



GILPIN COUNTY EMPLOYEE HANDBOOK

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Amended: June 1, 2021

Amended: July 7, 2021

Amended: July 5, 2022

IMPORTANT INFORMATION ABOUT THE EMPLOYEE HANDBOOK

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE COUNTY AND PROVIDE SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE COUNTY'S GUIDELINES AND OUR EXPECTATIONS REGARDING YOUR CONDUCT. THIS EDITION SUPERSEDES AND REPLACES ALL PREVIOUSLY ISSUED EDITIONS AND ANY INCONSISTENT VERBAL OR WRITTEN POLICY STATEMENTS ISSUED PRIOR TO THIS HANDBOOK.

EXCEPT AS MAY BE REQUIRED BY STATE LAW, EMPLOYMENT WITH GILPIN COUNTY IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE COUNTY, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY REASON. THE COUNTY HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK, ANY BENEFIT PLAN, AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED; NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF GILPIN COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF COUNTY COMMISSIONERS OF GILPIN COUNTY AND THE EMPLOYEE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES WHO HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO REVISE, DELETE, OR ADD TO THE PROVISIONS IN THIS HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE COUNTY, RESERVES THE RIGHT TO MAKE SUCH CHANGES WITH OR WITHOUT PRIOR NOTICE. NO VERBAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THIS EMPLOYEE HANDBOOK.



Welcome to Gilpin County

Gilpin County believes that each employee who is hired has the potential to make a positive, valued and long-term contribution to our treasured community. Each employee is a very important member of the team and our very important work cannot be completed without your help.

The County believes that its employees can play a critical role in the shaping of the County when they display the qualities of excellent customer service, civic mindedness, team work, dedication, integrity, and expertise in their jobs. Every employee is expected to interact professionally and effectively with the public, co-workers, and staff from other agencies while having pride in their work. We are supportive of our co-workers, and are accountable for own performance. We believe in working together to meet common goals, and are thrilled you have agreed to join with us in achieving these shared goals.

Please take the time to review the policies contained in this Gilpin County Employee Handbook, commonly referred to as the "Handbook". This Handbook is designed to acquaint employees with the County and provide some information about working here. The handbook is not all-inclusive, but is intended to provide employees with a summary of some of the county's guidelines and expectations. If you have any questions with the material covered in this Handbook, please feel free to ask your supervisor, Department Director/Elected Official or Human Resources representative.

Congratulations and again welcome to the Gilpin County team.


Commissioner Hollingsworth


Commissioner Isenhart


Commissioner Sill

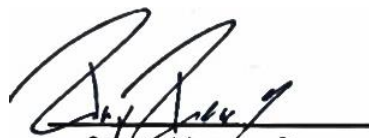

County Manager Rears

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A. MANAGEMENT AUTHORITY

The Gilpin County Commissioners, other Elected Officials and the Library District Board of Trustees have the authority to direct the operation of their respective offices, as provided for by the statutes of the State of Colorado and/or subsequent agreement. Each department of County government is accountable for handling specific policy matters within its area in accordance with this Handbook. Further included is the authority for other Elected Officials and Library District Board of Trustees to hire or appoint and remove personnel in their respective departments.

This Handbook does not supersede or limit the authority of the Board of County Commissioners, other Elected Officials, and Library District Board of Trustees as established by statutes or law of the State of Colorado. In the event of any conflict with provisions hereof, such statutes and laws shall prevail.

B. APPLICATION OF THE GILPIN COUNTY EMPLOYEE HANDBOOK

1. **Elected Officials** – Except as to the benefits described in the Benefits Guideline of this Handbook, or except as otherwise specifically provided by a guideline or policy, no other provision of this Handbook shall have application to Elected Officials.
 - **Elected Officials include:** County Commissioner(s), Assessor, Sheriff, Clerk & Recorder, Coroner, Library Board of Trustee(s), Treasurer & Public Trustee, and Surveyor.
2. **Hired Personnel** – Except as specifically provided in this subparagraph, the policies and guidelines set forth in this personnel Handbook shall apply to all exempt and non-exempt personnel. Individuals who fall into any of the foregoing categories shall be considered to be “employees” as said term is utilized in this Handbook.

C. AMENDMENTS TO THE EMPLOYEE HANDBOOK

To make the Employee Handbook viable, it must be adaptable to change. Therefore, the following procedures are provided for modifying the Handbook.

Amendments to the Handbook may be initiated by:

- The Board of County Commissioners; or
- An Elected Official or Department Director through submission of proposed changes in writing to the County Manager; or
- Any employee of the County through submission of the proposed changes in writing to their supervisor, who will then submit the proposed changes to the County Manager in approximately fourteen (14) days; or
- County Manager.

The County Manager is not obligated to forward a requested amendment on for consideration by the Board of County Commissioners, but must respond in writing to the initiator for the justification as to the reason why no further action is being taken.

No proposed amendment shall become final without formal approval by the Board of County Commissioners in the form of a resolution adopted at a regular or special meeting of the Board of County Commissioners.

A. EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND UNLAWFUL HARRASMENT

Gilpin County is an Equal Opportunity Employer committed to providing an environment of mutual respect, diversity, and inclusion. The County does not discriminate on the basis of race (including traits historically associated with race, such as hair texture and length, protective hairstyles), color, sex, sexual orientation, religion, gender identity, gender expression, age, national origin, genetic information, ancestry, disability, military status, or any other legally protected characteristics. All employment is decided on the basis of qualifications, merit, and business need.

B. AMERICANS WITH DISABILITIES ACT (ADA) & RELIGIOUS ACCOMMODATION

The County will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the County or cause a direct threat. Employees needing such accommodation are instructed to contact their supervisor or Human Resources immediately.

C. PREGNANCY ACCOMODATION

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, the County will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of their position. A reasonable accommodation will be provided unless it imposes an undue hardship on the County.

The County may require that an employee provide a note from their licensed health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact Human Resources.

The County will not deny employment opportunities or retaliate against an employee because of an employee’s request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

D. HARASSMENT

The County strives to maintain a work environment free of unlawful harassment.

Harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment. Prohibited behavior may include but is not limited to the following:

- Written or graphic form such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or blocking an individual’s movements.

This guideline applies to all employees including managers, supervisors, workers, and non-employees such as customers, clients, vendors, consultants, etc. Employees who have questions about this policy or who wish to report a concern should contact Human Resources expeditiously.

E. SEXUAL HARASSMENT

Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the County believes it warrants separate emphasis.

The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this guideline includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, or e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Employees who have questions about this policy or who wish to report a concern should contact Human Resources expeditiously.

F. COMPLAINT PROCEDURE

If an employee believes there has been a violation of the Equal Employment Opportunity (EEO) Laws, policy, or harassment based on the protected classes, they should use the following complaint procedure. The County expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may be in violation of this guideline.

Report the incident to Human Resources or County Manager who will investigate the incident and take corrective action. Any complaints to which the County Manager is a party will be made to the Chair of the Board of County Commissioners. Any complaints to which any member of the Board of County Commissioners is a party will be made to the Sheriff. Any complaints to which the Library Director is a party, will be made to the President of Library Board of Trustees. An employee's complaint will be kept as confidential as practicable.

Reporting an incident to the Human Resources department can be completed by calling 303-515-4375 or by an email to gilpincountyhr@gilpincounty.org. To report an incident to the County

Manager, contact the County Manager's Office at 303-582-5214 or by visiting the County Managers office.

The County prohibits retaliation against an employee for filing a complaint under this guideline or for assisting in a complaint investigation. If an employee perceives retaliation for making a complaint or their participation in the investigation, the employee should follow the complaint procedure outlined above. The complaint will be investigated.

If the County determines that an employee's behavior is in violation of this policy, corrective action will be taken, up to and including termination of employment.

SECTION III – EMPLOYMENT PRACTICES

A. APPOINTED OFFICIALS

An appointed official is an employee who is statutorily appointed by an Elected Official to serve under the direct supervision of and has regular contact with the appointing Elected Official. The term "appointed official" does not include appointees who are volunteers - not employed by Gilpin County in the position they are appointed to. The Handbook has no application to such volunteer appointees.

Appointed officials shall be subject to the provisions of this Handbook, except in circumstances of hiring or other appointment, termination, and other circumstances that would be inconsistent with Colorado statutory provisions or law including the concept of an appointed Chief Deputy or Undersheriff official serving at the pleasure of the Elected Official and except in circumstances where the Elected Official has a good faith basis for deviation from this Handbook related to the efficient and effective functioning of his or her office.

An appointed Chief Deputy or Undersheriff official has no legal right to appointment, reappointment, or to due process or appeal of the denial or revocation of appointment or reappointment or termination of appointment. Nothing herein shall prevent a newly Elected Official or County Manager during a transition period between an election and swearing-in of a new Elected Official from appointing new appointed officials. The County Manager, during a transition period between an election and swearing in of a new Elected Official is authorized to terminate an appointed official's employment, if he or she elects to do so, with or without notice.

Upon appointment of a new official, any prior appointment to that position shall automatically be revoked, with the exception of County Sheriff deputies other than the Undersheriff. The revocation of sheriff deputy appointments is subject to the following appeal rights.

- 1. Revocation of Deputy Sheriff Appointments – Hearing Process:** Revocation is synonymous with termination or firing. Before revoking an appointment of a deputy sheriff, the Sheriff shall notify the deputy sheriff in writing of the reason for the proposed revocation and shall give the deputy an opportunity to be heard by the Sheriff. The written notice shall also state the deputy sheriff has seven (7) days from the date of the notice to submit a written request for a hearing before the Sheriff. A hearing officer may be designated by the Sheriff to hear the appeal and make written findings and a nonbinding recommendation for decision by the Sheriff. The hearing shall be held within thirty (30) days of receipt of a timely written request for hearing. At the hearing, the

deputy sheriff must show cause in writing, or in person why deputy sheriff's appointment should not be revoked. A written decision shall be rendered after the conclusion of the hearing. The decision shall be final.

The Sheriff does not need to have cause for the revocation of appointment of a deputy sheriff as a deputy sheriff serves at the pleasure of the Sheriff pursuant to C.R.S. §30-10-506 and is an employee at the will under Colorado law.

2. **Undersheriff:** The Undersheriff is also a Deputy Sheriff pursuant to C.R.S. §30-10-504. The Undersheriff serves at the pleasure of the Sheriff. In the event the Sheriff wants to terminate the Undersheriff, the above hearing process shall apply to the Undersheriff. If the Sheriff wants to appoint someone else as Undersheriff while keeping the current undersheriff as a Deputy Sheriff, there are no rights to hearing or any due process of that decision.

The Handbook does not supersede or limit the authority of Gilpin County Elected Officials as established by Colorado statutes and law. In the event of any conflict with provisions hereof, Colorado statutes and law shall prevail.

B. CLASSIFICATION OF EMPLOYEES

Employees of the County are classified as either exempt or nonexempt under federal and state wage and hour laws, and are further classified for administrative purposes, such as the administration of fringe benefits like paid vacation or holidays. These classifications do not determine eligibility for participation in the County's group health plan. Eligibility for participation in the County's group health plan is governed by the terms of the plan documents as well as applicable law. To obtain a copy of the Summary Plan Description or to discuss whether you are eligible to participate in the County's group health plan, please contact Human Resources. The following classifications are used throughout this Handbook:

- **Full-Time Employee** - An employee normally scheduled to work at least thirty (30) hours per week.
- **Part-Time Employee** - An employee normally scheduled to work less than thirty (30) hours per week.
- **Temporary Employee** - An employee hired for special assignments as needed, the duration of employment to coincide with completion of the special assignment.
- **Seasonal Employee** - An employee who is regularly scheduled up to thirty-eight (38) hours per week for at least three (3) months but less than twelve (12) months per year.
- **Exempt Employees** - Exempt employees are employees whose job assignments meet specific tests established by the Federal Fair Labor Standards Act (FLSA) and who are exempt from minimum wage and/or overtime pay requirements.
- **Exempt Employee - Partial Day Absence** - As a public entity, Gilpin County has a duty to taxpayers for public accountability in its actions. If an exempt employee who accrues sick and vacation pay is absent for less than one (1) workday when accrued leave is not used by an employee because accrued leave has been exhausted or the employee chooses to use leave without pay, the pay will be docked from the employee's salary.
- **Nonexempt Employees** - Nonexempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are not exempt from minimum wage and/or overtime pay requirements. Nonexempt employees shall be

paid time and one-half (1 ½) of their regular rate of pay for any work in excess of forty (40) hours per workweek (excluding duty free meal periods).

- **On-call Employee** - means an employee who is required to be available when contacted and is required to be called in to safely provide an urgent professional service at the specific incident within 60 minutes or less, while not formally on duty.
- **Non-On-Call Employee** - means a person who normally would not be called in to work when not formally on duty. This employee may still be called in during a declared emergency or natural disaster.

C. ROMANTIC RELATIONSHIPS

If a romantic relationship develops between two (2) people at work where one (1) is in a supervisory position over the other, both parties are responsible for reporting the relationship to Human Resources and any direct supervisor. Such relationships can become disruptive to the work environment, create a conflict of interest and/or the appearance of a conflict of interest, and lead to complaints of favoritism, discrimination, or sexual harassment. Steps may be taken to adjust the working relationship to avoid any conflict of interest.

D. NEPOTISM

Persons who are related are not eligible for hire to a position where:

- Either would directly or indirectly occupy a position in which they have the power to affect the outcome of substantive issues of the other's employment (e.g., appointing, hiring, promotion, transfer, corrective action, demotion, discharge, salary, benefits); or
- Either would audit, verify, receive, or be entrusted with monies received or handled by the other; or
- Either would have access to or the ability to change employer's confidential information, including payroll and personnel records.

For purposes of this guideline, "relative" and "related" mean and refer to the relationships of spouse, partner in a civil union, significant other, mother, father, sibling, child, grandparents and grandchildren, and all step and in-law versions of the same. For purposes of this guideline, a "significant other" means a person to whom an employee is engaged or with whom the employee has a relationship which the employee equates, or is perceived by others to equate, to that of a spouse or fiancé. These guidelines apply to all categories of employment including, full-time, part-time, seasonal, and temporary classifications.

If employees become related, and one (1) or more of the circumstances described above apply, one (1) of them must resign or transfer within ninety (90) days to another division or department in which a Nepotistic relationship no longer exists, provided a job opening exists. The County reserves the right to dismiss either employee, at its sole discretion, if neither resigns or transfers within the time prescribed.

Relatives of employees shall not be granted contracts for goods or services unless the following conditions are met:

- The County Manager is required to approve the contract and shall be notified of the potential conflict of interest prior to contract negotiations.
- The County Manager shall report the approval of said contract for the record at the next regular Board of County Commissioners meeting, along with the justification of

the award.

E. INTRODUCTORY PERIOD

All classified employees must complete an introductory period. The introductory period is used by the supervisor to observe the employee's ability to satisfactorily perform assigned duties and responsibilities as described in the job description. During the introductory period, the employee is expected to demonstrate the necessary skills and abilities to perform the duties for which he/she is employed. The supervisor, when assessing the employee's performance and suitability for continued employment, will evaluate their ability to perform the assigned job duties as well as; punctuality, attendance, willingness to work with others, civic-mindedness, and positive response to supervision. The introductory period of six (6) months applies to all changes in position including; new hire, rehire, transfer, reassignment, demotion, or promotion. Successful completion of the introductory period does not imply guaranteed continued employment with the County and does not alter an employee's status as an "at will" employee. The employee and employer relationship is for the mutual benefit of both parties and either party may sever the relationship at their will at any time. During this probationary period, an employee may be disciplined or terminated by their supervisor for any lawful reason, without any right of appeal as prescribed in this Handbook, in Section V.

F. OUT-OF-TITLE PAY

When it is not feasible to fill an existing vacancy in a timely manner, the County Manager, Department Directors, or Elected Officials may temporarily hire an employee to serve in an "acting" capacity. The salary for the assignment should fall within the salary range of the position in which the employee is "acting". During this temporary 'acting' time, the person filling in this capacity is not eligible for any merit or salary adjustments. Upon termination of the temporary assignment, the employee shall return to their former position and salary. Any organization wide adjustments shall apply to the person's primary job, once they return to that position, at the time the employee returns to that position.

G. PROMOTIONS

Employees promoted to a new position must demonstrate proper job-related skills, abilities, and qualifications needed to perform the position, the same as a newly-hired person. There is no effect upon or disruption of employee benefits in these situations. Promotions must be authorized in the budget and approved by the County Manager and the Department Director/Elected Official prior.

H. TRANSFERS

Transfers can occur within the same or different departments. When considering employees for transfers, the County considers, job performance, work history, attendance record, and all job-related skills, abilities, and qualifications needed to perform the desired job.

I. CHILD LABOR

Youth under the age of eighteen (18) years of age may be hired by Gilpin County, only after pre-approval of Human Resources. Youth under eighteen (18) years old may only perform non-hazardous jobs and are not permitted to drive County vehicles or equipment.

J. PERFORMANCE EVALUATIONS

Supervisors and employees are strongly encouraged to discuss job responsibilities, performance

standards, and goals on an informal, ongoing basis. The performance of full-time and part-time employees are generally evaluated at six (6) months of employment and then transition to an annual review. Annual reviews are ongoing, performed on twelve (12) month cycle that occurs at or near the end of the third (3rd) quarter of each year. Please contact Human Resources if more than one (1) year has passed since receiving formal feedback.

Completed evaluation forms shall be approved by the supervisor, Department Director, and Human Resources prior to review with the employee. Employees are provided an opportunity to meet with their supervisor to discuss their performance evaluations. The evaluation process permits verbal and written responses by the employee being evaluated. Original, signed performance evaluations are kept in the employee's personnel file.

K. WAGE/SALARY ADJUSTMENTS

Wage/Salary adjustments are determined by the approved budget for the fiscal year. Wage/Salary adjustments may include cost of living and/or merit increase. An evaluation form must be completed by the supervisor when a merit increase is requested for an employee.

L. RESIGNATION

An employee may resign from County employment at any time. If you desire to end your employment relationship with the County, we ask that you notify us as soon as possible of the intended separation. A minimum of one (1) months' notice for Director level positions or two (2) weeks' notice for all other staff will support an employee's good standing with the County. Notice generally allows sufficient time to transfer work, cover shifts, return County property, review eligibility for continuation of insurance, and make arrangements for your final pay distribution. Employees who plan to retire are asked to provide sufficient advance notice to the County so we can timely process any defined contribution pension forms or other retirement benefits to which an employee may be entitled. Employees in good standing who retire or resign from their positions may be eligible for re-hire. The supervisor may expedite the employee's separation date to an immediate or any other earlier date of separation, if so desired.

M. TERMINATION

If the disciplinary action decided upon is termination of employment, the employee will be given written notification of termination specifying the effective date. (See Section V(A) Corrective Actions and Terminations Guideline for further information.)

Upon separation of employment, all County-owned equipment/property must be returned to the County, unless requested earlier by their direct supervisor.

N. REHIRING

Any separation from the County employment will be deemed a break in service if the employee is not employed by the County for a period of ninety (90) calendar days or greater. In instances of furlough or layoff the County Manager may extend the length considered for a break in service.

After a break in service, if an employee is rehired, all sick leave and vacation accrual will be treated as a new hire. No accrual time or service years will be given for the previous time employed. With the exception of employees rehired within six (6) months Under Colorado's Healthy Families and Workplaces Act (HFWA), any previously earned, but unused paid sick leave, unless such leave was

paid out to the employee upon separation, will be reinstated.

Rehired employees will receive pay in accordance to the Compensation Plan Guidelines after a break in service.

IV – EMPLOYEE CONDUCT

A. APPEARANCE

At Gilpin County, personal appearance, odor, hygiene, and attire are very important. A professional image should be maintained to instill confidence in the minds of our customers and coworkers. All employees should bathe regularly and dress appropriately for the position held and the nature of the work performed.

The use of heavily scented perfume, cologne, lotions, oils and other similar products should be avoided as they may cause allergies to others.

B. ETHICS

1. Gift Ban

No Employee shall accept from any individual or vendor working with or for the County:

- Money, forbearance, or forgiveness of indebtedness. For this ban, acceptance or receipt of any amount is a violation.
- Any item of value, including but not limited to gifts, loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, or special discounts.
- Any gift or item of value from a professional lobbyist.

For this ban, solicitation, acceptance, or receipt of a thing of value having a fair market value or aggregate actual cost greater than \$60.00 currently will not be tolerated.

2. Conflicts of Interest

The County requires that employees protect County information and avoid outside activities or relationships, which do or could improperly influence their decisions or actions on the job.

Conflict of interest situations, which could arise while moonlighting for a contractor under contract with the County, should also be avoided.

Other examples of conflict of interest could be: Serving as a board member or director of a firm, holding financial interest in a business, or being self-employed in an occupation which provides goods or services to the County, or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to County business.

If employees have any question whether a situation is a conflict of interest, employees should discuss the matter with their supervisor. If it remains unresolved, refer the matter to the Human Resources for a final determination.

Relatives of employees (see Section III(G) Nepotism)

Employees are prohibited from engaging in a private, substantial financial transaction with a person whom they inspect or supervise during the course of their official duties, or from performing an official act directly and substantially benefiting economically a business or undertaking in which they have a substantial financial interest or for which they are engaged as counsel or agent.

Employees are prohibited from disclosing or using confidential information acquired in the course of their official duties to further substantiate their personal financial interests.

Employees having a potential personal interest in a County contract, purchase, payment, or other financial or monetary transaction shall give seventy-two (72) hours advance notice of the conflict to the County Manager in writing, whether in the course of their regular duties or not and shall not continue their involvement with the transaction.

Employees are prohibited from providing special treatment or favors to any person.

Employment with Gilpin County shall be primary for the Employee. All secondary employment shall be reported to their supervisor in writing (reference Section IV(F) Secondary Employment).

3. Confidential Information

Employees of the County may have access to confidential information regarding the County, residents, and/or other entities or individuals. Confidential information includes, but is not limited to, information concerning financial, custody, criminal records, and similar subjects.

Disclosure of confidential information might seriously damage the County, residents, and other entities or individuals competitive or social position and therefore such action will not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by Human Resources. Confidential information remains the property of the County and must be returned to the County upon separation or at any time upon demand.

C. ATTENDANCE

Good attendance on the part of all employees is very important to both the residents of the County and the employees. It helps the County provide the essential public service to its citizens. Attendance includes not only the days and time reporting to work, but also reporting to the

required place(s) of work required by their supervisor.

D. ABSENCE/TARDINESS

Each employee is required to notify the immediate supervisor, or their designee, when they are going to be absent or late. Such notification should be given as far in advance as possible, and no later than one (1) hour before the employee's normal starting time. This allows the supervisor to schedule the absent employee's work among other employees. More specific procedures concerning how an immediate supervisor, or their designee, is to be notified (e.g., phone, text, email) are established by the Department Directors/Elected Officials of each department and will be communicated to the employee upon hire. The County shall not reimburse the employee for any possible costs associated with communicating with the employee through the means shared with the supervisor and/or County, such as by text.

Employees who fail to notify their supervisor and are absent from work without prior approval may be subject to corrective action which include but are not limited to termination.

E. POLITICAL ACTIVITIES

Colorado and federal law strictly regulate any official activity of a political nature of employees and elected officials. All employees have the right to vote as they choose and are encouraged to vote in all elections. All employees have the right to express their opinions on political subjects and candidates and participate in political campaigns outside of the workplace while on their own personal time.

Political beliefs, activities, and affiliations are private matters of employees. No employee or applicant for employment for Gilpin County shall be required to divulge personal information concerning political affiliations, activities, or beliefs as a condition of present or future employment for Gilpin County. No County employee will be rewarded, disciplined, or otherwise subjected to special treatment for reasons of political favor or disfavor.

No employee or Official of Gilpin County, either elective or appointed, shall use their official authority or influence to attempt to direct or coerce any County employee to contribute to or participate in any political campaign, candidate, cause or organization, or for the purposes of interfering with or affecting the results of an election or nomination for political office.

No political signs, posters, or other materials will be on display in any County office or on any County property, including the Board of County Commissioners meeting room, at any time, except where the meeting room is used for private, temporary partisan activities.

No campaign buttons, hats, shirts, or other campaign garb shall be worn by an employee or official while performing their official duties or in the workplace.

No supplies, equipment, or property belonging to Gilpin County may be used in preparing for or conducting a political campaign.

No petitions for nominations or recall may be circulated in the Gilpin County Courthouse, Apex building, Justice Center, or other County buildings. During an election, there can be no petition

signing/campaigning etc., within one hundred (100) feet of a voting center or drop box as that is considered electioneering. The County Manager may approve organized political party meetings in the Gilpin County Courthouse, or other County buildings. However, individual campaign meetings for candidates shall be prohibited during normal business hours or expanded hours if a conflict exists. The Justice Center shall not be used for political activity.

No employee will be forced to pay any contributions to any political organization whatsoever. Employees will not be required to work for, or participate in, the support of any political candidate during their off-duty hours.

As part of their job responsibilities, employees may be required to represent the Board of County Commissioners or other County Elected Officials at state legislative committee sessions or other public events. However, employees attending these sessions or events without official authorization from the County Manager shall not do so while on County time and shall not present themselves as representatives of the County or any department thereof.

Employees and Officials may provide factual and objective election information to the public in the routine performance of their official duties.

F. SECONDARY EMPLOYMENT

Supplemental jobs must not create any actual conflict or the appearance of a conflict of interest with the County and must not affect an employee's ability to meet job requirements, perform competently, or accept overtime hours.

Employment with the County shall be considered the principal occupation of all employees.

Secondary employment may be allowed, provided such employment does not:

- Present a conflict with the interests of Gilpin County and does not violate the Ethics policy.
- Interfere with normal working hours or overtime requirements.
- Affect the efficient performance of duties with the County.
- Give rise to an appearance of impropriety.
- Violate hours of service (HOS) requirements and stipulations (Commercial Driver's License-CDL Drivers only).

All secondary employment shall be reported to their supervisor in writing. If the secondary employment is an additional job with Gilpin County, the County Manager's approval is required, in consultation with the Commissioners, County Attorney, and Human Resources department.

G. OTHER ENTITIES

The County works with contractors, consultants, vendors, and other parties as a matter of business, when resources and services cannot be provided adequately by regular employees within the County. Employees, contractors, consultants, vendors, and other parties are expected to work together and with the public in a positive and respectful manner. Concerns regarding the performance of contractors, consultants, vendors, or other parties should be brought to the Department Director that contracts directly with that entity, the Human Resources department, or the County Manager.

H. WORKPLACE GAMBLING ACTIVITIES

The County prohibits most forms of gambling in the workplace, including professional or organized gambling activities. Where federal and state laws allow, the company may allow exceptions to this policy for County-sponsored events supporting a charitable or fundraising cause.

Employees must seek the approval of the Human Resource department or County Manager prior to engaging in any gambling activities. Failure to comply with this policy may result in disciplinary action, up to and including possible termination of employment.

SECTION V- AT-WILL EMPLOYMENT AND DISCIPLINE

A. CORRECTIVE ACTIONS AND TERMINATIONS

It is the responsibility of all Gilpin County employees to maintain the standard of conduct and level of performance that are essential for the efficient, effective, and safe operation of Gilpin County. When the conduct or performance of an employee falls short of standards or expectations, the County will take appropriate corrective action. When determined disciplinary actions are in the best interests of the County by the appropriate supervisor, with the approval of the Human Resources department. Disciplinary actions can range from an informal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances. The County Manager shall be notified of all corrective actions as soon as practical.

B. SUSPENSION WITHOUT PAY

An employee may be suspended without pay in the following instances:

1. Corrective Action – When the suspension is a corrective action. In this instance, an employee may be suspended for up to fourteen (14) calendar days without pay and accruals.
2. Positive Change Action – The suspension may be used when it appears that such action may encourage a positive change in the behavior of the employee.
3. Additional Time to Investigate – The suspension may be used when additional time is required to fully investigate the incident leading to the suspension or when such time is needed to determine appropriate future corrective actions, including termination.
4. Pending Criminal Offense Action - Employees may be suspended without pay if they are arrested, charged or implicated in criminal offenses or activities that may adversely affect the efficiency or effectiveness of the employee's job performance. The suspension may be for an indefinite period of time without accruals. When this suspension action is to be taken, the suspending authority must consult with the County Attorney's office immediately.

Written notice of the suspension must be given or mailed to the employee stating the reasons for suspension and its duration. Whenever possible, the suspension notice should be given to the employee at the time they are suspended, but in any case, the notice must be hand delivered or mailed to the employee within two (2) working days of the suspension. The Human Resources

department must approve this notice. Such suspension shall be by the order of the Department Director/Elected Official, after consulting the employee's direct supervisor and the Human Resources department.

A notice of suspension without pay shall advise the employee that they may within seven (7) days from the date of suspension request in writing, a hearing from their Hearing Officer. The Hearing Officer shall be the County Manager in the event the employee elects to challenge the suspension. If the employee is a sworn Sheriff's Deputy, the Hearing Officer shall be the County Sheriff. If the employee is a Library District employee, the Hearing Officer will be before the Library Board of Trustees. If the employee is under the direct supervision of the County Manager, the Hearing Officer will be before the Board of County Commissioners during Executive Session. The hearing shall be scheduled within thirty (30) days of receipt of the written request by the designated Hearing Officer. At the hearing, the employee must show cause, in writing, or in person, why they should not be suspended. A written decision will be rendered within three (3) business days following the conclusion of the hearing. The decision shall be final. The so named Hearing Officer may also name a designee to serve in their capacity.

C. SUSPENSION WITH PAY

An employee may be suspended with pay in the following instances:

1. Non-Corrective Action – Under limited circumstances, and for non-corrective reasons only, an employee may be suspended with pay, with sick and vacation leave continuing to accrue by order of the County Manager. Such suspension shall occur after consultation with Human Resources department and the employee's supervisor. A suspension with pay shall be of no longer than fourteen (14) days in duration.
2. Pending Criminal Offense Action - Employees may be suspended with pay if they are arrested, charged, or implicated in criminal offenses or activities that may adversely affect the efficiency or effectiveness of the employee's job performance. The suspension may be for an indefinite period of time without accruals. When this suspension action is to be taken, the suspending authority must consult with the County Attorney's office immediately.

Written notice of the suspension with pay shall be given or mailed to the employee stating the reasons for the suspension with pay, together with its duration. The notice of suspension with pay must be personally delivered or mailed to the employee within two (2) working days of the date of the suspension.

A notice of suspension with pay shall advise the employee that they may within seven (7) days from the date of suspension request in writing, a hearing from their Hearing Officer. The Hearing Officer shall be the County Manager in the event the employee elects to challenge the suspension. If the employee is a sworn Sheriff's Deputy, the Hearing Officer shall be the County Sheriff. If the employee is a Library District employee, the Hearing Officer will be before the Library Board of Trustees. If the employee is under the direct supervision of the County Manager, the Hearing Officer will be before the Board of County Commissioners during Executive Session. The hearing shall be scheduled within thirty (30)-days of receipt of the written request by the designated Hearing Officer. At the hearing, the employee must show cause, in writing, or in person, why they should not be suspended. A written decision will be rendered within three (3) business days following the conclusion of the hearing. The decision shall be final. The so named Hearing Officer may also name a designee to serve in their capacity.

D. REINSTATEMENT FOLLOWING SUSPENSION

Department Directors/Elected Officials may reinstate an employee without payment of back wages and accruals when the suspension was for corrective reasons. An employee may be reinstated with back wages and appropriate accruals if it is determined the reason for the suspension was confirmed to be unwarranted.

E. DEMOTION OR DEMOTION IN LIEU OF SUSPENSION OR TERMINATION

In lieu of termination, upon recommendation of the employee's immediate supervisor, and subject to approval of the Human Resources department, an employee may be demoted to a lower paid position and/or a position with less responsibility.

When the proposed action is demotion, the employee shall be provided with written notice of the proposed demotion, specifying the position to which the employee shall be demoted, the reasons for the demotion, and advising the employee that the demotion shall be effective upon a date specified therein. The notice of demotion shall advise the employee that they may, within seven (7) calendar days from the date of said notice, request in writing a hearing from their Hearing Officer. The Hearing Officer shall be the County Manager in the event the employee elects to challenge the demotion. If the employee is a sworn Sheriff's Deputy, the Hearing Officer shall be the County Sheriff. If the employee is a Library District employee, the Hearing Officer will be before the Library Board of Trustees. If the employee is under the direct supervision of the County Manager, the Hearing Officer will be before the Board of County Commissioners during Executive Session. The hearing shall be scheduled within thirty (30) days of receipt of the written request by the designated Hearing Officer.

A demotion may be combined with a suspension, and in such instances, appropriate notice of both the suspension and demotion under this guideline shall be provided to the employee. The decision shall be final. The so named Hearing Officer may also name a designee to serve in their capacity.

F. NOTICE OF TERMINATION

When any employee is terminated from employment with Gilpin County, the employee shall be provided with a written notice of termination, advising the employee that the termination is effective upon a date specified therein. The notice shall include the reason for the termination and advise the employee that he or she may, within seven (7) calendar days from the date of the notice, request in writing a hearing before the Board of County Commissioners (BOCC). A hearing officer may be designated by the BOCC to hear the appeal and make written findings and a non-binding recommendation for decision by the BOCC. If the employee is a sworn Sheriff's Deputy, see the Appointed Officials Section III(A) *et seq.* of this Handbook. If the employee is a Library District employee, the requested hearing will be before the Library Board of Trustees. The appeal hearing shall be held within thirty (30) days of receipt of a timely request. At the hearing, the employee must show cause in writing, and or by in person testimony why they should be reinstated. A written decision shall be rendered with seven (7) business days following the conclusion of the hearing. The decision shall be final.

Separations of employment due to resignation, retirement, reduction in force/layoffs, or during the introductory period are not subject to the appeal provisions set forth above and there shall be no appeal in such cases. Temporary employees are excluded from the appeal process for termination and cannot appeal termination.

A. ALCOHOL, DRUG, AND SUBSTANCE ABUSE

The County is committed to a safe, healthy, and productive work environment for all employees, free from the effects of illegal or non-prescribed drugs and alcoholic beverages. Use of drugs and alcohol alters employee judgment resulting in increased safety risks, employee injuries, and faulty decision making. Therefore, the possession, use, and/or sale of controlled substances or alcohol on County premises or during work time is prohibited. Furthermore, working after the use of alcohol, a controlled substance or abuse of any other substance is prohibited.

B. INSPECTIONS AND SEARCHES

The County reserves the right to inspect all locations and items on County premises, upon reasonable suspicion, including, but not limited to, offices, closets, lockers, desks, file cabinets, pockets, bags, etc. This provision shall also apply to an employee’s work e-mail, internet use records, voice mail, cell phones, etc., if appropriate. Please also refer to the Communication Systems Guideline Section VII(A) of this Handbook.

Any search will be conducted only when a management representative has reasonable suspicion to believe that an employee, visitor, contractor, or employee of a third party may be in violation of this or any other County guideline.

Any search will normally be conducted under the direct supervision of two (2) members of County management.

Any employee or other person obstructing any search or otherwise interfering with the administration of County activities pursuant to this section is in violation of this guideline.

C. WORKERS’ COMPENSATION

If employees are injured on the job, no matter how minor, they must notify their supervisor as soon as they are able, and report in writing within ten (10) days after the injury. It is the goal of the County to provide you with prompt medical treatment from one (1) of our designated medical providers. Treatment for on-the-job injuries must be obtained from one (1) of these designated medical providers or you may be responsible for the cost of medical treatment. Prompt reporting of the accident will help reduce the possibility of future accidents.

Family and Medical Leave Act (FMLA) leave will be run concurrently with Workers’ Compensation lost time.

D. E-CIGARETTES AND SMOKE-FREE WORKPLACE

Smoking and using (or “vaping”) e-cigarettes by employees is prohibited in all County facilities which include all buildings and county vehicles, with the exception of designated areas. This restriction applies to all employees at all times, including non-business hours, while in a county-owned facility or vehicle.

An employee may smoke in designated areas, as indicated by signage outside of County buildings during scheduled breaks or meal periods off.

E. USE OF COUNTY PROPERTY

1. Personal Use of County Resources

County vehicles, equipment, assets, and other resources shall be used only for official County business. County employees have the duty to preserve resources and refrain from using County property for purposes other than conducting County business. This includes non-working hours unless those resources are also made regularly available to the public.

2. Use of County Vehicles

All applicable laws and operation, including the use of seatbelts and child restraints, must be observed. Certain exceptions apply to emergency personnel. For safety reasons, employees should not use cell phones while driving, unless absolutely necessary to do so in a safe manner. Cell phone use by Commercial Driver's License (CDL) drivers while operating a commercial vehicle are prohibited per the Federal Motor Carrier Safety Regulations (FMCSA). Texting while driving a county vehicle or motorized equipment is prohibited.

County vehicles may occasionally be used for commuting if the employee is leaving from their primary place of residence on County business (other than at their normal place of work) and/or arriving home late after a county business meeting, and where taking that vehicle home will reduce travel time, miles driven, and costs. The Department Director/Elected Official shall approve all situations where an employee uses a county vehicle for commuting. County Manager approval is required when an employee uses a county vehicle for commuting more than once a week, per month.

REGULAR COMMUTING is defined as commuting more than one day a week, more than once a month.

Use of county vehicles for commuting on a regular basis by county employees is restricted to employees/positions designated as being "on-call" by their Department Director/Elected Official. These designated employees/positions with a description of the commuting/on-call circumstances and average daily, monthly, and annual distance traveled shall be approved annually by the Board of County Commissioners.

Personal use of county vehicles is prohibited except for commuting as approved by the Department Director/Elected Official, County Manager, or Board of County Commissioners as described above.

All instances of commuting in certain county vehicles (as described by the IRS) referenced above may be a taxable fringe benefit, taxed via payroll. Please contact the Finance Department for more information.

A formal review of each driver's Motor Vehicle Record (MVR) will be conducted on an annual basis. The following criteria were established to identify high-risk drivers. An employee may not drive a county vehicle if the driver's accident/violation history in the past year includes any of the following driving violation convictions:

- Driving under the influence of alcohol/drugs
- Driving while ability impaired by alcohol/drugs
- Hit and run
- Failure to report an accident
- Negligent homicide arising out of the use of a motor vehicle
- Operating during a period of suspension or revocation
- Using a motor vehicle for the commission of a felony
- Operating a motor vehicle without the owner's authority
- Permitting an unlicensed person to drive
- Reckless driving
- Speeding (two (2) or more convictions)
- Accident (two (2) or convictions)

An employee who operates County vehicles must notify their supervisor and the Human Resources department of any traffic violations received including those received during non-work-related travel when driving is a part of the employee's normal job duties. If an employee has a motor vehicle conviction that affects his ability to obtain and/or maintain a valid driver's license or is considered a high-risk driver, they will not be allowed the use of a county vehicle or perform driving related job duties. Immediately upon receiving a suspension or revocation, the employee is prohibited from driving and operating any County vehicle or equipment or driving on County business.

Employees who have lost their ability to drive, and whose job requires them to drive, and no accommodation can be made which does not negatively impact operations is subject to demotion and/or termination.

F. ANTI-VIOLENCE

Any action, which in management's opinion is inappropriate for the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, references to planned violent actions, vandalism, sabotage, arson, use of weapons, and bullying.

Employees should immediately report any such occurrences to their supervisor or to the Human Resources Department. Complaints will be investigated. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate. Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or coworkers. If you are a victim of domestic violence, please contact Human Resources for assistance.

G. WEAPONS

No firearms or other weapons are allowed in County buildings, equipment, or vehicles. This prohibition applies regardless of whether the person has a current lawful and valid permit to conceal or open carry the firearm.

Failure to adhere to this is a serious safety violation, and employees may be subject to immediate termination if any weapons capable of causing serious bodily injury are brought into a county

building.

“Weapons” include, but are not limited to, item(s) or devices designed for inflicting bodily harm or physical damage such as; handguns, firearms, explosives, and knives with a blade longer than three (3) inches. If employees have a question regarding whether an item is covered by this guideline, they should call the Human Resources department. Employees have the responsibility to make sure that any item not specifically listed above, that is possessed by the employee, is not prohibited by this guideline.

The County reserves the right at any time and at its discretion to search all County-owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property, for the purpose of determining whether any weapon has been brought onto premises in violation of this guideline. Any employee failing or refusing to promptly permit a search under this guideline will be subject to discipline up to and including termination.

Any behavior listed above should be immediately reported to a supervisor or Human Resources representative. Complaints will receive priority attention and the situation will be investigated promptly. Based on the results of the inquiry, management will take necessary action in the form it believes most appropriate. Employees should directly contact law enforcement personnel if they believe there is an imminent threat to the safety and health of employees or property.

Exceptions include: Law enforcement officers working in their official capacity, qualified retired law enforcement officers, military personnel in the U.S. armed forces acting in the lawful scope and course of their official duties, and independent contractors acting in the lawful scope and course of their work for Gilpin County and provided notice and received written consent from the County prior to starting their work.

H. WORKPLACE BULLYING

Gilpin County does not condone bullying in the workplace and believes all employees should be treated with dignity and respect. Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct, or behaviors and work interference. If you feel you are subjected to workplace bullying, please contact the Human Resources department.

I. CONFLICT RESOLUTION

Problems, misunderstandings, concerns, and frustrations may arise in the workplace. Gilpin County encourages employees to resolve conflicts in a professional manner through direct and honest communication with each other. When addressing concerns, they are to be addressed with good intent and in good faith.

If employees are unable to resolve a conflict with each other, it is Gilpin County’s intent to be responsive to our employees and their concerns. Therefore, an employee who is unable to resolve an issue may use the procedure described below to resolve or clarify their concerns.

The purpose of this policy is to provide a quick, effective, and consistently applied method for an employee to present their concerns to management and have those concerns internally resolved.

Employees who have a work-related concern should promptly discuss the matter with their immediate supervisor, where appropriate. Normally, this discussion should be held within three (3) to five (5) days following the incident. Discussions held in a timely manner help resolve concerns while the issues are fresh in everyone's mind. The majority of misunderstandings can be resolved at this level. The supervisor's response may be made verbally or in writing, as appropriate.

If the complaint involves the employee's supervisor, the employee should schedule an appointment with that supervisor to discuss the problem that gave rise, giving the supervisor an opportunity to discuss and resolve the issue.

If the solution offered by the supervisor is not satisfactory, or if it is inappropriate to go to the supervisor, employees are encouraged to submit a written concern to their Department Director or Elected Official and Human Resources. The Department Director or Elected Official will review the employee's concern and render a decision within five (5) working days, after consultation with Human Resources. If the Department Director or Elected Official needs more than five (5) working days to investigate the problem and make a decision, they will notify the employee in writing of that need and an expected decision date. That extension shall not be greater than thirty (30) calendar days.

If the issue still cannot be resolved, or if the immediate supervisor is a Department Director/Elected Official, the employee may submit a written concern to the County Manager or the Human Resources department. A written decision shall be rendered within five (5) working days and the decision shall be final. If the County Manager, in conjunction with the Human Resources department, needs more than five (5) working days to investigate the concern and make a decision, the employee will be notified in writing of that need and an expected decision date. That extension shall not be greater than thirty (30) calendar days.

If the employee is under the direct supervision of the County Manager, the review and decision will be made by the Board of County Commissioners or their designee. Because concerns are best resolved on an individual basis, the conflict resolution procedure should be initiated only by the direct individual involved, not by groups of employees or by someone representing the group.

No Gilpin County employee will be subject to retaliation for filing a complaint under this policy.

J. ANIMALS IN COUNTY FACILITIES

Gilpin County strives to maintain a safe, comfortable, and professional working environment. Due to the possibility of injury to employees and the general public, the potential allergic reactions to pet dander, and the general comfort of employees and the public, animals will not be allowed in the workplace. Animals used to assist disabled employees are allowed, with prior approval.

K. EMERGENCY / DISASTER CLOSURES

In the event that the County closes its offices for an entire workday due to inclement weather, emergency, and/or disaster, all scheduled employees will be compensated for the hours of missed work up to their normal scheduled regular workweek.

If the County offices have a late opening or early closure, all employees who reported to work

will be compensated provided they stay until the official closure time. Full time employees who did not report to work or left prior to the closure that day will be charged the appropriate leave (personal or vacation). Part time and temporary employees will only be paid for time worked. If the employee is on approved leave (sick, vacation, personal, FMLA, disability, etc.) during the unexpected closing of County offices, the employee shall still be charged leave hours for the time the County is closed.

Essential employees who are required to work will be asked to report to work if reasonable efforts will enable them to travel to work safely or may be asked to work from home. Employees in such positions will be paid their normal wage.

Emergency Closure Time is not considered hours physically worked so it is paid at the employee's regular pay rate. Gilpin County's objective is to make an employee "whole" for the scheduled hours for that week, during a closure.

Closures of individual buildings, offices, or departments must be authorized by the County Manager or their designee, except in cases of immediate threat to the health and safety of the public and staff. In such immediate threat situations, the County Manager, County Sheriff, and Human Resources shall be promptly notified of the situation once it is safe to do so. Entire workday or partial day closure procedures as described above will apply to affected employees.

SECTION VII – TECHNOLOGY

A. COMMUNICATION SYSTEMS

The County's computer network, access to Internet, email, text, voice mail, social media systems, and other electronic communication are business tools intended for employees to use in performing their job duties. Therefore, all documents and files resulting from their use are the property of the County. All information regarding access to the County's computer resources, such as user identifications, access codes, and passwords are confidential County information and may not be disclosed to non-County personnel without authorization. County staff are prohibited from sharing user specific passwords with other staff members.

The County prohibits the display, transmittal, or downloading of material that is in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

All computer files, browsing or search history, documents, and software created or stored on the County's computer and/or phone systems will be subject to review and inspection at any time. This includes web-based email employees may access through County systems, whether password protected or not. In this regard, employees should not assume that any such information is private, including e-mail, phone messages, and texts either sent or received.

Computer equipment shall not be removed from the County premises without approval from a Department Director/Elected Official. Upon separation of employment, all communication tools shall be returned to the County.

B. PERSONAL USE OF THE INTERNET

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period. Regardless, the County prohibits the display, transmittal, or downloading of material that in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

C. SOFTWARE AND COPYRIGHT

Any third-party software the County uses must be in accordance with the applicable software licenses and agreements or as directed by the County's designated software representative.

All original works of authorship including, without limitation, inventions, programs, software, documents, written works, drawings, designs, and procedures (to include new contributions, improvements, ideas, and discoveries), whether patentable or not, conceived of or created, made by employee solely or jointly with Gilpin County, during the employee's hours of employment belong to Gilpin County.

Employees must not use the County's technology resources to copy, retrieve, forward, or send copyrighted materials unless the employee has the permission of the copyright holder.

D. UNAUTHORIZED USE

Employees shall not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name, without express permission from that employee.

Employees are strictly prohibited from using the County communication systems in ways that are unlawful or violate county policies and guidelines.

If an employee has any question whether their behavior would constitute unauthorized use, they should contact their immediate supervisor or the Human Resources department before engaging in such conduct.

E. EMAIL

Electronic mail is to be used for business purposes only, during working times. While personal email is permitted, it is to be kept to a minimum. Incidental and occasional personal use of e-mail is permitted. However, employees should be aware that these messages will be treated the same as business messages, and subject to review at any time without notice. In addition, e-mails that were deleted may be stored elsewhere on the system.

No one may solicit, promote, or advertise any outside organization, product or service through the use of electronic mail or anywhere else on County premises during working time. Working time does not include breaks or meal periods.

Pursuant to requirements of the Colorado Open Records Act (CORA), emails, Teams communications, and text sent or received on the County email system whether personal or County business-related may be public records as defined in CORA and may be subject to public inspection under that statute.

Employees should avoid opening attachments or clicking on links from unfamiliar sources. Emails have the potential to carry viruses or malware and compromise the security of County information. If employees have concerns, they should contact IT before opening links or attachments.

F. VOICE MAIL

Employees are responsible to make certain their voice mail messages are reviewed in a timely fashion. When employees know that they are going to be out of the office for a day or more, they should leave messages on their voice mail stating when they will be returning messages, and who will be an alternative contact during their absence.

The County voice mail system is intended for transmitting business-related information. Although the County does not monitor voice messages as a routine matter, the County reserves the right to access and disclose all messages sent over the voice mail systems for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

G. TELEPHONE / CELL PHONES

In the interest of good business practice, personal telephone calls, including those made with cell phones, must not interfere with employees' performance of their jobs. Administration will audit county phone bills when a bill increases without apparent justification. If the reason is found to be personal in nature, repayment may be required and/or corrective action may result.

For safety reasons, employees should not use cell phones while driving. Cell phone use by Commercial Driver's License (CDL) drivers while operating a commercial vehicle are prohibited per the Federal Motor Carrier Safety Administration (FMCSA) regulations. Texting while driving a county vehicle or motorized equipment is prohibited.

H. PERSONAL USE OF SOCIAL MEDIA GUIDELINES

Personal use of social media is never permitted on working time by means of the County computers, County-issued mobile devices, networks, and other Information Technology (IT) resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. Postings by an employee on a blog, wiki, chat room, or social networking site are considered personal communications and are not County communications. All social media postings on behalf of the County must be preapproved and sent by authorized employees. Personal postings by an employee concerning the County are not prohibited provided they comply with guidelines set forth below or in this handbook.

- If you post any comments that promote or endorse County products or services in any way, the law requires that you disclose that you are employed by the County.
- You must comply with all applicable laws including copyright and fair use laws. You may not disclose any sensitive, proprietary, confidential, or financial information about the County. Confidential information includes trade secrets, or anything related to the County inventions, strategy, financials, or products that have not been made public, internal reports, procedures, or other internal business-related confidential communications. Further detail is provided in the "Confidentiality" section (Section IV(B)(3)) of your employee handbook.

- A blog, wiki, chat room, or social networking site is not the ideal place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Complaints to the County regarding these issues must be made consistent with the complaint process in this handbook so that the County can address them.
- When you use social media, use good judgment. We request that you be respectful of the County, our employees, our residents, our customers, our partners and affiliates, and others. Avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene or threatening, that defames or libels our employees, customers, partners, and affiliates, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment.
- Nothing in this guideline is meant to interfere with employees’ right under federal law to engage in protected and concerted activity, including employees’ ability to discuss terms and conditions of their employment.

I. DATA SECURITY

Gilpin County keeps protected personal information for patrons and employees and is required to maintain compliance with all federal laws, state laws and merchant agreements concerning such information. Gilpin County reserves the right to create or modify procedures for retaining such information in order to maintain compliance in these areas.

If an employee has reason to suspect any of the following, that employee has a duty to report such information to his or her supervisor immediately for further investigation and to take whatever actions are within their reasonable capability to limit the adverse impact of the event when identified.

- An attempt was made to fraudulently obtain or use individual information.
- An application or registration was initiated, account opened or other transaction processed with a forged, altered, or fraudulent form of identification.
- An official transaction has been fraudulently entered, changed, or deleted.
- A security breach has resulted in protected personal information potentially being compromised.
- Law enforcement, a credit reporting agency, or a victim of identity theft has notified a staff member of such information being compromised.
- An internally defined procedure for protecting personal information has been purposefully ignored.

If the employee’s immediate supervisor is unavailable or is otherwise involved, the employee has a duty to report such information to the County Manager or Human Resources department for further investigation.

J. DATA DISPOSAL POLICY

During the course of your employment, the County will collect certain information that is classified as Personal Identifying Information (PII), under applicable laws. Such information may include, but is not limited to:

- Your first and last name or initials;
- Username(s) and password(s);

- Social security number;
- Driver license or other identification card number;
- Medical documentation;
- Biometric data;
- Race and gender;
- Benefits information;
- Familial information;
- Financial data

The County may keep these records in paper and/or electronic format. When such documentation is no longer needed, pursuant to records retention requirements and best practices, the County will either (a) destroy the records or (b) arrange for their destruction, e.g., by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

K. SURREPTITIOUS TAPING / RECORDING

It is the policy of Gilpin County to encourage and facilitate open communications among our employees, between the County's employees and the Department Directors/Elected Officials of Gilpin County, and to prevent the chilling effect upon that open communication that may occur if employees are permitted to tape or secretly record or surreptitiously listen in on any conversation or communication, and to ensure compliance with all applicable federal, state, and local wiretapping, recordation, eavesdropping, and privacy laws.

Therefore, Gilpin County has implemented the following guideline, excluding Peace Officers and Emergency Dispatchers in performance of their duties:

No employee or other individual may openly or secretly tape or otherwise surreptitiously record any conversation, communication, activity, or event that in any way involves the County, employees of the County, any other County related activities, or any other individual with whom the County is doing business or intending to do business, in any capacity without the consent of all those being recorded.

No employee may eavesdrop on the conversations or communications of other employees or non-employees in accordance with the same standards set forth above excluding peace officers in performance of their duties.

If the employee thinks the supervisor should be made aware of a call, the employee should not record the call for that purpose and should instead refer the call to the supervisor or inform the caller that the subject of the call will be referred to the supervisor, who will contact the individual.

In all cases where an employee believes that the behavior of the other party constitutes harassment or is otherwise offensive, the employee must state to the caller that the "call is now being recorded" before starting the recording device. Employees should directly contact law enforcement if they believe there is an imminent threat to the safety and health of themselves or co-workers. Additionally, employees may record phone conversations in the event that they are being threatened (a statement of an intention to inflict pain, injury, damage, or other hostile action).

Violations of this policy will not be tolerated and are subject to disciplinary action, up to and

including termination. If the conduct engaged in is illegal, violators may be subject to prosecution under applicable federal, state, or local laws.

SECTION VIII– PAYROLL AND WORK HOURS

A. WORKWEEK

The normal workweek is forty (40) hours and covers the period from Friday midnight to the following Friday, ending at midnight. For the purposes of calculating overtime, the workweek begins Friday at 12:00 a.m. and ends Thursday at 11:59 p.m. The workday begins at 12:00 a.m. and ends at 11:59 p.m.

B. REST/MEAL PERIODS

Breaks and meal periods will be scheduled with the employee's supervisor to ensure that County services are provided to the public. Scheduling of meal periods are at the discretion of the supervisor and employee. Employees are allowed a fifteen (15) minute break during each half of their working day. Although occasional exceptions may arise, these breaks are not to be used to shorten the workday. With the supervisor's approval, shorter breaks are allowed if the total number of minutes does not exceed the fifteen (15) minutes during each half of the working day. When scheduled, break periods of fifteen (15) minutes or less for every four (4) hours worked are considered paid. Meal periods shall last a minimum of 30 minutes of uninterrupted time for a full working day for nonexempt employees. Meal periods are unpaid.

More specific procedures concerning these breaks are established by the Department Directors/Elected Officials of each department, and will be communicated to the employee upon hire.

C. NURSING MOTHERS

A private space will be provided, and time will be permitted, for nursing mothers to express milk during the workday for up to two (2) years following the birth of a child. The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If additional time is needed above and beyond normal breaks/meal time, the supervisor and employee will agree upon a plan which might include the employee using vacation or personal time, arriving at work earlier or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break. Employees will be provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from co-workers and the public. The County will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

The County reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the County's operations. The County will not demote, terminate, or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

D. PAYDAYS

Employees are paid every other Friday in arrears. If the regular payday occurs on a bank holiday, the payday is the last working day prior to the bank holiday. For convenience, the County requires all employees to be paid through direct deposit.

E. PAY FOR EXEMPT EMPLOYEES

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The County is committed to complying with salary basis requirements which allows properly authorized deductions. If you believe an improper deduction has been made to your salary, you should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed.

F. OVERTIME PAY

Non-exempt employees are expected to work overtime upon request as a condition of employment. Non-exempt employees are eligible for overtime pay. Overtime pay is time and one-half (1 ½) the regular rate of pay for physically worked hours over forty (40). Overtime must be authorized by the employee's immediate supervisor. Unauthorized overtime must be compensated; however, employees working unauthorized overtime are subject to corrective action. Overtime pay must be authorized as part of the approved budget, prior to a request for an employee to work overtime.

The County does not offer compensatory time off.

G. TIME REPORTING

Non-exempt employees must record time worked daily. Timecards are used for collecting information to calculate employees pay.

Employees who are approved to utilize sick, vacation, and or personal time can do so in quarter (1/4) hour increments.

Time entries in the County's time keeping system are the only records used by the County for calculating employee pay. It is very important that these records are accurate and complete. Non-exempt employees are expected to submit accurate and complete time records reflecting all hours worked. Employees who also choose to keep their own personal time records must provide them to the County if they find a discrepancy between the County's records and their records.

Employees should contact their supervisors with any questions about how their pay is calculated. Employees must promptly notify their supervisors of any mistakes in their time records or pay. Employees also must notify Human Resources if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated and appropriate corrective action will be taken. The County will not tolerate retaliation against employees for making a report or participating in an investigation.

H. CALL IN PROCEDURE

Employees must report an unscheduled absence at least one (1) hour prior to the start of their shift and report a tardy as soon as possible. Employees are required to contact their supervisor in accordance with their departmental procedure.

I. FLEXIBLE TIME

Upon Department Director and County Manager approval or Elected Official approval, an employee's work schedule may be flexibly adjusted. Four-ten (4 day/10 hour) shifts may be adopted in replacement

of the five-eight (5 day/8 hour)-hour shifts when it does not interrupt or interfere with regular County services. Normal office hour coverage (Monday – Friday) and a high degree of customer service for the full week must be maintained. At least half (1/2) the office work forces should be working onsite during office hours.

When an employee's regular 4/10 day off coincides with a recognized holiday, the employee shall report to work the remainder of the week their office is open, but is permitted to work reduced daily hours the remainder of the week in order to work the total hours normally required, (including holiday time paid).

J. TELECOMMUTING / REMOTE WORK

Telecommuting or remote work is not an employee benefit, rather a temporary work arrangement to meet the needs of the County. Not every position is suited for telecommuting or remote work. Requests to telecommute must be approved by the Department Director / Elected Official and the County Manager. The County has the right to implement, deny, and/or terminate telecommuting / remote work arrangements at any time, for any reason.

SECTION IX – BENEFITS

A. EMPLOYEE BENEFITS ELIGIBILITY

As part of its compensation strategy, the County offers a number of different insurance plans for eligible employees. Employment benefits vary according to the position and status of the employee. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The County complies with all applicable federal and state laws regarding the provision of benefits to same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the County are defined in legal documents such as insurance contracts and summary plan descriptions. In the event information in this Handbook or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. Benefits described in this Handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the County's discretion as permitted by law. The County and its designated benefit plan administrators reserve the right to determine eligibility, interpretation and administration of issues related to benefits offered by the County.

Employees will have an opportunity to make changes to their benefit selections during the County's annual open enrollment period. Employees who experience a qualifying life event such as marriage, divorce, or the birth of a child will also be allowed to make a change in their benefit selection when that event occurs, in accordance with the terms of the plan document.

In the event you take a personal or other leave of absence, please consult Human Resources to determine the impact the leave may have upon your benefits, including eligibility and/or making any required premium payments.

SECTION X – LEAVE

A. HOLIDAYS

The Department Directors/Elected Officials should adjust work schedules in order to meet the needs of the departments and the County with the goal of providing the holiday hours to its employees.

It is the County's intention to recognize thirteen (13) paid holidays to its full-time employees per year. In addition, the Board of County Commissioners may, from time to time, declare additional or change days as Holidays. Days so declared entitle employees to the same benefits as if the day were part of the list.

An employee will be paid eight (8) hours per holiday. On occasion, departments/offices having regular weekend hours may designate an alternate holiday date within the same pay period, in order for those employees to observe the holiday.

Days designated as Paid Holidays at Gilpin County:

- New Year's Day - January 1st
- Martin Luther King Day - Third Monday in January
- Presidents Day - Third Monday in February
- Memorial Day - Last Monday in May
- Juneteenth - June 19th
- Independence Day - July 4th
- Labor Day - First Monday in September
- Frances Xavier Cabrini Day - First Monday in October
- Veterans Day - November 11th
- Thanksgiving Day - 4th Thursday in November
- Friday after Thanksgiving Day - 4th Friday in November
- Christmas Eve - December 24th
- Christmas Day - December 25th

A holiday that falls on Saturday is observed on the preceding Friday. A holiday that falls on Sunday is observed on the following Monday. When Christmas Day falls on Saturday and the holiday is observed on Friday, the "Day before Christmas Day" holiday is observed on Thursday.

Paid holidays do not count toward the payment of overtime.

Full-Time Employees

In the event an employee is required by schedule or by their supervisor due to an urgent matter to work on a holiday, the employee shall be paid actual hours worked at their hourly rate, plus eight (8) additional holiday hours at their hourly rate, per holiday.

To be eligible for holiday pay, an employee must work or have vacation, sick, or other paid authorized leave before or after the holiday to be paid for the holiday.

Part-Time and Temporary Employees

Part-Time and Temporary employees are not eligible for holiday pay.

B. VACATION LEAVE

Full-Time Employees

The first year of employment, (based on the anniversary of the hire date) full-time employees shall earn three (3) hours of paid vacation leave bi-weekly. After that time, leave shall accrue as follows:

- Two (2) through five (5) years – four (4) hours each bi-weekly pay period.
- Six (6) through ten (10) years – six (6) hours each bi-weekly pay period.
- Eleven (11) years and more – eight (8) hours each bi-weekly pay period.

Full-Time employees are expected to take their earned vacation leave each year, so as to promote wellness and prevent burnout. At the end of the last pay period in December, each regular full-time employee's accrued vacation leave hours will be reduced automatically to the two-hundred-and-eight (208) hour maximum, regardless of years of service or the employee's inability to use the benefitted time. An employee may accrue a higher balance than the maximum throughout the rest of the year.

Subject to the maximum accrual hours, employees will be paid for 100% of accrued unused vacation leave in a lump-sum payment, up to two-hundred-and-eight (208) hours maximum upon separation from employment as a benefitted employee.

Requests for time off should be submitted to supervisors well in advance of the requested date(s) with a minimum of five (5) days' notice, when applicable. Approval is not guaranteed and is dependent on the scheduling needs within a department and authorization by the employee's supervisor. All employees shall request this time off in writing per the Department's request process. The Sheriff's Office will set their own guideline, due to their twenty-four (24)-hour operation.

Emergency requests for vacation leave will be considered on a case-by-case basis.

To accrue vacation time for any given pay period, an employee must have worked or have utilized vacation, sick, or other paid authorized leave (excluding disability). Accruals will be prorated accordingly based on hours worked.

If an employee becomes an Elected Official, said employee will be paid out their accumulated vacation at the time they take office as an Elected Official

If an employee changes from one (1) benefitted employee classification to another without interruption, vacation time accrual going forward is calculated on the original benefitted hire date.

If an employee's volunteer status changes, the employee is to notify Human Resources department in writing.

Part-Time and Temporary Employees

Part-Time and Temporary employees are not eligible for vacation pay

C. SICK LEAVE

1. Paid sick leave may be used if an employee:
 - Has a mental or physical illness, injury, or health condition that prevents them from working;
 - Needs to get preventive medical care, or to get a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;

- Needs to care for a family member who has a mental or physical illness, injury, or health condition, or who needs to get preventive medical care, or to get a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;
- The employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment, and needing leave for related medical attention, mental health care or other counseling, victim services (including legal services), or relocation; or
- Due to a public health emergency, a public official having closed either (A) the employee's place of business, or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child.

2. All employees accumulate sick time at the following rate:

- **Full-Time Employees**

Four (4) hours of sick leave each bi-weekly pay period. The maximum sick leave that may be accumulated is six hundred (600) hours.

- **Part-Time and Temporary Employees**

Part-Time employees shall accrue one (1) hour of sick leave for every thirty (30) hours worked up to forty-eight (48) hours of sick leave per year. Part time employees are allowed to rollover up to forty-eight (48) hours of unused accrued sick time to the following year, but are not to use more than forty-eight (48) hours of sick leave per year.

To accrue sick time for any given pay period, an employee must have worked or utilized available vacation or sick time or other paid authorized leave. Accruals will be prorated accordingly based on hours worked.

Sick leave balances will be forfeited at separation from Gilpin County.

3. Sick leave is paid at the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, bonuses, or on-call pay. Paid sick leave may be used in quarter-hour (1/4) increments. Employees begin accruing sick time upon hire.
4. It is your responsibility to notify your manager each day at the beginning of your shift when you cannot come to work because of an illness, injury, medical care or domestic violence. Also, let your manager know when you expect to return to work. In the event you are absent for four (4) or more workdays, medical or legal independent documentation is required. This documentation should indicate that you were unable to work due to medical or domestic violence reasons and the length of time this restriction lasted and or will last. If you have an extended illness, accumulated sick time currently provides pay while you are away from work.
5. Employers shall not retaliate against an employee for requesting or using paid sick leave.

D. PERSONAL LEAVE

Full-Time Employees

Full time employees will receive thirty (30) hours of personal leave per year. Personal time cannot be rolled over to the following year and shall not be paid out. Personal time will be added to employees balance the first pay period of the new year. Employees hired throughout the year will receive personal time on a pro-rated basis, based on the pay period they are hired

Jan 1- March 31	30 hours
April 1-June 30	22.5 hours
July 1-Sept 30	15 hours
Oct 1- Dec 31	7.5 hours

Part-Time and Temporary Employees

Part-Time and Temporary employees are not eligible for personal leave pay.

E. JURY DUTY OR OTHER SUBPOENAED COURT APPEARANCES

Gilpin County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. The employee shall provide a copy of the jury summons to their supervisor as early as possible. Employees are to report to work prior to or after jury duty if their work schedule reasonably allows them to do so. Once an employee is selected for jury duty, they are committed to the court system and do not need to report to work.

Employees receive regular pay for the first three (3) days of jury duty if they were scheduled to work. Any money received from days one (1) through three (3) by the state of Colorado does not need to be reported to Gilpin County.

Beginning the fourth (4th) day and thereafter, an employee as a juror is paid by the State of Colorado for State, District or County court jury duty. For jury duty in excess of three (3) days, employees receive the difference between jury duty pay and their regular pay. This will be accomplished via payroll deduction from the employee’s next regular paycheck in the amount as outlined in C.R.S. §13-71-126.

Time spent on jury duty will be counted as regular working time for all purposes except computing overtime.

This provision does not apply to instances in which the employee is a party to the court action unless the involvement arises as a result of the employee being subpoenaed to testify on behalf of the County of Gilpin in connection with the employee’s duties with the County. When this occurs, the employee will be paid their normal rate of pay. Any employee involved in such a situation shall involve their supervisor and the County Attorney as early as practical.

F. BEREAVEMENT LEAVE

Paid Bereavement Leave will be granted to employees for a death in their immediate family. Immediate family members are defined as: spouse, domestic partner, mother, father, brother, sister, son, daughter, grandparents and grandchildren, and all step and in-law versions of the same.

Time off with pay for the death of an immediate family member will be a maximum of:

Full-Time Employees

- Within the State of Colorado – three (3) days
- Outside the State of Colorado – five (5) days or one (1) work week for four (4)/ten (10) hour shifts

Part-Time and Temporary Employees

Part-Time and Temporary employees are not eligible for bereavement leave.

If more time off is needed than provided above, Personal, Vacation, or Sick Time (if eligible) may be granted upon the approval of the supervisor.

Time taken to attend a funeral, other than stated above may be taken with the approval of the Department Director/Elected Official or supervisor. If approved, this time shall be taken as vacation, sick (if eligible), or personal leave.

G. EMPLOYEES SERVING AS VOLUNTEER FIREFIGHTERS

Employees of Gilpin County who serve as Volunteer Firefighters are eligible for paid leave of absence for time spent responding to a confirmed fire in Gilpin County. This does not include worker's compensation insurance coverage, liability insurance coverage, or any other benefits.

Volunteer firefighters who do not report to work because the employee has responded to an emergency summons must provide their supervisor with a written statement from the Chief of the fire department/district that the employee's absence was due to the response. An employee can leave work due to a volunteer firefighter emergency summons if;

- The Department Director/Elected Official does not deem the employee to be essential to the department's daily duties;
- Human Resources department has previously received written documentation from the Fire Chief of the employee's fire department notifying the County of the employee's status as a volunteer firefighter;
- The emergency is within the response area of the employee's fire department/district or mutual aid has been requested and is of such a magnitude that the emergency summons issued by the Fire Chief requires all firefighters to respond; and
- The Fire Chief of the employee's fire department/district provides the employer with a written statement verifying the time, date, and duration of the employee's response.

To receive paid leave of absence the employee shall not be receive compensation from any other agency for their emergency response.

When the employee's time is paid by the County as outlined above, the hours will be counted as regular working time for all purposes except computing overtime. The employee is not deemed to be acting within the scope of their employment by the County while on emergency deployment under the supervision of another governmental entity.

The employee must check out with their supervisor before leaving work and check in upon returning to work. The employee is expected to report to work promptly after the emergency summons unless otherwise instructed by the supervisor. Please also refer to the Absence/Tardiness Section IV(D) of this Handbook.

H. LEAVE OF ABSENCE WITHOUT PAY

Normally, personal leaves of absence are not granted. If, on rare occasions, a Department Director/Elected Official, in conjunction with the County Manager deems the circumstances warrant approval, an unpaid leave for reasons other than illness, disability, vacation or a leave of absence otherwise protected under federal or state law may be granted for not more than thirty (30) days.

A leave may also be granted, if it occurs within one (1)-year of their date of hire, and the leave was pre-disclosed, negotiated, and documented as a condition of employment. In these situations, the employee is not eligible to use sick time, unless the use is authorized and documented.

The employee's request for leave of absence without pay must be in writing and submitted as soon as the details of the absence are known. Failure to return to work at the end of the authorized leave of absence without pay will result in an automatic termination of employment.

The County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work while the employee is on leave. Employees must continue to pay their portion of any insurance premium while on leave to continue coverage. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of the employee and employer share of the insurance premiums during leave

An employee must first deplete all of their vacation, sick (when applicable), and personal time before a leave of absence without pay may be granted.

The employee will not accrue sick or vacation leave during the leave of absence, nor will the employee be paid for any holiday unless working the day before or after, bereavement leave, or employer's jury duty pay that occurs during the leave of absence.

I. FAMILY AND MEDICAL LEAVE ACT (FMLA)

The County provides up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, placement for adoption, or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform their job.

1. Military Family Leave Entitlements

Eligible employees with a spouse, child, or parent on active duty or called to active-duty status in the National Guard or Reserves may use their twelve (12) weeks leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered servicemember during a single twelve (12) month period. A covered service member is: (1) a current

member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition.”

2. Eligibility Requirements

Employees are eligible for FMLA if they have worked for the County for a total of twelve (12) months and have worked at least one-thousand-two-hundred-fifty (1,250) hours over the previous twelve (12) months.

3. Benefits and Protections

During FMLA leave, the County maintains the employee’s health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave to continue coverage. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of the employee and employer insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. Certain highly-compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of FMLA leave. As with other types of unpaid leaves, paid leave will not accrue during the unpaid leave. Holidays, funeral leave, or employer’s jury duty pay are not granted on unpaid leave. If available, the employee may use sick or vacation time during FMLA leave.

4. Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive full calendar days combined with at least two (2) visits to a health care provider, or one (1) visit and a

regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

5. Use of Leave

The maximum time allowed for FMLA leave is either twelve (12) weeks in the twelve (12) month period as defined by the County, or twenty-six (26) weeks as explained above. A leave year for purposes of this rule shall be defined as the twelve (12) month period measured forward from the first date an employee takes FMLA leave.

An employee does not need to use this leave entitlement in one (1) block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the County's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

6. Substitution of Paid Leave for Unpaid Leave

The County requires employees to use accrued paid leave while taking FMLA leave; Paid leave used at the same time as FMLA leave must be taken in compliance with the county's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the Organization's paid leave policies, the employee cannot use accrued paid leave, but can take unpaid leave. However, workers' compensation benefits and/or and disability run concurrently with FMLA. FMLA leave is without pay when paid leave benefits are exhausted.

7. Employee Responsibilities

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days advance notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal call-in procedures. The Human Resources department should be contacted to obtain the appropriate FMLA paperwork.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic

recertification supporting the need for leave. The County may require second and third medical opinions at the County's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in corrective action in accordance with the County's attendance guideline. Employees on leave must contact the Human Resources department at least two (2) days before their first day of return.

8. The County's FMLA Role

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. The County will provide a reason for the ineligibility if they are not eligible.

The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

The County will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The County will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

9. Unlawful Acts

FMLA makes it unlawful for the Organization to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

10. Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Organization. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

J. MEDICAL LEAVE (For Employees Pre- and Post- FMLA)

A medical leave of absence may be granted to Full-Time employees for absences arising from the employee's illness, injury, or pregnancy. This leave may be approved under the following circumstances:

- The employee is not eligible for FMLA leave, or
- The employee has exhausted all available FMLA leave.
- The following conditions must be met for a medical leave to be granted:
- The employee has completed ninety (90) days of employment with the County.
- The employee notifies the immediate supervisor as soon as possible of the need for medical leave.
- All accrued sick and vacation leave is to be used at the beginning of the leave of absence.

- The employee submits to Human Resources department a written statement from the attending medical provider outlining the reason for leave and the estimated time needed. The County may require the employee to obtain an opinion from a medical provider selected by the County.
- The immediate supervisor and the Human Resources department approve the leave before the leave is taken.

Medical leaves, and any extension of leaves, will generally be limited to no longer than twelve (12) weeks. An employee ready to return to work from leave must present a medical provider's statement indicating ability to return to work. If an employee is unable to return to work at the end of FMLA/extended leave, the employee may be entitled to additional accommodation under the Americans with Disabilities Act or other law. The employee must supply sufficient information from the medical provider indicating that he or she is unable to return due to a disability and the likely date the employee will be able to return to work with or without reasonable accommodation. Any accommodation provided must not result in undue hardship to the employer. Potential accommodations will be determined after an interactive process between the employee and the County.

The County may reinstate an employee ready to return from a medical leave of absence, when in the opinion of the County, it is practical to do so or as a reasonable accommodation under the Americans with Disabilities Act.

During medical leave, the County will maintain the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave to continue coverage. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of the employee and employer insurance premiums during leave.

Holidays, bereavement pay, and employer's jury duty pay will not be granted during the leave.

K. COLORADO FAMILY CARE ACT (FCA) LEAVE

The County provides up to twelve (12) weeks of unpaid leave to eligible employees to care for their partners in a civil union or domestic partnership, who have serious health conditions. Generally, leave under the Colorado Family Care Act (FCA) is administered consistent with FMLA regulations. Contact your supervisor or the Human Resources department if you need family care leave.

L. MILITARY LEAVE

If you are a member of the U.S. Armed Forces Reserve or the National Guard, or you are performing other protected uniformed service, you are granted an unpaid leave of absence when called for active or inactive duty training. The first fifteen (15) days of duty are without loss of wages, and seniority, status, efficiency rating, vacation, sick leave, and other benefits are maintained for the first fifteen (15) days of a leave of absence.

This time is granted in addition to earned vacation time. However, if you desire to use your vacation time for this purpose, you may voluntarily do so if you make a request in writing. If you are called to serve in a branch of the U.S. Armed Forces for an extended period, you may be reinstated, in accordance with the provisions of the law, upon returning to the County after

separation from military service.

The County prohibits retaliation against any employee for taking time off under this policy. If you believe there has been a violation of our retaliation standard, please contact the Human Resources department.

M. DOMESTIC ABUSE LEAVE

Employees subject to domestic abuse may be eligible for a leave of absence. The employee must have worked for Gilpin County for twelve (12) months and must meet criteria as outlined in the Domestic Abuse Leave statute.

Statutorily defined events under the Domestic Abuse Leave include:

- Domestic Violence or abuse
- Stalking
- Sexual assault
- A crime found by a court on the record to include an act of domestic violence

Please contact the Human Resources department for more information.

N. VOTING

Voting is an important responsibility we all assume as eligible voters. The County encourages employees to exercise their voting rights in elections.

It is possible for employees to vote early or through the mail or either before or after work hours. If it is necessary for employees to arrive late or leave work early to vote in any election, employee should submit a leave request to their supervisor no later than the day prior to Election Day to request time off to vote.

O. RELIGIOUS LEAVE

The County recognizes that some employees may wish to take time off for religious observance on certain days that are County workdays and are not included in the County's holiday schedule. Employees requesting time off for that reason should notify their supervisor as far in advance of the requested day off as possible. Employees requesting religious leave shall use vacation and/or personal leave.

P. SICK LEAVE DONATION

Each employee may donate excess sick time to the "Employee Sick Bank" up to forty (40) hours annually, provided the employee retains a minimum of one hundred sixty (160) personal hours after the donation is made. All donations must be made in writing sent to the Human Resources Department. A total bank amount shall be retained and administered by the Human Resources Department and reported annually to the County Manager.

Employee's may donate sick time to assist fellow employees. For an employee to qualify to receive this benefit, the recipients must be full-time, worked a minimum of six (6) month, and must exhaust all other benefitted time (personal, sick, and vacation) before being eligible to use donated hours. Sick leave donations may be requested only to cover severe injuries or illnesses of an employee or their family member (as defined by the Family Medical Leave Act) including grandparents with the exception of in-laws. Sick leave donations shall not be used for job-related injuries or illnesses. To be granted a

sick leave, recipient's need for the donation must be supported by independent medical documentation. Recipients' prior sick leave usage, will be reviewed to ensure that lack of sick leave is not a result of abuse. Sick leave donations shall be granted for periods up to one hundred sixty (160) hours annually, provided the eligible hours have been deposited into the bank from other employees, with the approval of the Department Heads/Elected Officials and County Manager. Employees requesting to utilize the sick leave donation program may contact the Human Resources Department for additional information. All medical information will remain confidential.

SECTION XI – EMERGENCY RESPONSIBILITIES

A. EMERGENCY GENERAL STATEMENT OF DUTIES

County employees are a valuable resource. During a declared emergency, when the Office of Emergency Management (OEM) is mobilized by the Sheriff or formal disaster declared by the Board of County Commissioners, employees may be asked to change their normal scope of duties and/or routines and/or place of work to fulfill broad emergency and disaster needs necessary to protect life, safety and public welfare for the public.

B. EMERGENCY MANAGEMENT TRAININGS

All part-time and fulltime employees must possess Federal Emergency Management Agency (FEMA) training Incident Command Systems (ICS), ICS 100 and ICS 700 certifications within six (6) months of employment. All Department Heads shall obtain FEMA ICS 100, 200, and 800 certifications within one (1) year of employment. Elected Officials are encouraged to obtain FEMA certifications.

ACKNOWLEDGEMENT

I have received a copy of the Gilpin County Employee Handbook, herein referred to as “Handbook”, dated November 15, 2022. I understand that I am to become familiar with its contents. Further, I understand:

- The language used in this Handbook and any verbal statements of management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration.
- The Handbook is not all inclusive, but is intended to provide me with a summary of some of the County’s guidelines.
- This version replaces all previously issued Handbooks. The need may arise to change the guidelines described in the Handbook. The County therefore reserves the right to interpret them or to change them without prior notice and by signing below, I acknowledge that I am responsible for adhering to this and all future handbook versions.
- Only the Board of County Commissioners of Gilpin County may, at any time, add, change, or rescind any policy, practice or guideline at its sole discretion, without advance notice.
- I understand that the benefits provided to me, including health, disability, compensation, retirement, and other benefits may change or end at any time with or without notice to me.
- No representative of Gilpin County other than the Board of County Commissioners has the authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the Board of County Commissioners. We have not entered into such an agreement.
- Employment with Gilpin County is at-will. Employees have the right to end their work relationship with the County, with or without advance notice for any reason. The county has the same right. No supervisor, manager, director or elected official acting without prior authorization alone, has the authority to modify or eliminate this at-will provision.
- No employee Handbook can anticipate every circumstance or question. After reading the handbook, employee who have questions should talk with their immediate supervisor or the Human Resources department. In addition, the need may arise to change the guidelines described in the handbook, except for the at-will nature of the employment, the County therefore reserves the right to interpret them or to change them without prior notice.

Signature	Date
Name (Printed)	