not be reimbursed by the county.

C. When a personally owned vehicle is used for County business travel, expenses shall be reimbursed at the current rate the state pays. Such travel expense claims shall show location of travel, purpose of the trip, and total number of road miles traveled between beginning and ending locations using the shortest route between the two locations. Include a google map printout of route.

D. When County business requires travel by airline, bus or rail, actual expenses will be allowed. In the case of air travel, only economy class accommodation will be allowed.

E. the Fulton County Travel Reimbursement form shall be completed and accompanied by receipts and/or registration copy and attached to the affidavit when reimbursement for travel expense is being requested.

F. Each employee shall request reimbursement for his/her own travel. An Elected Official or County Employee may include the expenses of another county employee on his/her Fulton County Travel Reimbursement form, only if the submitting employee shows documentation that he/she has paid a reimbursable expense for the specifically named employee.

G. If an Elected Official is host to a guest from another governmental agency, an industrial prospect, or other county-related visitor, expense reimbursement for meals, lodging or other related expense may be allowed, provided the guest will not be reimbursed by any other source, and provided the circumstances are thoroughly documented.

H. Meals or lodging shall not be reimbursed to an Elected Official or County Employee for expenses within 50 miles Fulton County.