

COUNTY OF GREENVILLE, SC

PROPOSED REVISIONS TO THE PERSONNEL HANDBOOK

February 21, 2021

**SUMMARY OF NOTEWORTHY REVISIONS**

- 1.8 The Non-Discrimination Statement has been updated to reflect compliance with current federal and state laws.

The County of Greenville is committed to fostering a diverse and inclusive work environment that is free from unlawful discrimination and harassment. It is the County's policy to provide equal employment opportunities for all applicants and employees without regard race, color, religion, creed, age, sex, national origin, ancestry, citizenship status, disability, sexual orientation, gender expression or identity, pregnancy, childbirth and related medical conditions, marital status, military or veteran status, genetic information or any other category protected by applicable law or regulation. The County also provides applicants and employees with equal employment opportunities without regard to pregnancy, childbirth, medical needs arising from pregnancy or childbirth, or related medical conditions including, but not limited to, lactation. This policy relates to all phases and terms and conditions of employment including, but not limited to the following: recruiting, hiring, employment, placement, promotion, termination, demotion or transfer, layoff, recall and termination, rates of pay or other forms of compensation including, without limitation, benefits, and selection for training. The County does not tolerate unlawful discrimination against applicants or employees. It also prohibits unlawful discrimination against customers, visitors, and suppliers. Any concerns or complaints regarding a violation of this policy should be immediately reported as outlined in the County of Greenville's Harassment Policy (see Section 5.8).

- 1.9 This section has been added to reflect compliance with the Americans with Disabilities Act as amended.

The County complies with the Americans with Disabilities Act ("ADA"), as amended, and makes every effort to ensure that applicants and employees who are disabled are not discriminated against with respect to any terms, conditions, or privileges of employment. In addition, the County makes reasonable accommodations for qualified individuals with disabilities in accordance with and as required by applicable law.

The County also fully complies with and will respond to all requests for accommodation made pursuant to the South Carolina Pregnancy Accommodations Act ("SCPAA") and the South Carolina Lactation Support Act ("SCLSA"). This includes providing reasonable accommodation to address medical needs arising from pregnancy, childbirth, or other related medical conditions.

If an employee believes a reasonable accommodation is needed under the ADA, the SCPAA, or the SCLSA, the Director of Human Resources or the Director's designee should be notified as soon as possible. The County prohibits retaliation or discrimination against any employee who requests an accommodation.

3.2.7 This section clarifies the time frame for the introductory period of a new hire.

- (a) This period is normally a six-month period. An extension of this period, if approved by the Director of Human Resources, will be made for extenuating circumstances only. An example of an extenuating circumstance is when a new hire, due to circumstances beyond the new hire's control, is unable to work during a good part of the introductory period.

3.2.8 Defined the term Business Day.

**Business Day** – Monday through Friday, except for County of Greenville holidays.

3.2.32 Updated the term Harassment to reflect compliance with current federal and state laws.

Harassment is unwelcome conduct that is based on race, color, religion, creed, age, sex, national origin, ancestry, citizenship status, disability, sexual orientation, gender expression or identity, pregnancy, childbirth and related medical conditions, marital status, military or veteran status, genetic information or any other category protected by applicable law or regulation.

4.6.1 Updated the Non-discrimination section to reflect compliance with current federal and state laws.

The County of Greenville is committed to fostering a work environment that is free from unlawful discrimination and harassment. It is the County's policy to provide equal employment opportunities for all applicants and employees without regard to race, color, religion, creed, age, sex, national origin, ancestry, citizenship status, disability, sexual orientation, gender expression or identity, pregnancy, childbirth and related medical conditions, marital status, military or veteran status, genetic information or any other category protected by applicable law or regulation. The County also provides applicants and employees with equal employment opportunities without regard to pregnancy, childbirth, medical needs arising from pregnancy or childbirth, or related medical conditions including, but not limited to, lactation. Any concerns or complaints regarding a violation of this policy should be immediately reported as outlined in the County of Greenville's Harassment Policy (see Section 5.8).

4.6.2 Updated the Americans with Disabilities Act section to reflect compliance with current federal and state laws.

The County complies with the Americans with Disabilities Act ("ADA"), as amended, and makes every effort to ensure that applicants and employees who are disabled are not discriminated against with respect to any terms, conditions, or privileges of employment. In addition, the County makes reasonable accommodations for qualified individuals with disabilities in accordance with and as required by applicable law.

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If you believe you need an accommodation under the ADA, the SCPAA, or the SCLSA, please notify the Director of Human Resources or the Director's designee as soon as possible. The County prohibits retaliation or discrimination against any employee who requests an accommodation.

4.6.2 Added a section on Service Animals.

The County of Greenville prohibits bringing a pet (a domestic animal kept for pleasure or companionship) to work or having a pet in County buildings, with the exception of service animals for persons with disabilities.

According to the Americans with Disabilities Act (ADA), a service animal is defined as "any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items." A person with a disability uses a service animal as an auxiliary aid.

Employees who wish to request a reasonable accommodation for the use of a service animal should contact the Human Resources office and complete an Accommodation Form. All service animals must be registered with the HR office.

5.7.1 Updated the Dress Code section.

The County of Greenville strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort, the County requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, County department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others such as cologne, perfume, aftershave lotions, scented lotions, fragranced hair products and/or similar products.

An employee may be required to change into appropriate attire or properly groom before continuing to work. Human Resources should review any guidelines for legal compliance.

5.7.1 Updated the section on Electronic Media Access and Use of Electronic Systems.

The County's computer and other electronic systems and equipment enable authorized employees to use electronic mail (e-mail) and access on-line information services such as the Internet. These more efficient services are provided solely for the County's management, information and operational needs, and to facilitate internal/external communications with regards to County matters. Accordingly, the County's computer systems (including e-mail and Internet access) may be used only for business-related purposes. Personal or private use is prohibited. Specifically, the County's computers, e-mail, and Internet access are not to be used to solicit fund raising for any non-County sponsored organization, sell non-business-related goods or services, or any other personal or private use.

This policy also applies to any non-County personnel who have the right to access the County systems.

Any information or matter created, received, transmitted, or stored on the County's computer systems (including e-mail and the County's Internet access) or on computer disks or other media, is the sole property of the County.

The County may periodically monitor and may intercept or access all information and communications on the County's computer, e-mail, and Internet access systems at any time, with or without notice, to ensure that these systems are working properly and that all employees are following this policy. Employees should be aware that e-mail and Internet messages and other information that the employee deletes may be retained by the computer system. These deleted messages are also subject to the County's periodic monitoring, interception and access.

The use of a County provided password or code does not restrict the County's right to monitor the e-mail system, Internet access, or the files, drives, or disks on any the County provided computer or terminal. Therefore, employees have no right of privacy in any e-mail or Internet communications or information that they transmit, receive, or delete, and no privacy right exists in any files and data that employees store on the County's computer system or on their County assigned computers, storage systems, or disks.

Employees are not authorized to retrieve or read any e-mail that is not addressed or sent to them (except for any monitoring by the County). The County's confidential business information shall be preserved and shall not be disclosed or disseminated to individuals outside the County who are not authorized to receive the information. No software (including screen savers) should be downloaded from the Internet without prior permission as they may contain viruses or cause a security breach or incompatibility with other software.

The County's e-mail system and Internet access shall not be used to harass employees or other persons through the transmission of, for example: profanity, sexually oriented language or materials, or other offensive, improper, inappropriate or derogatory comments or information.

5.8.1 Updated the Harassment section to reflect compliance with current federal and state laws.

The County has a harassment reporting system that is accessible to all employees (including those who work for elected and appointed officials) and has multiple avenues for making reports. Concerns and issues regarding harassment are to be reported immediately and will be addressed promptly and appropriately. Retaliation against employees for asserting their rights to be free from harassment is prohibited.

All employees have a right to work in an environment free from harassment based on race, color, religion, age, sex, national origin, disability, sexual orientation, gender expression or identity, pregnancy, marital status, military or veteran status, genetic information or any other category protected by applicable law or regulation.

This policy also prohibits unlawful harassment based on the perception that anyone has any of these characteristics discussed above, or is associated with a person who has, or is perceived as having, any of these characteristics. Harassment in violation of this policy is prohibited. This includes harassment in violation of this policy by or against any employee, customer, visitor or supplier.

5.11 Updated to clarify Inclement Weather policies.

5.11.4 If a delayed opening of County offices is announced, employees are expected to be at work no later than the announced opening time. Should an employee not report to work during a scheduled delay or report later than the scheduled starting time, the employee may be subject to disciplinary action and the time not worked may be charged as vacation time or leave without pay within the sole discretion of management.

5.11.5 Absences due to inclement weather that are authorized by the County Administrator or appointed designee shall be considered administrative leave for which the full-time employee

shall be paid. Employees whose jobs require them to work during inclement weather and who fail to report for work may be subject to disciplinary action and the time not worked may be charged as vacation time or leave without pay within the sole discretion of management.

5.11.6 Employees who are already scheduled to be out on vacation time, sick time, FMLA, Workers' Compensation or any other type of leave will not be granted paid administrative leave due to inclement weather. This includes delayed openings as well as full-day closures. Employees who do not report to work on days with delayed openings will not be granted paid administrative leave.

5.11.7 The benefit of being paid when the County offices are closed or delayed is for fulltime employees only.

5.13.1 An addition was made to this section.

An employee is to provide the County with a Dual Employment Form if dual employment is desired.

5.16.1 The highlighted section was added to the Political Activity on the Job section.

County employees shall not be appointed, hired, retained or dismissed on the basis of their political activity, including running for any political office. County employees shall not be coerced to take part in political campaigns, to solicit votes, or to contribute or solicit funds or support for the purpose of supporting or opposing the appointment or election of candidates for any political office.

5.19 The Relatives of Employees (Nepotism) section has been updated.

The County does not prohibit the employment of members of the same family or domestic unit. However, no person shall be employed, promoted, or transferred to a department in which they would be the immediate manager of, receive direct supervision from or otherwise have decision making authority related to issues such as compensation and termination with respect to a spouse, domestic partner, partner, child, sibling, parent, grandparent, grandchild, first cousin, niece, nephew, aunt, uncle, or any other relative or person residing in the same household. This policy includes step and in-law relationships.

Should a familial, domestic or other close personal relationship develop, the employees involved must notify the Director of Human Resources immediately. The County will work with the impacted employees to resolve the concern. Resolution may include changing any direct reporting conflicts, transfer, and any other action deemed appropriate within the sole discretion of the County. The failure to promptly notify Human Resources of the situation will result in disciplinary action, up to and including termination.

5.21 Under the Social Media section the following was added in 5.21(a):

(a) The County reserves the right to monitor employee use of public social media regardless of location (i.e. on personal time with a home computer) to ensure compliance with its policies.

5.26 An entire section on Workplace and Personal Relationships has been added in order to protect the County.

5.26.1 The County of Greenville is committed to a work environment that is respectful and productive. The purpose of this policy statement is to promote a positive work environment that is free from relationships that cause a real or perceived conflict of interest.

Personal relationships (including romantic and/or sexual) between individuals in inherently unequal positions, where one party has real or perceived authority over the other in their professional roles, may be inappropriate in the workplace and are strongly discouraged. If such a relationship exists or develops, it must be disclosed.

#### 5.26.2 Definition of an Inappropriate Personal Relationship:

- Relationships between persons in inherently unequal positions where one party has real or perceived authority, influence, or power over the other's conditions of employment or has the ability to directly impact the other's career progression, which includes formal and informal supervisory relationships.\*

\*Authority within professional relationships may result from actual supervision, or mentoring, reviewing, advising, evaluating, teaching, or personal relationships with external partners where a real or perceived power imbalance exists.

- Such relationships are inappropriate if they have an actual, perceived, or potential for perceived influence over the professional relationship or workplace.

Employees should not initiate or engage in an inappropriate personal relationship. These relationships, even if consensual, may ultimately result in conflict or difficulties in the workplace.

#### 5.26.3 Disclosure Requirement:

Disclosure of inappropriate personal relationships creates a transparent environment that ensures the mission is met with mutual professional respect and accountability while also maintaining public trust and avoiding conflict of interest.

- If individuals of unequal authority are in this type of relationship, the party of greater power is prohibited from engaging in all official matters affecting or appearing to affect the other and both must immediately disclose it to their department director or the elected/appointed official for whom they work.
- Disclosure reduces the risk to both parties, as measures can be taken immediately to mitigate real or perceived conflicts of interest and bias.
- A failure to disclose such a relationship may result in disciplinary action up to and including termination of employment.

#### 5.26.4 Remediation:

Upon such notification the responsible director, elected or appointed official must ensure that appropriate action is taken. Appropriate action may include, but is not limited to:

- Reassignment of one party to sever the supervisory relationship
- Recusal of the supervisor or individual in the position of authority or perceived authority from all official matters affecting, or appearing to affect, the subordinate

- Administrative inquiry into the matter to determine if any inappropriate action(s) occurred as a result of the relationship, which could result in administrative action, including disciplinary action. Such findings may also be considered when making administrative decisions to include funding, staff, and resources.

#### 5.26.5 Friendships or Romantic Relationships between Co-Workers

Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

1. During working time and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
2. During nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonworking areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on County premises, whether during working hours or not.
4. Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to Greenville County's disciplinary policy. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace.
6. Failure to cooperate with Greenville County to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
7. The provisions of this policy apply regardless of the sexual orientation of the parties involved.
8. Any concerns about the administration of this policy should be addressed to the director of Human Resources.

#### 5.27.3 A Weapons section was added.

Possessing or concealing weapons while on County premises (other than by active law enforcement officials in the performance of their duties or as otherwise may be required by the County in connection with the employee's duties) is prohibited, except with prior written authorization from the County Administrator. Authorization requests must be submitted in writing. The decision to grant or deny the request is solely within the County's discretion. Any resulting authorization from the County will be issued in writing, subject to any terms and conditions the County deems appropriate and may be withdrawn by the County at any time.

For purposes of this policy weapons include:

- Firearms
- Knives (other than kitchen knives actually used for preparing or eating food)
- Explosives
- Dangerous chemicals
- Hazardous biological substances
- Weapons used for sporting purposes are not allowed
- Other objects or materials capable of causing serious injury or death

5.27.3 A section addressing Searches of County Property as added.

To ensure the safety of employees, contractors and visitors, the County reserves the right to conduct searches when it has reason to believe that a person is in the possession of a weapon that may cause serious injury or death.

County vehicles, lockers, offices, computers, desks, and other furniture are the property of the Company. The County reserves the right to inspect all County property, including the contents, at any time.

7.5.5 A clarification was made in the Reinstatement section.

A manager who designates a terminated employee as “not eligible for rehire” has an opportunity to reconsider the designation should another department have interest in hiring the person. A former employee terminated for gross misconduct is not eligible for rehire.

7.5.10 Under the section on Errors in Compensation a paragraph was added under Over Compensated.

If an improper overpayment is not fully reimbursed prior to the employee’s separation date, the outstanding amount due to the County may be deducted from the employee’s final paycheck in accordance with state and federal law and/or legal recourse may be taken.

8.1 The Employee Eligibility statement has been updated to reflect compliance with current federal and state laws.

Part time employees who work an average of 30 hours a week or more may be eligible for health insurance in compliance with the Affordable Care Act. Part-time, seasonal and temporary employees are ineligible for holiday pay, vacation time, sick time or other benefits including, but not limited to health, life insurance, educational and bereavement. Part-time Magistrates are entitled to retirement, health and life insurance benefits.

8.1(b) A section on Errors in Benefit Deductions has been added.

All employees should check their paystubs on a bi-weekly basis to insure accuracy of deductions.

Should an employee believe an improper deduction was made from a paycheck, the employee should inform the Director of Human Resources as soon as possible. If it is determined, upon investigation, that an improper deduction was made from the employee’s paycheck, the employee will be promptly reimbursed and appropriate steps will be taken to prevent recurrence.

If it is determined, upon investigation, that deductions were not made to the employee’s paycheck but they should have been, the employee will be responsible for promptly reimbursing the County.

If the County is not fully reimbursed prior to the employee’s separation date, the outstanding amount due to the County may be deducted from the employee’s final paycheck in accordance with state and federal law and/or legal recourse may be taken.

8.5.1 Under Educational Assistance/Reimbursement Maximum Amounts, the amounts have been increased.



Undergraduate and Non-Degree Courses: up to \$600 per course.

Graduate Courses: up to \$700 per course.

8.5.2 The Educational Incentive Pay section has been revised.

Educational Incentive Pay (~~Associate Degree/Baccalaureate Degree~~) (Post-Secondary/Graduate Degree)

~~At the time of hire, applicants for County positions such as Deputies, Paramedics, Public Safety Officers, and Detention Officers who possess an associate or baccalaureate degree in criminal justice or related degree from an accredited college or university shall be eligible to receive educational incentive pay. Similarly, Deputies, Paramedics, Public Safety Officers, and Detention Officers who attain an associate or baccalaureate degree from an accredited college or university while in the service of Greenville County shall be eligible to receive educational incentive pay.~~

~~Educational incentive pay shall be a five percent (5%) increase in addition to basic salary for Deputies, Paramedics, Public Safety Officers, and Detention Officers with an associate degree, and a ten percent (10%) increase in addition to basic salary for Deputies, Paramedics, Public Safety Officers, and Detention Officers with a baccalaureate degree. Educational incentive pay shall not exceed a total of 10 percent.~~

At the time of hire, applicants who have a post-secondary or graduate degree in an approved discipline from an accredited college or university shall be eligible to receive educational incentive pay in accordance with the County's compensation plan. Similarly, employees who attain a post-secondary or graduate degree in an approved discipline from an accredited college or university while in the service of Greenville County shall be eligible to receive educational incentive pay in accordance with the County's compensation plan.

8.6 The Bereavement section has been revised.

With the approval of the department director or designee, bereavement benefits are granted to full-time regular employees for the death of the employee's grandparent, parent, brother, sister, spouse, child, foster child, grandchild, step-grandparent, step-parent, step-brother, step-sister, step-child, step-grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, and sister-in-law.

Bereavement benefits shall not exceed three consecutive workdays from date of death through date of funeral/burial.

8.8.5 This section Informs employees that medical, dental, vision and life insurance terminates on the last day of employment.

Coverage terminates on the last day of employment.

8.12.2 This section of the Uniform and Equipment Replacement and Allowance has been revised.

Employees who resign or who are terminated from the County shall return all property, uniforms and/or equipment belonging to the County and reimburse any work-related costs owed to the County not later than two (2) working days after the employee's last work day. In the event the employee fails to comply with this requirement, the County may take appropriate measures to

recoup or recover such costs, including but not limited to deducting the costs from the employee's final paycheck in accordance with state and federal law.

11.1 Under the Safety section, a paragraph was added about Reporting.

It is the responsibility of every employee to assist in identifying and correcting unsafe conditions. All hazards, unsafe working conditions and accidents must be immediately reported to a manager and/or Human Resources. Accident reports are to be completed for each accident, regardless whether treatment was necessary or not.

12.4 Under the Grievances session some revisions were made to limit grievances to terminations, suspensions, involuntary transfers and demotion decisions.

A grievance is defined as a complaint by a regular County employees (regular full-time or part-time, but not temporary or introductory employees) that they have been treated unfairly, unlawfully or in violation of their individual rights under County local, state, or federal laws.\* Grievances may include, but shall not necessarily be are limited to: dismissals terminations, suspensions, involuntary transfers, promotions and demotion decisions. Suspensions or terminations for on-duty or off-duty gross misconduct unbecoming of a County employee are ineligible for consideration under the grievance procedure. Likewise an employee who is terminated due to a violation of the Substance Abuse Policy will not be eligible to cannot grieve the termination. Likewise, Compensation, (except as it may apply to alleged inequities within a department) classification of positions, and performance appraisals are not grievable. shall not be deemed proper subjects for consideration under the grievance procedure. Employees who have been promoted or demoted, must complete an introductory period before becoming eligible to participate in the grievance process.

\*Employees who serve at the pleasure of the Sheriff are governed by the Sheriff's grievance procedures.

12.4.4 A note was added to this Grievance section.

NOTE: Failure on the part of the grievant to appear at least ten minutes before the scheduled hearing will result in voluntary forfeiture of the hearing.

13.3.2 The Reduction in Force statement has been updated to reflect compliance with current federal and state laws.

Under no circumstances may any of the following factors be considered in the Reduction in Force decision: race, color, religion, creed, age, sex, national origin, ancestry, citizenship status, disability, sexual orientation, gender expression or identity, pregnancy, childbirth and related medical conditions, marital status, military or veteran status, genetic information or any other category protected by applicable law, regulation or eligibility for retirement.