



**HUMAN RESOURCES DEPARTMENT**

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Date: September 21, 2010  
To: Dee F. Bruemmer, County Administrator  
From: Mary J. Thee, Human Resources Director/Asst. County Administrator  
Subject: Human Resources Policy Updates

I am recommending the following changes to the Administration Policies:

**Human Resources Policy E. "Employee Development and Training"** modifies the language by clarifying that tuition reimbursement maximum reimbursement is based on a fiscal year. Additionally we have clarified that the class end date is the determining factor of what fiscal year the payment reimbursement falls in.

**Human Resources Policy M. "Paid Leaves of Absence"** modifies the language to clarify uses for bereavement leave for non-represented employees. The modification permits the department head to allow an employee to take two additional days of bereavement leave depending on the nature of the family relationship, not solely based on travel. It also clarifies that any absences beyond the 5 days must be approved by the department head and utilize appropriate paid leave banks.

**Human Resources Policy Y. "Family and Medical Leave"** modifies the language to address some reoccurring issues and move toward nationally recognized best practices. First, it extends coverage to adult non-disabled children which the law permits but does not mandate. However it clarifies that the care must be for the child, solely. Second, it clarifies for staff what is meant by advance notice of leave, which continues to be an issue. Third, it allows employees utilizing FML continuous leave (not intermittent) to voluntarily go into an unpaid status and reserve up to 40 hours vacation leave. This is a best practice to award good employees and not disrupt planned vacations due to unforeseen medical issues.



## E. EMPLOYEE DEVELOPMENT AND TRAINING

### GENERAL POLICY

It is the policy of Scott County to provide its employees with relevant training opportunities to enable them to achieve and sustain a high standard of work performance. The purpose of the employee development programs described in this policy is to promote professionalism in all areas of County employment with the ultimate goal of upgrading the work scope, ability and total effectiveness of County employees, thereby improving productivity, efficiency and economy of operations.

### SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder providing the appropriate elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors has certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

### CATEGORIES OF TRAINING

The County's employee development program can be categorized into three major areas:

1. Seminars and professional conferences designed to enhance an employee's knowledge and abilities in a particular area of expertise.
2. In-house training programs designed to meet the common needs and interests of employees in various occupations and at various levels of the organization.
3. A tuition reimbursement program designed to encourage employees to seek additional formal education that is related to their work for Scott County.

## SEMINARS AND PROFESSIONAL CONFERENCES

As may be appropriate and cost-effective to the County, departments are encouraged to provide employees with opportunities to attend outside training sessions, seminars and/or professional conferences that the department head anticipates will enhance the employee's knowledge and performance on the job. Generally, training of this nature will be in a particular area of expertise that may be unique to that department.

Opportunities to attend such training are subject to approval by the appropriate department head, and limited to the availability of funds in the department's budget. Registration fees and travel expenses for this type of training should be budgeted on a departmental basis (see also Travel Regulations, policy T).

## IN-HOUSE TRAINING PROGRAMS

The Human Resources Department is responsible for developing an ongoing in-house training program to meet common training needs and interests of the employee workforce. In-house training programs will be offered with funds budgeted by the Human Resources Department.

As may be needed to identify common training needs and interests, the Human Resources Department will survey County departments and employees in general to obtain their views as to relevant training topics.

In-house training programs will be coordinated as much as possible with departmental scheduling requirements to enable maximum employee participation. Programs may be offered during normal work hours or during off hours as may be appropriate to the topic being presented. An employee's attendance at a training session during his/her normal work hours must be approved in advance by the appropriate supervisor.

In an effort to minimize costs while offering effective programs using qualified instructors, the County may jointly sponsor training programs with other local employers. In such cases, the cost of the program will be shared proportionally by those organizations participating in the program.

## TUITION REIMBURSEMENT PROGRAM

To encourage employees to seek continuing education that is related to their work, the County will reimburse up to seventy five percent of the cost for tuition, books and laboratory fees up to a maximum reimbursement of \$1,200 per fiscal year (based on class end date), subject to the following conditions:

1. To be eligible for the tuition reimbursement program, an employee must occupy a regular, benefit-eligible position, and must have completed her/his probationary period.

2. Courses must be at the college level and must be offered by an accredited educational institution by the U.S. Department of Education.
3. Courses must be related to the employee's present position or a position to which the employee could logically expect to be promoted.
4. Courses not related to the employee's position, but required as part of a degree program shall be eligible for reimbursement provided, however, that the employee has been officially accepted into a degree program. Such degree shall be reasonably related to the employee's position or a position to which they could logically expect to be promoted. Courses designed to obtain professional certifications are not eligible for tuition reimbursement, but may qualify for departmental employee development.
5. All courses must be taken on the employee's own time.
6. The employee will be responsible for paying the cost of the course tuition initially. After successful completion of the course and presentation of a copy of the official transcript, an employee with a grade of "C" (2.0) will receive 50% reimbursement, a "B" (3.0) or an "A" (4.0) will receive 75% reimbursement. No payment for grades will exceed the allotted maximum benefit of \$1,200 per ~~rolling calendar~~fiscal year. The employee must submit the original bill/invoice for tuition to his/her immediate supervisor for approval by the Assistant County Administrator/HR Director and reimbursement by the Auditor's Office. The County will follow all IRS guidelines concerning educational assistance as taxable income.
7. In the event of a reduction in the work force, and an employee is laid off while taking an approved course, she/he will be reimbursed on the same basis as an active employee provided the course is completed within six months of termination. In the event an employee voluntarily resigns, retires or is dismissed for cause while taking an approved course, the employee shall not be eligible for reimbursement.
8. If an employee who has received Tuition Reimbursement voluntarily separates County employment within two years of completion of a course shall be required to reimburse the County for tuition reimbursement received on a prorated basis. The employee must reimburse 100% for reimbursements made within the preceding 6 months, 75% for reimbursements made within the preceding 12 months and 50% for reimbursements made within the preceding 24 months. A total permanent disability termination or layoff at the County's request will not require reimbursement.
9. An employee wishing to participate in the program must complete a request form (available on the Intranet) and submit same to the Human Resources

Director at least three weeks prior to the course registration date. The request must include a course description and an accurate estimate of all tuition, book and lab fees. The employee will be notified of the Human Resources Directors' approval or denial of the request at least one week prior to the course registration date.

10. Within twenty days of completion of the course, the employee shall complete a reimbursement request form and forward it to the Human Resources Department along with all receipts for tuition, books and lab fees (Other expenses such as material fees, activity fees, application fees, etc. are not reimbursable). The employee also shall provide verification of the final grade received in the course. Upon approval by the Human Resources Director, the employee will be reimbursed by claim check through the County Auditor's Office.

Funding for the County's tuition reimbursement program will be included in the Human Resources Department's budget.

## M. PAID LEAVES OF ABSENCE

### GENERAL POLICY

It is the policy of Scott County to grant its employee paid leaves of absence in accordance with the specific and limited provisions of this policy. Included under this policy are bereavement leave, military leave, jury duty, and investigative leave.

### SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

### BEREAVEMENT LEAVE

Regular County employees are eligible for a paid leave of absence of up to three days for a death in the immediate family for purposes of attending the funeral or attending to funeral related matters in the same week. Payment will be made on the basis of the employee's straight time hourly rate of pay in effect at the time the leave is taken. Only days absent which would have been compensable work days will be paid, and no payment will be made while an employee is on leave of absence without pay.

For the purpose of determining eligibility for bereavement leave, immediate family shall be defined as including spouse, child, step-child, parent, step-parent, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother, sister, brother-in-law, sister-in-law, step-brother, step-sister, grandparent, spouse's grandparent, grandchild, step-grandchild, legal ward, or other resident in the employee's household.

Extensions of the three day bereavement period may be granted by the department head due to the close nature of the family relationship (e.g. spouse, parent, or child) or in the event long distance travel is involved. However, in no event shall bereavement leave exceed five working days. The department head retains the discretion to grant additional leave charged to the employee's paid leave bank depending on the circumstances.

In the event of the death of a Scott County Employee, the Elected Official / Department Head shall have the discretion to grant bereavement leave to their departmental employees to attend funeral and visitation services. Every attempt shall be made to ensure the daily activities of the department are not reduced and that the service to the public is maintained.

### **MILITARY LEAVE**

Military leave shall be granted in compliance with state and federal law. Employees, other than employees employed temporarily for six months or less, ordered by proper authority to active state or federal service, or to fulfill annual military training obligations, shall be entitled to a leave of absence for the duration of said military assignment and in addition, the first thirty calendar days of such leave shall be with full pay and benefits for those days that the employee would normally perform services. The remainder of such leave shall be without pay or benefit accrual. If the workday for an employee encompasses more than one calendar day, the employee shall only be required to take a leave of absence for one day for that workday.

Employees returning to work from military leave of 1-30 calendar days must report back to work on the first regularly scheduled work day following completion of service, after allowance for safe travel and an 8 hour rest period. Employees returning from military service of less than 30 days shall be returned to the position held prior to the military leave of absence, or to a similar position, provided that such person is still qualified to perform the duties of such position. Employees returning to work from absences greater than 30 days shall comply with federal law.

Employees seeking a military leave of absence shall provide as much advance notice as known of his/her official military orders to the appropriate Department Head/Elected Official. Requests for thirty calendar days or less may be approved by the Department Head/Elected Official. The Department Head/Elected Official should report requests of more than thirty calendar days in any one calendar year to the Human Resources Director. Any potential abuses of military leave should be reported to the Human Resources Director.

### **JURY DUTY**

Regular County employees are eligible for a paid leave of absence while serving on



jury duty or testifying in court as the result of a subpoena. Employees shall be paid their straight time hourly rate for all regularly-scheduled work time lost up to eight hours per day/forty hours per week.

In order for an employee to receive payment for jury duty, she/he must submit certification of service. The employee shall receive the difference between any compensation received for jury duty and her/his straight time hourly rate of pay for all work hours lost as a result of such jury duty. An employee may, as an alternative to the above, assign to the County that remuneration which is duplicate compensation, in which case no adjustments will be made to the employee's regular hourly rate, less mileage reimbursement.

In order for an employee to receive payment for work time lost as the result of being subpoenaed to testify in a state or federal court proceeding, she/he must provide evidence of the subpoena. The employee shall receive the difference between any compensation received for testifying and her/his straight time hourly rate of pay for all work hours lost as a result of the subpoena requirement. This provision shall not apply to court matters in which the employee is personally involved (e.g., as plaintiff, defendant, expert witness, etc.), nor shall it apply to situations in which the employee is testifying in her/his capacity as a County employee.

All requests for a leave of absence due to being called for jury duty or being subpoenaed to testify in court should be submitted to the appropriate department head as far in advance as possible.

Upon completion of jury duty or testimony by subpoena, the employee shall report to work within one hour, except where less than one hour remains in the employee's regular working day. Employees scheduled to work outside of normal court hours shall not be required to report to work if they are schedule to report to jury duty the following day, allowing for an 8 hour rest period.

### INVESTIGATIVE LEAVE

Investigative leave is defined as a leave with pay that is imposed on an employee during the period that the employee's conduct is under examination. .

The department head or elected official may place an employee on investigative leave for up to three days. If the department head or elected official wishes to place an individual on investigative leave for more than three days, he/she must receive the concurrence of the County Administrator, the Human Resources Director, and the County Attorney. In no event shall an employee be placed on investigative leave for more than ten working days.

At the conclusion of the investigative leave the department head or elected official shall have the following options with regard to the employee being investigated:

1. Allow the leave to expire and return the employee to normal duties.
2. Instigate the normal disciplinary process for that employee (up to and including termination).
3. Allow the leave to expire and return the employee to work at reassigned duties during the duration of an investigation at the same rate of pay.

## Y. FAMILY MEDICAL LEAVE

### GENERAL POLICY

It is the policy of Scott County to provide unpaid Family Medical Leave in accordance with the Family Medical Leave Act (FMLA) of 1993.

### SCOPE

This policy applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a County elected office holder including the office holder and Deputies;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability;

Whenever the provisions of this policy are in conflict with the Code of Iowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of Iowa will prevail.

### PROVISIONS

In accordance with the Family Medical Leave Act (FMLA), Scott County will grant up to 12 workweeks of unpaid leave annually, based on the previous rolling 12 month period. To be eligible for this leave, an employee must have worked for Scott County for one year and worked 1250 hours or more in the 12 months preceding the beginning of the leave.

Family Medical Leave will be granted for any one or more of the following reasons:

1. Employee's own serious health condition;
2. Birth, adoption or placement of a child;
3. Caring for a spouse, child (if over the age of 18 the employee must be actually providing care for the child, not providing

- day care for grandchildren) or parent, with a serious health condition;
4. Qualifying exigencies arising out of the fact that the employee's spouse, child or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

#### ADMINISTRATIVE PROCEDURES

1. The employee must provide at least 30 days advance notice of a need to take FML leave when it is foreseeable. In the case of a birth, when the due date becomes known, the need is thereby foreseeable and notice should be provided. Elective surgeries are foreseeable and should be scheduled so as to provide 30 days notice, unless waived by the employer. When unforeseen events occur that require FML leave, employees must give notice as soon as practicable, usually within one or two business days of when the need for leave becomes known.
2. Employees will be required to provide sufficient medical certification to the Human Resources Department within 15 calendar days from the date of their absence. Scott County reserves the right to request re-certification at the County's discretion in accordance with federal law.
3. An employee may take leave intermittently or on a reduced leave schedule when medically necessary. When taking leave intermittently, the employee must attempt to schedule leave so as not to disrupt department operations. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave. An employee may take leave intermittently for birth or placement for adoption or foster care of a child only with the department's consent.
4. Employees will be required to use all sources of paid leave concurrently with Family Medical Leave. Employees utilizing continuous Family Medical Leave may make a written request to the Human Resources Director for the ability to reserve up to 40 hours of vacation time and go into an unpaid status for the final week of leave. The annual FMLA allowance will run concurrently with any Workers' Compensation leave.
5. An employee's insurance benefits will be maintained for up to 12 weeks during the approved leave under the same conditions as if the employee continued to work. The employee must continue to pay the employee portion of the insurance premiums in a timely manner. If the leave

extends for more than 12 weeks, the employee will become responsible for payment of the entire health insurance premium to maintain coverage.

6. Employees will be required to present a certificate from the attending physician releasing the employee to full duty before returning to work. Reasonable accommodation will be made to adapt the job to any permanent restrictions pursuant to the Americans with Disabilities Act.
7. After a return from FMLA leave the employee will be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the employee does not return to work following FMLA leave the employee will be required to reimburse the County for health insurance premiums paid on the employee's behalf.
8. If the employee is in a non-pay status at any time during FML, the employee shall not accrue vacation, sick, or holiday leave for that period of time in which they received no pay.
  - Officially designated County holidays falling within the period of an employee's approved FML will be charged against the employee's FML entitlement.
  - If a holiday occurs during FML and the employee is in an active pay status the employee will receive holiday pay for that day.
9. If an employee fails to return to work after the employee's approved FML request has expired, the County shall regard this as the employee's resignation.
10. When both spouses are employed by Scott County, their combined leave allowance for birth or adoption of a child, or to care for the same parent, will be twelve weeks.

## SERVICE MEMBER FAMILY AND MEDICAL LEAVE

The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for a covered member's service in the Armed Forces ("Service\_member FMLA"). Except as mentioned below, an employee's rights and obligation to Service\_member FML leave are governed by the FMLA policy stated above.

### A. Employee Entitlement to Service Member FML

Service member FML provides eligible employees unpaid leave for any one, or for a combination of the following reasons:

1. A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces of the United States in support of contingency plan; and/or
2. To care for a covered family member or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces of the United States provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating.

#### B. Duration of Service Member FML

1. When leave is due to a "Qualifying Exigency": An eligible employee may take up to 12 workweeks of unpaid leave annually, based on the previous rolling 12 month period.
2. When leave is due to Care for an Injured or Ill Service Member: An eligible employee may take up to 26 workweeks of unpaid leave annually, based on the previous rolling 12 month period to care for the Service Member. Leave to care for an injured or ill Service Member, when combined with other FML qualifying leave may not exceed 26 weeks in a single 12 month period.
3. Service Member FML runs concurrent with other leave entitlements provided under federal, state, and local law.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES  
THAT THIS RESOLUTION HAS BEEN FORMALLY  
APPROVED BY THE BOARD OF SUPERVISORS ON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SCOTT COUNTY AUDITOR

## RESOLUTION

### SCOTT COUNTY BOARD OF SUPERVISORS

September 30, 2010

#### APPROVING VARIOUS HUMAN RESOURCES POLICIES

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. That Human Resources Policy E. "Employee Development and Training" is hereby modified to clarify tuition reimbursement is made on a fiscal year basis.

Section 2. That Human Resources Policy M. "Paid Leave of Absence" is hereby modified to clarify department head's discretion to extend bereavement leave for non-represented employees.

Section 3. That Human Resources Policy Y. "Family Medical Leave is hereby modified to clarify leave for adult children, notice requirements and permit the reservation of vacation hours.

Section 4. This resolution shall take effect immediately.

