

## **Chapter 13: Miscellaneous Employment Policies**

### **Section 13-1: Applicability**

This Chapter applies to the classified service and to the unclassified service to the extent set forth in any contract or in the absence of a contract, to the extent the Board is authorized by law to apply the particular policy to the unclassified service.

### **Section 13-2: Hours of Work**

The standard weekly work period for all Gloucester County Employees shall be from 12:01 a.m. Saturday through midnight Friday. The core hours for administrative offices of the County to be open for public business are 8:00 a.m. to 4:30 p.m., Mondays through Fridays, including periods of lunch.

The normal work schedule for regular full-time employees is forty (40) hours per week, eight (8) hours per day, Mondays through Fridays. The workday begins at 8:00 a.m. and ends at 4:30 p.m., interrupted by a thirty (30) minute lunch period. Because of differing requirements, schedules may vary from these times. Department Heads may adjust the workday beginning and ending times and lunch schedules provided that full-time employees work eight (8) hours each day, no work responsibilities are assigned during the lunch periods, and administrative offices are adequately staffed and open from 8:00 a.m. to 4:30 p.m., Monday through Friday. Any normal work schedule for more or less than eight (8) hours per workday must be approved by the Department Head with notice to the County Administrator. The fifty-two (52) week work year consists of 2080 hours.

### **Section 13-3: Time and Attendance Records**

Attendance and time reports for employees are prepared by each department and agency of the County and are furnished to the Human Resources Department for proper posting and accounting of hours worked, leave balances, etc.

### **Section 13-4: Emergency Closing of County Facilities**

Working hours and schedules may be adjusted by the County Administrator in response to inclement weather or other emergency conditions. Individuals are notified of the change in hours or schedules as set forth in Administrative Policy 102: Inclement Weather/Emergency Closing and Delayed Opening Notifications.

Employees essential to operations during inclement weather or emergencies may be required to report to work as normally scheduled. Such employees are generally notified by the Department Head in advance of any announcement to report to work as scheduled and receive pay in accordance with policy. Others, in the interest of public safety, receive paid emergency conditions leave. Please see Section 5-12 for information regarding emergency conditions leave.

### **Section 13-5: Holidays**

Gloucester County observes the following holidays and other such holidays as may be prescribed by the Board of Supervisors:

New Year's Day	First day of January
Martin Luther King Day	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	Fourth day of July

Labor Day	First Monday in September
Columbus Day	Second Monday in October
Election Day	Tuesday after the 1 <sup>st</sup> Monday in November
Veteran's Day	Eleventh day of November
Thanksgiving	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Day	Twenty-fifth day of December

In addition to the above holidays the County will follow special state holidays as announced by the Governor. When a holiday falls on a Saturday, the preceding Friday shall be observed; when a holiday falls on a Sunday, the following Monday shall be observed.

The Board of Supervisors may designate other days as official holidays of the County. When granted, employees receive compensation in the same manner as is the case for other holidays.

**Section 13-6: Uniforms and Personal Equipment**

The County may provide uniforms for uniformed employees and certain field and maintenance employees. All clothing and equipment issued by the County shall be inventoried by the issuing department and remains the property of the County. Non-serviceable clothing and equipment is replaced on a one-for-one basis when the particular item is returned to the County's inventory.

Employees are expected to maintain issued uniforms and equipment and return them to the County's inventory upon separation from service. All lost or negligently damaged clothing or equipment will be replaced at the employee's expense.

### **Section 13-7: Bonds**

The County provides funding for adequate bonding of employees when required by the assigned position or when it is in the best interest of the County to do so.

### **Section 13-8: Alcohol and Controlled Substances**

#### **a. All Employees.**

In compliance with the Drug-Free Workplace Act of 1988, and the Federal Controlled Substance Act of 1970, it is the policy of the County to maintain a safe workplace that is free from the effects of drug and alcohol misuse. The County is gravely concerned when its employees violate laws, create situations that cause potential safety hazards to themselves, their fellow employees, or the public, or are parties to an act or situation that is detrimental to the image of the County in the eyes of the public it serves. In furtherance of this policy and concern, employees are to report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. However, if a controlled substance is prescribed by a duly licensed physician, and the employee's position requires them to routinely drive a County vehicle or operate County machinery or equipment, the employee is to notify their department head or supervisor before the start of their workday to determine if a modified work assignment will be needed. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

Whenever employees are present on County premises in a working capacity, are operating any County vehicle, are operating County equipment, or are conducting County related work off site, they are prohibited from:

a.) Using, buying, selling, gifting, distributing, or manufacturing any illegal substance.

b.) Being under the influence of alcohol or an illegal drug as defined by the Drug Free Workplace Act of 1988.

c) possessing or consuming alcohol.

For purposes of this policy "work" refers to normal working hours, including lunch periods, periods between office hours and night meetings of boards and agencies attended by the employee, and in addition includes after hours activities and functions during which an employee is serving in an official capacity as a representative of the County.

#### **b. Preemployment Testing**

Applicants being considered for safety sensitive positions, positions requiring a commercial driver's license, positions required to complete a Child Protective Services (CPS) background check, and/or positions that routinely are required to operate a County vehicle, or County machinery must pass a drug test before receiving an official offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

As part of the job application process, an applicant for a position requiring a commercial driver's license, will be required to execute appropriate releases and consents allowing the County to obtain from the applicant's previous employers any

records pertaining to the applicant's use of alcohol or controlled substances within the previous two years, including records of test results showing a BAC level of 0.02 or greater, or showing the presence of any controlled substance, or indicating that the applicant has refused to be tested.

**c. Commercial Drivers (Covered Employees)**

In order to comply with the federal Omnibus Transportation Employees Testing Act of 1991 ("the Act") and maintain a safe workplace free from illegal drug use and the misuse of alcohol, it shall be a condition of employment for those employees of the County who are required, in connection with their employment, to operate a vehicle requiring a commercial driver's license (hereinafter "covered employees"), to submit to periodic breath analysis or urinalysis to test for the use of alcohol or other drugs and controlled substances as set out in this policy. The County Administrator shall promulgate standard operating procedures to affect the implementation of this policy consistent with the Act.

The unlawful possession or use of alcohol or any controlled substance by any covered employee while operating a vehicle requiring a commercial driver's license, or while performing any "safety sensitive function" with respect to such a vehicle, or the use of any substance to a degree to which renders the covered employee incapable of safely operating a motor vehicle, is prohibited.

For purposes of this policy the term "controlled substance" means any drug, narcotic, or other substance that the use or possession of is prohibited or controlled by federal or state law or regulation. With respect to drugs, narcotics, and other substances that the use or possession of is not prohibited but is merely controlled by

law, the term "controlled substance" shall mean any such drug, narcotic, or other substance which has been used or possessed in violation of such law or regulation. The County Administrator shall designate those controlled substances for which testing will be conducted as mandated or authorized by the Act and by regulations of the United States Department of Transportation, but at a minimum covered employees shall be tested for amphetamines (including methamphetamines), cocaine, THC (including but not being limited to marijuana and other cannabinoids), opiates, phencyclidine (PCP), or any derivative thereof. Absent of any observable evidence of impairment, a BAC level of less than 0.02 shall be considered a negative test for alcohol.

For purposes of this policy, a covered employee will be deemed "under the influence of" a controlled substance if a urinalysis or other test conducted pursuant to this policy reveals the presence of any controlled substance. A covered employee will not be deemed under the influence of a controlled substance if the controlled substance is contained in a medication for which the covered employee has been given a prescription by a physician or other person licensed to prescribe drugs or medications, and the covered employee has taken the medication in accordance with the dosage set out in the prescription.

In order to ensure full compliance of the Commercial Driver licensure requirements, all covered employees shall be required to submit to periodic testing for the presence of alcohol or controlled substances, by means of breath analysis tests or urinalysis, whenever requested to do so by the County. The refusal by any covered employee to submit to such testing, when requested by a supervisor, is prohibited, and any such refusal shall be treated for all purposes under this policy as a positive test for

controlled substances, or a BAC test level of 0.02 or higher, as the case may be. As a result, such refusal may be cause for dismissal. The County, or its agents, will administer such tests routinely or periodically at the following times or upon the occurrence of the following events:

**d. Pre-employment Testing or Transfer within the County to a Safety**

**Sensitive Position**

Prior to the first time that any newly hired safety sensitive employee performs any job functions, or prior to the time that a current employee first performs any job functions as a result of a transfer into a position requiring the performance of safety sensitive functions, the employee shall be tested for alcohol and controlled substances. The County Administrator is authorized to make exceptions for covered employees who have tested negative within the previous six months for alcohol or controlled substances by a testing method that conforms to the requirements of the Act.

**e. Post-Accident Testing**

Following an accident involving a vehicle, the County will test any covered employee who receives a traffic citation from a moving traffic violation arising from the accident, or in the event the accident results in a loss of life, any covered employee who was performing a safety sensitive function with respect to the vehicle at the time of the accident.

Any covered employee subject to being tested following an accident shall remain available for such testing for a period of up to eight hours following the accident, or until such testing has been performed, or the covered employee has refused to consent to being tested.

For purposes of this paragraph, an "accident" is any use of a vehicle which results in personal injury or property damage.

**f. Random Testing**

In furtherance of this policy, any position whose work involves the operation of a County vehicle or vehicular equipment on more than an occasional or intermittent basis in order to carry out County business; any position with direct responsibilities for public safety and health; and any position whose work involves hazardous or potentially hazardous equipment will be entered into a random drug screen pool.

The County will conduct random unannounced testing of all covered employees, at such times as deemed appropriate. No covered employee will be removed from the random sampling pool for any period of time by virtue of having been required at any time to submit to random testing. The selection of covered employees to be tested randomly shall be based on a scientifically valid method for random selection, as permitted by the Act or procedures thereunder. Any covered employee notified of selection for random testing shall proceed immediately (or as soon thereafter as possible) to the testing site.

**g. Reasonable Suspicion Testing**

Employees are subject to testing based on (but not limited to) observations by at least two members of management of apparent workplace use or possession of alcohol or a controlled substance or impairment. Reasonable suspicion exists when it is based on specific, articulable facts, and reasonable inferences drawn

from those facts. Circumstances that may constitute a basis of reasonable suspicion include but are not limited to:

- A pattern of abnormal or erratic behavior
- Information provided by a reliable or credible source
- Statement(s) made by the employee
- Observation of drug or alcohol use during work hours
- Possession of alcohol or controlled substance in or about the employees work area
- Presence of physical symptoms such as slurred speech, glassy or bloodshot eyes, poor coordination or reflexes, and/or body odor.
- Sudden attendance and job performance issues

County Administration or Human Resources, and the Department Director must be consulted before sending an employee for testing. When reasonable suspicion testing is warranted, both management and a representative from Human Resources will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within two hours. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.

Any employee who is observed exhibiting overt symptoms of the use of alcohol or other prohibited substances shall be required to submit to testing for both alcohol and other prohibited substances

In the absence of any testing, a covered employee whose conduct gives rise to a reasonable suspicion of impairment from alcohol or controlled substances shall perform no safety sensitive functions with respect to use of any vehicle or equipment

until at least 24 hours have elapsed, or an alcohol test reveals a BAC level of less than 0.02 and the covered employee evidences no impairment as a result of alcohol or controlled substance use, whichever first occurs.

**h. Return to Duty Testing**

Any covered employee who has violated the provisions of this policy shall be tested for the presence of alcohol or controlled substances, as the case may be, before being allowed to operate a vehicle, equipment, or perform any safety sensitive function. In the case of a violation of a prohibition related to alcohol, the return to duty test for alcohol must reveal a BAC of less than 0.02 and the covered employee must evidence no impairment in his or her ability to perform safety sensitive functions as a result of alcohol use.

**i. Follow-Up Testing**

In the event of a determination that a covered employee is in need of counseling or other assistance to resolve problems related to the abuse or misuse of alcohol or controlled substances, the covered employee shall submit to periodic testing as determined by the counselor, but in any case, not less than six (6) tests in the first twelve months following the covered employee's return to duty.

**j. Employee Assistance**

The County will assist and support those employees who voluntarily seek help for drug or alcohol problems before becoming subject to discipline or termination under this policy. The employee shall notify his or her supervisor if arrested for any criminal drug statute violation within one (1) workday after such arrest. Upon a subsequent conviction, the employee shall also notify the supervisor within one (1)

workday and may be subject to mandatory substance abuse counseling or termination of employment.

The County Administrator or designee shall advise the covered employee of any resources available to resolve such issues. It shall be the responsibility of the employee to pay for any costs associated with the evaluation, or any recommended counseling or treatment. It shall be a condition for continued employment that the employee shall successfully comply with all recommendations for counseling or treatment recommended by the substance abuse professional. Any such counseling or treatment program shall include follow-up testing as provided above. Nothing in this paragraph shall obligate the County to offer continued employment to any employee who violates any of the prohibitions of this policy.

#### **k. Testing Procedures, Record Retention, and Confidentiality**

The County Administrator shall promulgate procedures to ensure that all testing, record keeping and retention, and confidentiality of records, shall comply with the Act and the regulations of the Federal Department of Transportation promulgated thereunder as they may be amended from time to time.

#### **l. Penalties For Violations**

Employees may be disciplined by the County for any violation of this policy, including without limitation the use or possession of alcohol or controlled substances on the job, the performance of safety sensitive functions or other job duties while under the influence of alcohol or controlled substances, the refusal to be tested in accordance with this policy, the refusal to execute a release form as required by this policy, or the refusal to comply with treatment or counseling as recommended by a substance abuse

professional. All of the incidences cited above are cause for dismissal. Employees who test positive or who refuse to submit to such testing for alcohol or other prohibited substances shall be subject to disciplinary action up to and including dismissal.

Though paragraph (b) pertains to covered employees who must possess a Commercial Driver's License in order to perform their job duties, it neither adds to nor detracts from paragraph (a) of this section which addresses the use of alcohol and controlled substances regardless of Commercial Driver's License status.

### **Section 13-9: Harassment**

**a. Policy Statement:** Employees shall be treated with respect and courtesy. Abusing the dignity of others through derogatory or objectionable conduct will not be tolerated and is cause for disciplinary action. The County does not tolerate sexual or other types of harassment of its employees and will promptly initiate an investigation whenever a complaint is brought to the attention of management. Any employee who perceives the conduct of co-workers, supervisors, visitors, contractors, volunteers, customers and others entering the workplace to be harassing are expected to immediately inform the individual(s) that the conduct is unwelcomed and make a report through the complaint procedure outlined in this section.

**b. Sexual Harassment:** Sexual harassment is an infringement of an employee's right to work in an environment free from sexual pressure of any kind. The determining factor as to whether or not an action or remark is offensive is if the recipient deems it to be so and if a reasonable person in similar circumstances would find it offensive.

(1) Sexual harassment may consist of unwanted advances, requests for sexual favors, or other verbal/nonverbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of employment; using the submission to or rejection of, such conduct as the basis for decisions affecting the individual; or conduct which has the purpose or effect of unreasonably interfering with the individual's work, performance, or full participation in the benefits of employment, or creates an intimidating, hostile, or offensive environment for work.

(2) Sexual harassment may take many forms and includes physical assault, subtle or overt pressure or direct requests for sexual favors, inappropriate display of sexually suggestive objects or pictures, a pattern of unwelcomed and unwanted conduct that would be offensive to a reasonable person including unnecessary touching, using sexually abusive language or gestures (including remarks about a person's clothing, body, or body movements, or sexual activities) and teasing and joking of a sexual nature.

**c. Enforcement:** Enforcement of this policy is the responsibility of all employees.

(1) Department Heads are to advise all employees that County policy prohibits all types of harassment and that complaints of such harassment should be brought to the attention of management. Department Heads must also advise all employees of this policy and the means by which complaints can be filed and resolved.

(2) Department Heads are also to brief all supervisors on the problems of sexual harassment and their duty to take timely corrective action when they believe that such problems exist.

(3) Prior to the initiation of an investigation and the imposition of remedial/disciplinary actions, the Department Head shall notify the Director of Human Resources that a complaint has been received. The Director of Human Resources will assist with the investigation of violations of this policy and handling any follow up necessary to ensure compliance.

(4) Employees must report any known or suspected violations of this policy.

(5) Impeding an investigation or otherwise covering up a violation is prohibited conduct. Any employee who willfully fails or refuses to cooperate with the investigation of a sexual harassment complaint shall also be the subject of a disciplinary action.

(6) Employees bringing complaints or identifying potential violations, or witnesses interviewed during the investigation will be protected from retaliatory acts.

(7) If a violation by a County employee is found, remedial/disciplinary action will be imposed on the offending employee(s).

**d. Complaint Procedure:** Employees must initiate a complaint on any matter that is believed to be in violation of this policy.

(1) Employees may report a violation or bring a complaint in person, by phone, or in writing. Any employee found, on investigation, to have brought a complaint in bad faith shall be subject to disciplinary action.

(2) Employees may complain to their immediate supervisor, or in the event the immediate supervisor is the source of the complaint, to the next supervisor in the organizational chain of command. If preferred, employees may go outside the chain of command and complain to the Director of Human Resources or any Department Head.

(3) If the complaint is brought anonymously, the County will have the matter investigated but may be limited in its ability to investigate the matter fully.

(4) The County reserves the right to have the matter investigated by persons external to the organization.

**e. Investigations and Confidentiality of Information:** Complaints will be investigated promptly. Although absolute confidentiality cannot be legally guaranteed, to the extent possible, the complaint and information from witnesses will be kept confidential and the complainant and witnesses will be protected from retaliatory action by a harasser.

(1) All employees are charged with maintaining confidentiality of information.

(2) If the complainant has not already confronted the accused, and name of the complainant must be revealed to the accused, the complainant will be informed prior to that communication.

(3) State and Federal law may require disclosure of information in certain circumstances.

(4) In the event that the County Administrator, or any elected official of the County, is the subject of the complaint, the investigating official shall be the Commonwealth's Attorney. The Commonwealth's Attorney shall provide a written report to the appropriate body or official authorized to discipline the offender and/or correct the behavior and/or take such other steps as the Commonwealth's Attorney deems necessary.

**f. Rights of the Accused:** An employee accused of violating this policy will be fully informed of the allegations and will be able to offer to management an explanation or defense to the charges prior to any report being prepared. If a violation should be found, the accused employee will be provided an opportunity to respond to the charges prior to the imposition of remedial/disciplinary action.

**g. Retaliation Prohibited:** Retaliation for reporting harassment is illegal and is contrary to this policy. Retaliation embraces more than just economic harm; it includes words and actions that are intimidating or hostile.

(1) If any employee who has made a complaint or has participated in an investigation believes they are being retaliated against for doing so, they should report it to their immediate supervisor, or in the event the immediate supervisor is the source of the complaint, to the next supervisor in the organizational chain of command. If preferred, employees may go outside the chain of command and complain to the Director of Human Resources or any Department Head.

(2) Those who are found to be acting in a retaliatory fashion will be disciplined for such conduct.

**h. Remedial Action:** Appropriate disciplinary action will be taken against those who violate this policy. Such discipline will be consistent with the County's disciplinary policies. Remedial actions may also include participation in further training or counseling. Interim actions may be taken when there is a reasonable belief that the employee involved in the complaint may be adversely affected by the status quo. Interim actions may include, but are not limited to, internal transfers or the placement of the accused on leave until such time as the investigation is concluded.

**i. Questions:** The Director of Human Resources is available to discuss any concerns of employees or questions arising under this policy.

**j. Application and Distribution:** This harassment policy shall apply to all officers and employees of the County including all those in the classified and unclassified service. A copy of this policy shall be distributed to all present employees of the County. Each such employee shall acknowledge his or her receipt in writing and such acknowledgement shall be kept on file. New employees of the County shall be furnished with a copy of this policy at the time of hire and they shall provide written acknowledgement of the receipt of same.

### **Section 13-9.1: Workplace Violence Prevention Policy**

The County strives to maintain a safe and secure workplace. Accordingly, the County does not tolerate any acts or threats of violence in the workplace, whether involving a friend, acquaintance, stranger or family member. The County will not tolerate any acts or threats of stalking or domestic violence against any employee

while on County property or while conducting the County's business. Employees who threaten, harass, or abuse anyone either at the workplace, or from the workplace, while conducting the County's business and/or using any of the County's property, such as computers, telephones, facsimile machines, mail, vehicles, or other means, may be subject to disciplinary action up to and including discharge.

Employees who become aware of threats or acts of stalking or domestic violence that may occur or have occurred in the workplace must immediately inform their Department Head. In addition, employees with stalking or domestic violence Protective Orders must provide their Department Head with a copy of the Order. In response to possible threats, the Department Head will confer with the Director of Human Resources, and others as needed, to undertake an assessment of the risk and implement a safety response plan specific to the circumstances of the threat, implementing security options to minimize the risk. This plan will take into consideration the needs and rights of the targeted employee and others in the workplace, maintaining confidentiality when to do so would not interfere with safety needs.

### **Section 13-9.2: Safety Policy**

It is the policy of the County to maintain a work place that is both safe and healthful for employees. Prevention of occupational-induced injuries and illnesses is of such consequence that it shall be given precedence over operating productivity, whenever necessary. No employee shall be required to work at a task that is not safe or healthful. Employees shall inform their supervisor immediately of any unsafe or unhealthful situation they encounter. It is the responsibility of every employee at every

level of the organization to cooperate with others in detecting hazards and, in turn controlling them.

### **Section 13-10: Americans with Disabilities Act**

Procedures for filing complaints alleging discrimination on the basis of disability in the provision of County services are as follows:

a. The Assistant County Administrator is hereby designated as the County's Americans with Disabilities Act Coordinator (ADA Coordinator). The office address is 6467 Main Street, Gloucester, Virginia 23061, and the telephone number is (804) 693-4042. The ADA Coordinator shall be responsible for coordinating the County's efforts to comply with 28 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services.

b. It is the policy of the County to comply fully with the requirements of the ADA applicable to local governments and that no qualified individual with a disability as defined in the ADA shall, on the basis of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of the County, or be subjected to discrimination by the County.

c. This procedure is adopted pursuant to the requirements of 28 C.F.R. Section 35.107(b), and is intended to provide for prompt and equitable resolution of complaints alleging any action by the County that is prohibited by the ADA.

d. Persons who wish to complain of a perceived violation of any provision of the ADA are encouraged to contact the ADA Coordinator. The ADA Coordinator shall promptly investigate the complaint, and attempt to resolve it to the satisfaction of the complainant if determined to be well founded.

e. If the ADA Coordinator is not able to resolve a complaint to the satisfaction of the complainant, the complainant may submit to the County Administrator a signed written complaint, containing the complainant's name and address and a description of the alleged discriminatory action in sufficient detail to describe the date and nature of the alleged violation.

f. The County Administrator shall promptly investigate any written complaint, and, if unable to resolve the complaint to the complainant's satisfaction, shall schedule a meeting with the complainant within fifteen (15) days of receiving the complaint, at which meeting the complainant shall be accorded the opportunity to present evidence as to the nature of the complaint. A record of such meeting shall be maintained, and the County Administrator shall provide the complainant with a written response to the complaint within seven (7) days of the meeting. This response shall be final, but shall not impair the complainant's right to pursue other remedies, State or Federal.

**Section 13-11: Use of Tobacco Products in Public Facilities and Vehicles**

Smoking or use of tobacco products by County employees is not allowed in County owned or leased offices, buildings, or vehicles with the exception of the Circuit Courthouse and the Jail. The Circuit Courthouse comes under the auspices of the Judge of the Circuit Court who establishes the smoking/tobacco use policy within the entire building; the jail comes under the auspices of the Sheriff who establishes the smoking/tobacco use policy within the entire building. Tobacco products include but are not limited to cigarettes, e-cigarettes, cigars, pipes, chewing tobacco and snuff.

Smoking or use of tobacco products by County employees is not allowed within:

- (i) ten (10) feet of a primary point of ingress/egress to/from a County owned or leased office or building,
- (ii) ten (10) feet of the primary improved walkway to/from any such ingress/egress,
- (iii) ten (10) feet of any other improved pathway to/from any such ingress/egress point that is established as an accessible route, nor
- (iv) any other area so posted by the County Administrator or his/her designee.

County employees less than eighteen years of age are strictly prohibited from using or possessing tobacco products while at work or on County premises.

### **Section 13-12: Political Activity**

Every County employee is entitled to exercise the right to vote and may join or affiliate with civic organizations of a partisan or political nature, attend political meetings, advocate and support the principles and policies of civic or political organizations in accordance with Federal, State, and local laws.

No employee, may (1) engage in any political campaigning or electioneering while on duty; (2) be required to contribute to, solicit for, or act as a custodian of funds for political purposes; (3) be coerced or compelled to contribute by any other employee of the County for political purposes; or (4) use any County supplies, materials, equipment or facilities for political purposes or to aid a political candidate, party or cause.

### **Section 13-13: Gifts and Gratuities**

An employee is subject to disciplinary action if the employee accepts gifts or gratuities of value from any individual, organization or business concern with whom they have official relationships in the business of County government. The provisions of the Virginia Conflict of Interest Act govern the acceptance of gifts and gratuities and County

employees should familiarize themselves with the provisions of that Act. County related business trips paid for by others must receive prior approval of the Board of Supervisors. Although certain courtesy gifts of nominal value may be accepted under law, as a general rule employees should discourage any gifts whenever possible.

#### **Section 13-14: Outside Employment**

A position with Gloucester County is considered to be the employee's primary occupation. Employees may not engage in other employment which presents a conflict of interest with their County position and/or which interferes with and detracts from the efficient and effective performance of their duties with the County.

#### **Section 13-15: Employment of Immediate Family Members/Nepotism**

It shall be the policy of the County to avoid relationships by blood or marriage among employees in positions which require a supervisory link in the organizational chain. Employment of immediate family members in the same department or division where the relationship, influence or physical location could create conflicts, difficulties or a supervisor - subordinate situation is prohibited. Any employment of family members in the same department is subject to review and prior approval of the County Administrator.

Immediate family members are defined as: spouse, parent, guardian, brother, sister, son, daughter, aunt, uncle, grandparent, grandchild, or any of these as a relationship in-law or as a step relation.

This policy pertains to new hires, promotions, demotions, transfers and reinstatements.

### **Section 13-16: References Inquiries**

Inquiries regarding employment reference checks, whether written or telephonic, are referred to the Human Resources Department for response. It is the policy of the County to release only such information which is in the public domain, i.e, classification title, salary, and dates of employment. Reasons for termination, and references as to character and performance are not to be released without written authorization from the subject of the information. Referring inquiries to the Director of Human Resources assures proper application of policy in these matters.

### **Section 13-17: Open Door Policy**

Employees have the opportunity to use the organization "chain of command" whenever they desire to raise job related concerns to higher levels of supervision. The issue must first be discussed with the immediate supervisor. If the issue cannot be resolved, the employee has the right to discuss the concern with the next level of supervision. Until a resolution can be found, the employee may continue up the organizational chain, talking eventually with the Department Head, and finally the County Administrator. No adverse effect on the employee shall result from the use of this prerogative. If the employee has filed a formal grievance, this process is not available and the use of this process shall not toll the time periods within which a grievance must be filed.

Normally, both the employee and a supervisor will be present when discussing the issue with a higher level of supervision or management. If the job related issue happens to involve the actual person in the employee's chain of command, the employee has the right after attempting to resolve the issue with the supervisor involved, to seek a solution through the organizational command.

Any employee may contact the Human Resources Department to seek information or discuss work related problems. To do so, the employee should call the Human Resources Department and schedule an appointment.

**Section 13-18: Confidential Information**

An employee may not make use of or permit others to make use of confidential information acquired by virtue of employment with the County for the purpose of furthering the employee's or another's private interest. To do so is grounds for dismissal.

**Section 13-19: Travel and Expense Reimbursement Policy**

Travel funds are provided for employees who travel on official County business. The County Administrator approves such travel for Department Heads. Department Heads are delegated the authority to approve travel for assigned employees. While specific determinations will be made by the applicable approving authority, expenditures to be paid for by the County shall be in connection with travel or official business to an area where the employee incurs costs that he or she would not normally incur had the travel or business not taken place. There will be no travel advances unless unusual circumstances exist and such advances are approved in advance by the County Administrator.

Other business related expenses may be reimbursed with the approval of the Department Head or County Administrator as appropriate.

Requests for travel advances or reimbursements for expenses are made to the Finance Department as set forth in Administrative Policy 115: Travel Policy. The Director of Finance validates travel vouchers and is to establish internal procedures to assure proper accounting and control of travel advances and reimbursement payments.

### **Section 13-20: Membership in Professional Organizations**

When approved by the County Administrator or Department Head, as appropriate, and subject to budget constraints, the County will pay the professional dues for membership in job-related associations, travel expenses, and registration fees required for attendance at annual meetings, training sessions or similar gatherings of appropriate professional associations.

### **Section 13-21: Personal Appearance**

A neat professional appearance is a requirement of employment and it is expected that all employees will exercise good judgment and dress appropriately for their jobs. Department Heads are responsible for compliance within their departments.

### **Section 13-22: United Way / Combined Public Service Campaign**

As a corporate citizen, the County recognizes the local annual United Way campaigns and the United Way managed campaign called the Combined Public Service Campaign (CPSC) The County allows employees to be solicited and participate on a voluntary basis. By including the CPSC campaign, employees may make contributions to agencies whether or not they are a member of the United Way agencies.

### **Section 13-23: Solicitations**

The solicitation of County employees on County property other than for participation in bona fide benefit programs offered by the employer or when specifically authorized by the County Administrator is prohibited.

### **Section 13-24: Weapons Possession**

Other than the Sheriff, Sheriff's deputies and officers, Animal Control Officers, and any other County employee whose official job description requires that a weapon be

carried, no County employee shall carry about his or her person any weapon during work hours or while on County property, unless the carrying of such weapon is approved in writing by the County Administrator. In addition, other than the aforementioned positions, no employee shall store any weapons on County property unless the weapon is a lawfully possessed firearm stored in a locked personal, private motor vehicle.

The term weapon shall include, but not be limited to, the following: (a) any pistol, revolver, rifle, shotgun, or other weapon designed or intended to propel a missile of any kind, or (b) dirk, bowie knife, switchblade knife, ballistic knife, slingshot, spring stick, metal knucks, blackjack, or (c) any flailing instrument consisting of two (2) or more rigid parts connected in such a manner as to allow them to spring freely, which instrument may also be known as a nunchuck, nunchucks, nunchalcu, shuriken or fighting chains or (d) any disc, of whatever configuration, having at least two (2) points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or (e) any weapon of like kind as those enumerated.

### **Section 13-25: Use of County Vehicles**

County vehicles are provided for the use of employees in conducting official business of the County. Personal use of County vehicles is prohibited. Certain employees are required or allowed to take a County vehicle home at night, as they are required to respond to the needs of the County outside of normal business hours. Take home vehicles must be approved by the County Administrator who shall maintain a current record of all authorized take home vehicles.

Operators of County vehicles should practice “defensive driving” and anticipate and observe the actions of other drivers and control their own vehicle in such a manner

so as to avoid an accident. Operators of County vehicles and all passengers therein shall properly use seatbelts at all times. Injury resulting from a failure to wear seatbelts may constitute gross negligence on the part of the individual and upon case review may jeopardize an employee's eligibility for relief normally provided under the worker's compensation or disability claims.

Smoking is not permitted in County vehicles.

**Section 13-26: Bidding to Purchase County Property**

No County employee or member of his/her immediate family shall be eligible to bid to purchase any County property at County sponsored auctions. For the purpose of this policy, immediate family shall mean a spouse, children, parents, brothers and sisters, and any other person living in the same household as the employee.