HORRY COUNTY

EMPLOYMENT GUIDELINES

DISCLAIMER

ALL EMPLOYEES OF HORRY COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF HORRY COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING, 2) THE DOCUMENT IS LABELED "CONTRACT," 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT, AND 4) THE DOCUMENT IS SIGNED BY THE COUNTY ADMINISTRATOR.

I ACKNOWLEDGE RECEIPT OF HORRY COUNTY'S EMPLOYMENT GUIDELINES AND PROCEDURES AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

_____
Signature

_____
Printed Name

_____
Date

Revised: December 9, 2025
Date Adopted: December 9, 2025
Effective Date: December 10, 2025

SECTION 1

GENERAL GUIDELINE ISSUES

1.1 SCOPE OF HORRY COUNTY EMPLOYMENT GUIDELINES MANUAL

The purpose of these guidelines is to provide guidance to the Administrator and Department Heads in administrating procedures and actions throughout Horry County. Issues concerning employment with Horry County not specifically covered in these Guidelines are under the supervision and jurisdiction of the County Administrator who has complete authority regarding matters concerning an employee, and to make such determinations with or without consultation with any other person. Although elected and appointed officials are not required to be bound by the employment policies set forth herein, all elected and appointed officials are urged to comply with these Guidelines to ensure that the County and its employees meet legal and ethical obligations of consistency and fairness.

1.2 EQUAL OPPORTUNITY EMPLOYER

Horry County is an equal opportunity employer and maintains a policy of nondiscrimination with respect to its employees and applicants for employment. All employment decisions are made without regard to any class that may be protected by law. In the event that any candidate or employee requires an accommodation in order to perform his/her job, Human Resources should be contacted to initiate a Request for Accommodation. Horry County will provide reasonable accommodations to qualified employees with known disabilities unless it would cause the County an undue hardship. This guideline applies to all stages of employment: applying for the employment, performing the job duties and enjoying the benefits. Employees are expected to notify the supervisor or Department Head if they have a request for an accommodation. The supervisor or Department Head should relay the request to Human Resources. If employee requests an accommodation to do his/her job, employer may be required to provide employee with the accommodations if the employee would be able to perform all essential functions of job with an accommodation. If the requested accommodation is unreasonable, then an interactive discussion should take place. Human Resources may be able to help with alternatives. Human Resources may request medical documentation of the disability, to determine what accommodations, if any, can be made. Horry County Americans with Disabilities Policy can be found on HC Café.

1.3 POLITICAL INFLUENCE

Horry County Council has directed that the best, qualified candidate be employed for each position. Department Heads, Assistant County Administrators and the County Administrator are to exercise judgment with this directive in mind. No political influence from within or without County Government shall be taken into consideration on the final selection of employees or the evaluation or administration of employee performance.

Any political influence exerted upon a Department Head, Assistant County Administrator, Administrator or any other County employee with regard to hiring decisions shall be reported to appropriate managerial personnel. Department Heads shall be responsible and accountable for the selection and evaluation of employees. A list of final candidates and the employee selected as the most qualified and the reason for the selection should be submitted to Human Resources for each new hire.

1.4 INTERNAL/OPERATING GUIDELINES

The County Administrator, Assistant County Administrators, and/or Department Heads may implement internal/operating guidelines for the County, division, and/or department respectively. However, no internal/operating guideline, policy or directive may conflict or weaken the intent of these Guidelines, or any other directive officially sanctioned by Horry County Council. Any Department or Division with separate internal written policies or procedures that are not in the Employment Guidelines shall submit the policies or procedures to Human Resources for review prior to implementation.

The County has an overall chain-of-command structure with the County Administrator having ultimate authority, followed by the Assistant Administrators and Department Heads, respectively. Each Department also has its own chain-of-command and organizational hierarchy within the Department. Employees must refer to their own

Department with regard to chain-of-command within their Department. Departments may have rules that provide for a specific chain-of-command reporting structure with regard to employment issues, except for complaints of discrimination or harassment which may always be reported by an employee to any supervisor or manager from his/her direct supervisor to the County Administrator without regard to chain-of-command reporting requirements that may apply to other issues.

Only the County Administrator will implement internal/operating guidelines for the following:

1. Employee timekeeping
2. Employee identification cards/system
3. Pay and Classification System
4. Employment/hiring Processes
5. Performance Appraisal Process
6. Accident Guidelines

1.5 SOLICITATION AND DISTRIBUTION

Solicitation or distribution of any material, merchandise, information, etc., by employees or non-employees unrelated to approved County operations or business on or in County property during work or non-work hours is strictly prohibited except unless it is in accordance with Horry County Procurement policy, and/or the solicitation or distribution has been approved by Horry County Council by directive to the Administrator, by resolution, and/or by ordinance.

1.6 CONFIDENTIALITY POLICY

Horry County Government is committed to respecting the privacy of its citizens and employees. Information obtained by employees in the course of employment should be considered confidential and not be disclosed to other employees or the public without a “need to know”. The “need to know” is determined by the employee’s chain of command and the employee should consult with the appropriate supervisor before releasing any information. If there is a question as to whether information should be considered confidential, the employee should check with his/her supervisor. This policy is intended to alert employees to the need for discretion at all times, and is not intended to inhibit normal business communications, or to conflict with normal operations.

The use of County information should be for County business purposes. Employees have access to highly sensitive information, some of which is personal and private. Employees should not use County information for personal gain, to benefit others unrelated to County operations, or any other unauthorized purpose. Additionally, County employees should not attempt to access information unrelated to their work processes or that is beyond their official duties. Any misuse, unauthorized disclosure, or inappropriate handling of confidential information will be considered a breach of trust and subject to disciplinary action up to and including discharge.

Departments may require a specific confidentiality agreement to be signed by employees who have access to information that is highly sensitive.

All inquiries from the media or requests pursuant to the Freedom of Information Act shall be forwarded to the Public Information Department.

Horry County Government is compliant with the South Carolina Financial Identity Fraud and Identity Theft Protection Act and protects personal identifying information of citizens engaging in County transactions or business whenever possible, as set forth in the Horry County Privacy/Identity Theft Prevention Policy and Procedures published on the Horry County Government website and Intranet.

1.7 COMMUNICABLE DISEASE

In compliance with Federal law, employees with communicable diseases able to perform their job duties will be permitted to work if their disability can be reasonably accommodated and their condition does not pose a direct threat or significant risk to the health and safety of themselves or others. The following guidelines shall apply to the management of communicable disease in the workplace:

A. Any employee with a potentially communicable disease will notify the Human Resources Director of his/her condition. The Human Resources Director may require a statement from the employee's attending physician that the employee's continued presence at work will not pose a direct threat or significant risk to the health and safety of the employee or others.

B. The County reserves the right to require an examination by a medical doctor appointed by the County to address this issue.

C. All medical information obtained under this section will be treated confidentially in compliance with state and federal law.

1.8 DRUG-FREE WORKPLACE

Horry County is committed to provide a safe work environment and fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs or alcohol on the job, comes to work under the influence of a substance, or possesses, distributes or sells drugs in the workplace.

A. It is prohibited for any employee to possess, sell, distribute or use alcohol or illegal drugs on county property or any location at which County business is conducted, including County vehicles, or any private vehicle that may be parked on County premises or work sites.

B. It is a strict violation of this policy to report to work or to engage in work while under the influence of alcohol or drugs, to utilize prescription drugs in an unauthorized manner, or to use any legally obtained prescription or over-the-counter medications when such use impairs the employee's ability to perform his/her job safely, or potentially endangers the safety of others.

C. Employees must notify Horry County Government in writing of any conviction or violation of a criminal drug statute occurring in the workplace within five (5) calendar days of any such conviction or violation.

D. An Employee Assistance Program (EAP) is offered for the benefit of employees and their dependents. The EAP provides confidential assessment, referral and short-term counseling for employees. The County reserves the right to refer employees to the EAP program on a mandatory basis if there is a reasonable basis to suspect that an employee has a problem with alcohol or drugs. However, participation in the EAP does not protect an employee from disciplinary action related to alcohol and/or drug use in the workplace or work conduct violations that occur as a result of such use.

E. Fit for Duty Test – Drug Screening

A positive drug screen that occurs as a result of a fit for duty test will result in an employee being terminated.

1.8.1 Guidelines for Drug and Alcohol Testing

Testing is utilized to identify employees who abuse drugs or alcohol. It shall be a condition of employment for all employees to submit to drug and/or alcohol testing under the following circumstances:

A. Pre-employment Drug Screening

All job applicants will be drug tested as a condition precedent to employment. An applicant with a confirmed positive test will be denied employment and is not eligible for rehire for a minimum of six (6) months.

No employee will be allowed to commence work prior to the receipt of results from the drug screen. This policy will not be waived for any reason.

A drug screen shall be conducted within thirty (30) days prior to employment. If employee is unable to obtain a test within thirty (30) days through no fault of the employee or is unable to commence employment within thirty (30) days due to no fault of the employee, the Department Head shall seek the approval of the Assistant County Administrator for an extension for the employee.

B. Reasonable Suspicion Drug/Alcohol Test

1. If a supervisor observes an employee to be acting in a manner which gives rise to a reasonable suspicion that the employee is under the influence of drugs or alcohol, the following protocol will be followed:

2. Inquiry will be made as to whether the employee is prescribed medication or suffers from any physical illness or condition which would potentially cause the symptoms observed.

3. If the employee provides a satisfactory explanation of his/her symptoms, then the event will be documented and the employee will not be allowed to work until a doctor's fitness for duty note is provided.

4. If the employee has no satisfactory explanation as to the reason for the symptoms, the employee will be administered a drug/alcohol screening.

5. In the event an employee refuses to consent to the screening, then the employee will be terminated. Any attempt to alter the screening is a refusal to test.

6. Once the referral for a drug and/or alcohol screen has been made, the employee will be immediately transported by a supervisor to the occupation medical provider to conduct the screening.

7. After the test has been administered, the employee shall be placed on administrative leave without pay pending the results of the screen.

8. If the test is positive, then the employee shall be terminated immediately. If the test is negative, the employee will be paid for the leave time.

C. Random Drug Tests

Random drug screens will be conducted for all safety sensitive employment positions, in accordance with the drug testing guidelines set forth by the Department of Transportation. Any employee with a positive drug screen will be terminated immediately. Safety sensitive positions will be determined by appropriate authority.

Employee should not be given advance notice of drug screens and the screen should be conducted on the same shift or no later than the following shift after notification. If an employee refuses to screen, the employee will be terminated. Any attempt to alter the screening is a refusal to test.

D. Post-Accident Drug/Alcohol Test

1. After any accident that involves either personal injury or property damage during work hours, the employee involved shall submit to a drug and/or alcohol test immediately. In the event that the employee refuses to consent to the test, the employee will be terminated.

2. It is the responsibility of the employee to immediately inform a supervisor when an accident occurs. If no supervisor is available, then the employee shall contact the Human Resources Department or other emergency telephone number designated for this purpose.

3. The employee will be immediately transported to the occupational medical provider by a supervisor, or by taxi for a drug and/or alcohol screen.

4. If emergency medical treatment is required for the employee as a result of the accident, then the drug/alcohol screen will be administered at the medical facility where the employee is being treated.

5. If the test is positive, the employee shall be terminated.

E. Post-Citation Test

If an employee receives a citation for driving under the influence, reckless driving or driving to endanger during work hours, the employee is immediately required to report the citation to the supervisor. Failure to do so may result in immediate termination. It shall be within the discretion of the Department to request that a drug or alcohol test be administered to the employee as set forth in paragraph 1.8.1C.

1.8.2 Property Search

Horry County reserves the right to conduct searches of an employee's work space and personal property items when there is a suspicion of drug of alcohol use in the workplace. Property searches may also be conducted for other legitimate business reasons as allowed by law. Refusal by an employee to consent to a search of personal belongings pursuant to this policy may result in disciplinary action up to and including termination.

1.8.3 Drug/Alcohol Test Results

Results of testing will be kept confidential as provided by law. Employees will have the opportunity to review the results of any alcohol or drug test administered to them.

1.9 SEVERABILITY AND RECISION

All ordinances, policies, or procedures that are in conflict or contrary to the provision of this Resolution implementing these Guidelines shall be repealed upon adoption of this Resolution. Future amendments to the Guidelines shall be submitted to the County Administrator for approval. County Council may issue directives to the Administrator at any time to modify existing Guidelines. If any section, subsection or clause of this resolution shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsection and clauses shall not be affected.

1.10 CONTRACTUAL POSITIONS

County Council reserves the right to establish such contractual positions as it deems appropriate and as allowed by law. No such positions are established by this resolution. The County Administrator may contract with outside agencies, such as consultants, as authorized by County Council. No Department will retain or hire an independent contractor without an assessment by Human Resources that the contractual relationship complies with applicable law.

1.11 OUTSIDE EMPLOYMENT

Employees may engage in employment with organizations other than Horry County Government provided that a conflict of interest does not arise as a result of the outside employment and the employee has submitted and received approval of an “Outside Work Activity Disclosure’ form in HC Café. In addition, an employee may not engage in outside employment when it is in conflict with medical documentation and/or certification provided to Horry County by an employee. Employees who engage in outside employment should make both their Department Head and Human Resources aware of such employment to ensure no conflict of interest exists. Failure to notify may result in disciplinary action, up to and including termination. Employees are under an ongoing duty to notify employer on a regular basis regarding outside work activity/employment. Employees must state in detail specific duties, so Human Resources can determine that no conflict of interest exists. Employees shall not engage in other work duties until the request has been approved by Human Resources. This applies to: full time employment, part time employment, self-employment, internships, apprenticeships, education programs of 12 hours or more, certificate programs, fire or rescue volunteer services, volunteer service similar to duties for Horry County and any other volunteer service requiring 20 hours per month.

1.12 EMPLOYEE PHOTO GUIDELINES

As a condition of employment with Horry County Government, the employee understands and accepts that in addition to live video transmission of public meetings, from time to time Horry County Government may circulate photographers, videographers, surveys, or other means for purposes of generating materials for public information, marketing, promotion, social media, or other legitimate efforts of Horry County Government, and whether employee’s appearance in any such transmissions or materials is intentional or inadvertent, the employee grants permission to use their name, photographs, videotapes, motion pictures, and other media of any kind for any legitimate purpose, including promotional efforts of any kind, without notice or compensation.

1.13 SAFETY

Horry County is committed to providing a safe work environment for all employees and will strive to protect all of our employees from harm during their employment. Employees are bound by the laws, procedures, regulations and policies contained in the Horry County Safety Policy. The Horry County Safety Policy was designed to ensure the safety of our employees. These guidelines are available on the HC Café/Intranet. Safety should be the first priority of all employees and employees should not prioritize productivity over safety. Employees shall report all potential safety hazards to their immediate supervisors. If employees are unsatisfied with the response of their supervisors then they can contact Human Resources Risk Management for more recommendations/inspection. Horry County will not retaliate against employees that report dangers during their employment.

1.14 LACTATION BREAKS

Horry County provides protections for employees needing to take breaks under the "South Carolina Lactation Support Act." Employees will be given reasonable break time (unpaid, paid or meal time) to express breast milk after the birth of a child. The employee will be given access to a private place near the workplace, other than toilet stall, to express milk outside the view of others. During this break time, employee is not required to perform any duties. Employee shall make reasonable efforts to not interrupt normal operations of each department. Employer is not required to comply if it would cause an undue hardship. Employer should direct all questions regarding compliance to Human Resources.

1.15 SURVIVOR'S ASSISTANCE

Horry County strives to protect the safety of all employees, but some dangers are unavoidable. If an employee receives a fatal injury during employment there are certain guidelines that are recommended. This does not replace any specific department's procedures, but is designed to give guidance to all employees:

1. Notify the next of kin; two members of the office should notify the family. It is preferable if one of the parties has a close relationship with the employee (i.e. friend, coworker or supervisor).
2. Notify all other employees in the Department, Human Resources, the County Attorney and the County Administrator.
3. Designate a liaison for the family to contact with any questions.
4. Make arrangements for the family to be transported to the hospital.
5. Prepare a release for the Media.
6. Assist the family with all paperwork for the funeral, insurance and other documents as needed.
7. Provide support to the family if they have to appear for Court for criminal charges,
8. Continued to contact family after the funeral to ensure that their needs are met.
9. Check with the department to make sure employees are handling the loss.

1.16 EMPLOYEE PAY, PAID LEAVE ACCRUALS, AND DEDUCTIONS

Employees should review their pay stubs each pay period for the following:

1) Pay rate and pay accuracy;
2) Deductions accuracy;
3) Paid Leave accrual accuracy.

If an employee is overpaid in any pay period, then the employee will be required to reimburse the County the overpaid amount by a payment method determined by the County. If the County deducts an amount from an employee that is less than that which is required, the employee will be required to reimburse the County the difference. If an employee earns additional vacation or sick leave improperly, then the employee's leave banks will be adjusted to the correct amount. If the employee fails to report excess leave earnings and uses the excess leave before it is deducted, then the leave banks will be adjusted accordingly.

Likewise, if an employee is underpaid on any paycheck, the County will issue the full amount at the next check processing period. If an employee receives a higher-than-appropriate deduction, then the employee will receive a refund at the next check processing period after the discrepancy is identified. If an employee does not receive the proper paid leave accrual rate for either vacation or sick leave, then the correct time will be adjusted to the appropriate amount to the appropriate leave bank(s). If the employee leave bank is at the maximum accrual amount, then the employee will be allowed to carry the excess amount for a period of six months. Each bank, vacation and sick, will be considered separately for the purposes of this procedure. For example, if an employee's vacation bank is at maximum level and sick leave bank is not, the employee will not be required to fill the sick leave bank with unearned vacation leave; it will be added to the vacation bank and the employee will be allowed to carry any excess over maximum allowable accumulation for six months.

The procedures apply regardless of the source of error.

1.17 SMOKING POLICY

Horry County Government maintains a smoke-free environment in all of its building and vehicles.

No smoking is permitted in any buildings or vehicles owned, leased, or rented by Horry County Government. Cigarettes, pipes, cigars, or electronic cigarettes are not permitted in any part of buildings or vehicles owned, leased, or rented by Horry County Government.

Employees may smoke outside in designated areas during breaks, but employees shall not smoke at entrances to County buildings. When smoking or using tobacco products outside County buildings in designated areas litter should be disposed of properly in receptacles provided for that purpose, care should be taken not to leave cigarette butts or other items of litter.

No additional breaks for the purpose of smoking or using tobacco products should be taken by employees which exceed the break policy of the Department.

Employees who disregard this policy are subject to Disciplinary Action, up to and including termination.

1.18 SECRET AND/OR COVERT RECORDING AND MONITORING

SCOPE AND PURPOSE

It is the intent of Horry County Government to encourage free exchange of ideas and to protect the privacy of employees to the extent feasible and appropriate. Employees who are concerned they may be recorded without their knowledge are unlikely to be candid and may not be comfortable sharing essential information. In addition, confidential and/or sensitive matters involving employees and/or citizens served should be protected from unauthorized recording and dissemination. Therefore, these guidelines define the circumstances in which an employee may record, video, or photograph another employee or group of employees.

GUIDELINES

Unauthorized secret and/or covert recording and monitoring by an Horry County Government employee of another employee, managerial or non-managerial, or group of employees is prohibited unless expressly authorized by County leadership. The only exception to this guideline is if an employee is recording for the purpose of acting "in concert" for the mutual aid and protection of other employees concerning work conditions. Examples of recordings which constitute protected activity are photo or recorded images of protected picketing or documentation of unsafe equipment or work conditions. Otherwise, it is not permissible for an employee to record or photograph another employee, managerial or non-managerial, or group of employees without the express consent of the Department Head, Assistant County Administrator, and/or the County Administrator.

Other than the exceptions noted above, an employee is not permitted to record, video, or photograph any conversation, phone calls, images, or meeting with any recording device (including but not limited to cellular telephone, PDA, digital recording device, digital camera, etc.) unless prior approval is received from the Department Head, Assistant County Administrator, and/or County Administrator.

These guidelines are designed to encourage a safe and comfortable workplace, the unfettered exchange of information, and to respect the privacy of employees and citizens.

1.19 HIRING AND SELECTION GUIDELINES

SCOPE AND PURPOSE

Horry County Government is committed to employing the best qualified candidates for positions and to ensure that all recruitment and selection practices are compliant with all local, state and federal laws. It is the policy of Horry County Government to provide equal employment opportunity to all applicants and employees without exception.

RECRUITMENT PROCESS

1. Identification of Vacant, Budgeted Position
   To post or advertise a position, the Department must have an existing vacant position in its current budget with corresponding budgeted funds. In addition, new positions that are approved by budget ordinance may be advertised before being added to a department's position count; however, those positions may not be filled until added to the department's position count along with sufficient funding.

2. Recruiting for a Position
   A vacant position may be filled as follows:

A. Job posting
    a. Procedures, processes, forms, etc. used for job posting will be determined by Human Resources. The job posting process will be accessible on the HC Café.

    b. Job posting approval process steps:
        i. Department initiates the request, which is sent to the appropriate deputy county administrator or assistant county administrator (or County Administrator where applicable). Upon approval by the appropriate administrator, the request is sent to Human Resources for posting.
        ii. The standard job posting format will be determined by Human Resources with input from the County Attorney's office when necessary.
        iii. The details for a job posting will be developed in collaboration between the hiring department and Human Resources. Additionally, Human Resources will review and advise on any related compliance issues.
    c. Job posting options:
        i. General – open externally to the public and internally to all County employees; or
        ii. Interdepartmental – open to all County employees only; or
        iii. Intra-departmental – open only to County employees in the department where the open position assigned.

    d. All general job postings will be posted on the County's standard public website. Job posting in other forms of media may be requested as needed by the hiring department.

    e. Job postings will be advertised for the appropriate timeframe based on the request by the Department Head and approval of the appropriate Assistant County Administrator or designee; however, job postings may be advertised as open until filled with the approval of the County Administrator or designee.
    f. The job posting process will be used for Regular full and part time employees, as well as substitute, temporary employees, and interns. However, job posting is not required for temporary employees hired from temporary agencies or interns assigned through an agreement with a school.

B. Job Fairs
    a. Departments may participate in available job fairs; Human Resources can assist and/or participate in the job fairs as requested by departments.
    If a department wants to accept applications at a job fair, the process will be determined by Human Resources.
C. Hiring from Existing Applications
    a. Instead of advertising for an open position, Departments may review applications, advertised in the department or any other County department, from any job post that has applications that are two (2) years old or less. Before receiving existing applications from previously posted positions, Human Resources will pre-screen the applications to determine whether the applicants meet the minimum requirements for the position the department intends to fill.

D. Screening applications
    a. Human Resources will screen applications for the minimum requirements and make them available for the hiring department.
    b. If a department wants an application that is screened out for the minimum requirements, they should send an email request to Human Resources. If a department does not want applications screened for the minimum requirements by Human Resources, they must receive approval from the County Administrator or designee.
    c. A department may request that Human Resources screens applications using stricter criteria as needed.

SELECTION PROCESS

1. Human Resource will provide selection assistance, including techniques, procedures, processes, etc., as requested by the department.

2. The department is responsible for conducting timely, effective interviews of qualified candidates for open positions.

3. Interviewing applicants
   a. Departments are not required to interview all applicants that meet the minimum requirements and may develop a list of top candidates based on their needs. It is recommended, but not required, to interview a minimum of five candidates.

   b. Departments should develop a standardized list of questions to be used for each candidate; however, additional questions that are candidate-specific may arise during the interview due to the uniqueness of each candidate. All interview questions should comply with EEOC requirements. Departments may request assistance from Human Resources to determine EEOC compliance is met.

   c. Questions should be relevant to the position and seek information regarding the specific skills and abilities to perform the job. The use of behavioral and/or competency-based interview questions is strongly encouraged since they may provide meaningful data as to an applicant's character, integrity, abilities to carry out the job responsibilities and to adhere to the core competencies. Additionally, departments should consider using questions that assess whether a candidate's qualifications are aligned with the County's mission.

   d. It is recommended that department conduct a minimum of two (2) rounds of interviews for a position; however, the number of interview rounds needed for a position can be determined on a case-by-case basis.

4. Job Testing
   a. Departments may utilize job testing in the selection provided the following procedure is used:
      1. The Human Resources department and the County Attorney's department review any test before using.

      2. The use of the test is reviewed for EEOC compliance by Human Resources before implantation of the test; and

      3. The test has been validated to be job-related by a third party

5. Appointments without a Job Posting
   To maximize performance, a department may request, and the County Administrator or designee may approve, the appointment of a County employee to a Regular position under any, some, or all the following conditions:

1) After satisfactory service in an interim or temporary position.
2) When training and experience have prepared the employee for the appointment.
3) For business and/or performance requirements.
4) Based upon a formal or informal succession plan.
5) Based upon an established eligibility list.

HIRING PROCESS

1. Reference Checks
   Prior to selecting any candidate, references should be solicited and checked thoroughly. It is recommended that a list of questions for reference sources be prepared in advance to solicit the most useful information possible. Human Resources may assist departments with creating reference check questions.

2. Conditional Offer
   Departments will present candidates with a conditional offer of employment. All conditional offer language should be reviewed by Human Resources before being used in the department's offer procedures. Departments will submit a personnel action to Human Resources via the County's payroll system. Upon receipt of the personnel action for all newly hired candidates, Human Resources begin all pre-employment screening for the candidate and tentatively schedule the candidate's orientation dates.

3. Orientation
   Upon successful completion of all pre-employment screening, the new employee will attend orientation conducted by Human Resources. Unless the Administrator or designee has waived this requirement in advance, no employee may begin working for their department until he/she has completed the orientation

process. Additionally, it is recommended that departments conduct a department-specific orientation on the employee's first day with the department.

SECTION 2

GRIEVANCE POLICY

2.1 GENERAL

A grievance is a complaint by an employee that he/she has been treated unfairly, unlawfully, or in violation of his/her rights.

A. Eligibility

All Regular employees are eligible to file a grievance as a result of an adverse employment action as set forth in section B. Employees of an elected or an appointed official are not entitled to a Grievance hearing unless the elected or appointed official agrees to allow the employee to file a grievance.

Only the grievant may participate in the grievance process. No attorneys, family members, friends, or other non-employees of Horry County Government may participate in any part of the grievance process. If a grievant chooses to have a public hearing, anyone from the public may attend; however, no one attending a public grievance hearing may participate or make statements during the hearing unless he or she is allowed to do so by the Grievance Committee.

The grievant and/or the management representative may provide a witness list to the Grievance Committee that includes non-employees, however, it is within the Grievance Committee's sole discretion whether to call any witness. The Grievance Committee cannot compel any non-employee to attend, produce evidence for, or speak at a hearing. If an employee named on the grievant's witness list does not want to attend or to speak on the grievant's behalf, the Grievance Committee will not compel him or her to do so.

B. Applicability

An eligible employee may file a grievance with regard to the following adverse employment actions:
discharge, suspension, involuntary transfer (except as set forth in (d) below), promotion or demotion.

The following matters are not subject to the grievance procedure:

a. Compensation matters, including the County pay system, unless an employee believes that he/she is entitled to wages or benefits that have not been received;

b. Written or oral reprimands;

c. Disciplinary actions based upon drug/alcohol test results;

d. Reclassifications, reassignments and transfers within the same salary range, unless an employee contends that he/she was qualified for a position and was not provided an opportunity to apply or be considered for the position;

e. A discharge that occurs as a result of a reduction in force, unless it is alleged that the County's reduction in force plan was designed or carried out in a manner that constituted unlawful discrimination against an employee;

f. A discharge that occurs administratively, as a result of an employee's absence from his/her full-time duties for 180 days or more in a rolling twelvemonth period for non-occupational injuries or 365 days due to occupational injuries.

g. Performance evaluations, including terminations as a result of a below standard evaluation, except in cases of alleged discrimination.

h. Resignations.

2.2 PROCEDURE

Eligible employees or former employees must follow the following grievance procedure in order for a grievance to be considered:

Step 1. Present the grievance orally or in writing to the Department Head. If no response is received within five work days (Saturdays and Sundays excluded) then the grievance is denied and the employee or former employee should move to step 2.

Step 2. Present the grievance orally or in writing to the appropriate Assistant County Administrator. If no Assistant County Administrator response is received within five work days (Saturday and Sunday excluded) the grievance is deemed to be denied and the employee or former employee should move to step 3. If the department does not report to an Assistant County Administrator or the appropriate Assistant County Administrator position is vacant, then the grievant should proceed to Step 3. Additionally, if the appropriate Assistant County Administrator is serving as Interim County Administrator during the period the grievance procedure is being followed, the grievant may proceed to Step 3.

Step 3. File a written **Employee Grievance Appeal**, requesting a hearing before the Grievance Committee. A completed form with Evidence and Witness Lists must be filed by the employee in hand to the Human Resources Department ON OR BEFORE TWENTY (20) WORK DAYS, EXCLUDING WEEKEND DAYS AND HOLIDAYS, FROM THE ADVERSE EMPLOYMENT ACTION. The 20-day period begins on the day of the adverse employment action. Appeals that are not timely filed will not be considered.

Failure of the covered grievant to cooperate with scheduling, attend a mediation conference or hearing without reasonable justification constitutes a waiver of the employee's opportunity to further pursue the Grievance, which includes both mediation and hearing. The Human Resources Director along with the Department Head shall determine whether or not reasonable justification exists based on documents submitted by the parties.

2.3 APPEALS TO COUNTY GRIEVANCE COMMITTEE

The Employee Grievance Appeal form must include the following information in order to be considered complete:

A. The purpose of the appeal and the recommendation requested of the Grievance Committee;

B. A verified statement that the Department Head and Assistant County Administrator have been consulted and have not responded or denied the grievance.

C. A statement whether the employee chooses to have the Grievance Committee hearing open or closed to the public.

D. A list of potential witnesses for the employee, with a short summary of testimony the witness is expected to provide; It is the grievant's responsibility to ask the potential witnesses to be available and present during the grievance hearing; however, it is within the sole discretion of the Grievance Committee whether it will call witnesses to provide statements or not during the hearing.

E. A list and/or copy of documents known to the employee to contain relevant information regarding the matter grieved.

2.3.1 The Human Resources Director (or designated representative) shall determine whether the appeal is in order and has been filed in a timely manner in accordance with this Section.

2.4 MEDIATION

The Department Head (or his/her designee) and the employee shall be required to participate in an informal mediation prior to the appeal hearing before the Grievance Committee. The mediation will be conducted by a Human Resources representative. Only the grieving employee, Department Head (or designee), and the Human Resources representative may participate and attend the mediation.

If a resolution is not reached after mediation, the Human Resources Director (or designated Human Resources representative) shall forward the Employee Appeal Application and the documents provided by both the employee and the Department supporting their positions to the Grievance Committee.

2.5 THE COUNTY GRIEVANCE COMMITTEE

The Administrator shall appoint members of the Grievance Committee to serve. The appointments shall be selected on a broadly representative basis from County employees.

The Grievance Committee shall be composed of a panel of eight (8) employees who serve three (3) year terms on a staggered basis. A member shall continue to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term shall extend for the remainder of the unexpired term. Once a member's term expires, the member shall continue to serve until a new member is appointed. Any member may be re-appointed for succeeding terms at the discretion of the Administrator.

2.5.1 Chairperson

The Committee shall select its Chairperson from among its members annually. The Chairperson shall continue to serve until a new Chairperson is selected. The Chairperson shall serve as the presiding officer at all hearings, but may designate some other member to serve as presiding officer in his/her absence. The Chairperson shall have authority to schedule and to re-schedule all hearings. The presiding officer shall take whatever action is necessary to ensure an equitable, expeditious and orderly hearing. Parties shall abide by the decisions of the presiding officer, except that if a committee member objects to a decision to accept evidence, the majority vote of the committee will govern.

2.5.2 Quorum

A quorum shall consist of at least five (5) committee members, and no hearing may be held without a quorum. In the event a quorum cannot be met due to recusal requirements of members, conflicts or any other reason beyond the County's control, the Administrator may appoint temporary members to ensure a hearing may be held.

2.6 GRIEVANCE HEARING

2.6.1 Scheduling

Within ten (10) days of receipt of the employee's filing of the Grievance Appeal Application form, the Chairperson will attempt to schedule the requested hearing and notify the Grievance Committee, the employee, the department, and Human Resources. The Chairperson has the authority to schedule all hearings. If the Chairperson determines that there is adequate cause for delay of the hearing, all parties shall be notified of the cause of delay, and the date the hearing is scheduled. A Human Resources representative may be called to assist with scheduling, notification and hearing material preparation.

2.6.2 The Committee Chairperson shall determine and notify members that they have been selected to serve on the Committee for the current appeal. Members employed in the same department as the grieving employee shall be disqualified from participation in that employee's hearing. A member wishing to recuse himself/herself from any particular hearing shall notify the Committee Chairperson.

2.6.3 Production of Evidence

The Committee shall have the authority to call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Council; to request the testimony of witnesses employed by the County; and to secure the services of a recording secretary in its discretion. The Committee shall have no authority to subpoena witnesses, documents or other evidence, nor shall any County employee be compelled to attend any hearing.

In order to preserve privacy of the parties involved it is the policy of the County to only release reports of Human Resources Internal Investigations to the Administrator, the Assistant County Administrator, and the Department Head. The Department or the Grievance Committee may request the testimony of an employee involved in investigation to testify as to the content of the report, but no negative inference shall be drawn by the Committee based upon the unavailability of the report itself.

2.6.4 Recording of Hearing

All proceedings will be tape recorded. All matters occurring at the Grievance hearing except for executive sessions of the Committee shall be taped. Witnesses, other than the grieving employee and the department representatives shall be sequestered when not testifying. If a grievant provides a list of potential witnesses, it is the grievant's responsibility to inform the potential witnesses that they need to make themselves available for the grievance hearing and to notify the Committee prior to the commencement of the hearing so that the potential witnesses may be properly sequestered. Witnesses that were not sequestered due to the grievant's failure to identify them to the Committee will not be allowed to provide statements. All witnesses shall affirm to their testimony or testify under oath.

The official tape recording and the official minutes of all hearings shall be subject to the control and disposition of the County Administrator and the Human Resources department shall be the custodian of all recordings. No other person shall be permitted to record or steno graphically transcribe the proceedings. The grieving employee shall be entitled to receive a copy of the official tape upon request with a waiver of confidentiality and applicable fee.

2.6.5 Representation

Neither party may be assisted by an attorney as an advocate during the hearing itself. The Committee may have an attorney available at any time to advise upon the order and relevance of testimony and the appearance of witnesses, or to advise generally as to legal issues.

2.6.6 Contact

No direct or indirect contact shall be made at any time by the employee or the department to any member of the Grievance Committee concerning the grievance. Any contact or attempt to contact Grievance Committee members may constitute a disciplinary offense and/or disqualify the grievant from having a hearing

2.6.7 Evidence

The Department shall make the first presentation, and the employee shall present his/her case next. The Department and the employee are each limited to a one (1) hour presentation. The Department may present a rebuttal which shall extend no longer than ten (10) minutes.
In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or testimony from witnesses, documentary evidence, photographs, or other physical evidence. Presentations shall be made by the grieving employee and by a managerial employee of the affected department. The Grievance Committee shall decide whether to hear testimony of witnesses that either party may have available to testify. Neither party may question the other party or any witness.

2.7 FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

2.7.1 Decisions of the Committee shall be by a simple majority of votes of the attending quorum of members. Findings and Recommendations shall be issued within twenty (20) days of the hearing.

2.7.2 The Committee may recommend that the action or decision of the Department be sustained, rejected or modified.

A. The Committee shall not recommend alteration or rescission of the decision of the Department unless it specifically finds that one or more of the following occurred:

B. A violation of the Constitution, a statute or law;

C. the Department acted beyond its authority;

D. the Department acted unlawfully;

E. the decision or action of the Department toward the employee was clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or

F. the decision or action of the Department toward the employee was arbitrary or capricious and constituted an abuse of discretion.

2.7.3 If the findings and recommendations of the Grievance Committee recommend modification or rescission of the Department's decision, the Grievance Committee shall specify the basis of its recommendation in accordance with Section 2.72. The Committee may seek the assistance of Human Resources in preparation of its findings and recommendations.

2.7. 4 Findings regarding Departments of Elected or Appointed Officials

If the affected department is under the direction of an elected official or an official appointed by an authority outside County Government, the Committee's report shall be presented to the elected or appointed official. If the official approves the recommendation of the Committee, Human Resources shall be notified and a copy of the findings and recommendation of the Committee will be forwarded to the employee and be implemented.

If the official rejects the recommendation of the Committee, the official shall render his/her decision without further hearing, which shall be final. The official's decision rejecting the findings and recommendations of the Committee will be sent to Human Resources and then forwarded to the employee with a copy of the Committee findings and recommendations.

2.7.5 Findings regarding All Other Departments

In all grievance matters that do not involve elected or appointed officials, the findings and recommendations of the Grievance Committee shall be presented to the Administrator in writing. If the Administrator approves the recommendation of the Committee, then Human Resources will forward the recommendation of the Committee to the Department and the employee, and it will be implemented.

If the Administrator rejects the Committee's decision, the Administrator shall make his/her own decision without further hearing and transmit the decision to Human Resources. Copies of the Administrator's Decision shall be forwarded by Human Resources to the employee and the Department Head, together with a copy of the Committee findings and recommendations. The Administrator's decision shall be final and not subject to further appeal.

2.8 NOTHING IN THIS GRIEVANCE PROCEDURE CREATES A PROPERTY INTEREST IN EMPLOYMENT OR A CONTRACT OF EMPLOYMENT, NOR DOES THIS PROCEDURE LIMIT THE AUTHORITY OF THE COUNTY OR AN ELECTED OR APPOINTED OFFICIAL TO TERMINATE ANY EMPLOYEE WHEN THE COUNTY OR RESPECTIVE ELECTED OF APPOINTED OFFICIAL CONSIDERS SUCH ACTION TO BE NECESSARY FOR THE GOOD OF THE COUNTY.

SECTION 3

PERSONNEL RECORDS

3.1 PURPOSE

The purpose of this section is to establish policies for the maintenance of personnel records and to ensure that the information contained in the files is relevant, accurate, and safe from improper disclosure.

3.2 GENERAL STATEMENT OF INFORMATION

The Human Resources Department is the custodian of Horry County employee files. Official employee personnel files are maintained centrally in the Human Resources Department and considered to be confidential.

Personnel files are stored electronically and can be requested in an electronic format upon written request by the employee. See 3.4 REQUESTING COPY OF PERSONNEL FILE.

3.3 PERSONNEL FILE MAINTENANCE

A. Personnel files should contain only necessary job-related and personal information as determined by the Human Resources Department; the County Attorney's Department will advise when appropriate and necessary. Departments may elect to maintain copies of personnel documents in a separate file stored within the department. However, NO DOCUMENTS STORED BY THE DEPARTMENT WILL BE CONSIDERED AN OFFICIAL PART OF AN EMPLOYEE'S PERSONNEL FILE IF THE ORIGINAL DOCUMENT WAS NOT FORWARDED TO HUMAN RESOURCES WITHIN AN APPROPRIATE TIMEFRAME. Any document placed in an employee's personnel file should be shared with the employee.

B. Human Resources maintains a separate confidential file for each employee that contains only medical information, beneficiary designations, insurance information, enrollment applications, COBRA notification and other medical or health related documents.

C. All Disciplinary Actions will remain in an employee's file permanently as part of the complete record of the employment history of each employee.

3.4 REQUESTING COPY OF PERSONNEL FILE

In accordance with this policy and the SC Public Records Act, current and former employees may receive a copy of their official personnel file upon written request and signature on a waiver for release of information. A reasonable per page charge may be associated with this request.

3.5 ACCESS TO PERSONNEL FILES

Only the employee, his/her current supervisors, or other County officials with a legitimate need to know (as determined by the Human Resources Director) may access an employee's personnel file. Any person wishing to access an employee file must submit a written request. If an employee or former employee wishes to release his/her file to a specific individual or company, a waiver for release of information must be executed.

Requests to review personnel files from representatives of other government or law enforcement agencies will be honored only upon presentation of a legal subpoena or court order. .

3.6 DISCLOSURE OF EMPLOYEE INFORMATION/EXTERNAL REFERENCE CHECK

Any request for reference information for a current or former employee should be referred to the Human Resources Department. Unless the employee has provided written authorization for release of his/her personnel file to a prospective employer, the information supplied by Human Resources in response to a reference request will include job title and dates of employment.

3.7 DISPUTING INFORMATION

Employees are encouraged to review their personnel files annually to ensure that all personal information is accurate and current.

Employees who question the accuracy of their personnel files should discuss their concern with the Human Resources Department. This does not pertain to disagreement by the employee with disciplinary actions or performance evaluations. If a review by the Human Resources Department reveals erroneous information is contained in the personnel file, such information will be removed or corrected immediately.

3.8 RECORDS RETENTION

Personnel files will be retained for five (5) years from the date of separation in compliance with retention schedules for County records.

3.9 NOTIFICATION

The Horry County Human Resources Department has the right to verify information submitted to Horry County without notifying the individual involved, and to cooperate with law enforcement investigators, public safety or medical officials authorized to obtain such information.

SECTION 4

ATTENDANCE AND LEAVE

4.1 SCOPE AND PURPOSE

This section presents general guidelines for attendance and leave, and the Guidelines are designed to comply with all relevant federal and state laws and regulations. There is no specific intent to provide comprehensive coverage of applicable laws and regulations; however, the County will comply with all applicable laws and regulations regarding time and attendance whether explicitly expressed in these Guidelines or not. A non-exhaustive list of relevant laws governing attendance and leave are: Fair Labor Standards Act, Family Medical Leave Act, American with Disabilities Act, South Carolina Wage and Hour Laws, and laws governing Military Leave, Questions regarding specific laws and regulations regarding attendance and leave may be referred to the Human Resources Department.

4.2 GENERAL GUIDELINES

A. Pay Period Categories

1. The following annual pay schedules are in effect and may be applied dependent upon the position:

Employees*	Regular Annual Hours Worked Per Year
Regular 40 hour per week (Includes E-911 Employees)	2,080 Hours
Police and Detention Center Employees	2,223 Hours
Standard Fire/Rescue Employees	2,756 Hours
Alternate Fire/Rescue Employees	2,496 Hours

*Not intended to be an exhaustive list.

B. Non-Exempt Employees

The normal workweek for non-exempt employees shall be a forty-hour workweek; however, schedules may vary among departments based on service needs with the approval of the County Administrator. Non-exempt employees must be clocked in before completing any work assignment. If an employee that is subject to an automatic lunch deduction performs work during that time frame, the employee must be compensated. It is the employee's responsibility to notify the Department and request to be paid. All employees are subject to have schedule changes based on the needs of the Department.

In addition, the County Administrator may approve alternative work schedules.

Additional or varied hours shall be required when the relevant management official determines that the direct or indirect statutory responsibilities of the department cannot be accomplished in the normal work hours observed by the department or for any other relevant business need. **Overtime must have prior approval of the County Administrator or his designee.**

C. Exempt Employees

Full-time Exempt employees are expected to work at least forty (40) hours, with a regular schedule to be designated by management. Exempt employees may be required at times to work during days and/or hours that are not specified in their designated schedule, in accordance with department needs.

4.3 HOLIDAY GUIDELINES

The following holidays shall be granted with pay to all non-temporary employees, subject to Subpart B below:

A. Holidays

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday of November
Day after Thanksgiving	Day after Thanksgiving
Three days at Christmas	To be determined by the County Administrator

B. Holiday Observance Procedure

1. Regular full-time, exempt employees receive holiday pay based on the employee's salary basis. Whether exempt employees work or do not work on a holiday, they will receive their normal salary unless in an unpaid leave status for an approved reason.

2. Regular full-time, non-exempt employees will receive holiday pay based on the regular annual work schedule that they work:

Regular Annual Hours Worked Per Year	Holiday Hours Per Day
Regular 40 hour per week (Includes E-911 Employees)	8 Hours
Police and Detention Center Employees	8.55 Hours
Standard Fire/Rescue Employees	10.6 Hours
Alternate Fire/Rescue Employees	9.6 Hours

3. Holidays are to be taken on the prescribed day unless it is necessary for the employee to work. Regular full-time, non-exempt employees who work on a holiday will be paid for hours worked and will also receive holiday pay based on their specific pay cycle. Holiday pay hours will be paid when employees are required to work a shift scheduled between the hours of 12:00 a.m. and 11:59 p.m. on a designated holiday. This pay is in addition to the holiday hours paid in section 4.3 B2.Holiday pay will not be included in hours worked for overtime calculation purposes.

4. Regular full-time, non-exempt employees who are assigned to shifts, and do not work on a designated holiday will receive holiday pay in accordance with their pay cycle. Holiday pay hours will not be included in overtime calculations.

5. Regular exempt or non-exempt part-time employees that work an average of at least 20 hours per week shall receive a pro-rated amount of holiday pay in the same manner as Regular full-time employees. To receive the pro-rated holiday pay, Regular part-time non-exempt employees must work some portion of the pay period in which the holiday occurs.

6. If a Holiday occurs during an employee's vacation or sick leave the holiday hours will not be deducted from the employee's leave bank of the employee, so that the employee receives holiday pay.

C. Miscellaneous

When an observed holiday falls on a Saturday or Sunday, the County Administrator shall designate when the observed holiday shall be taken, provided the holiday is taken either the week before or the week after the holiday falls on a Saturday or Sunday.

When an observed holiday falls during a period of paid leave, that day will not count as a paid leave day.

Regular part-time employees working an average of at least 20 hours per week shall receive a pro-rated amount of holiday time. To receive the pro-rated holiday amount, Regular, part-time employees must work some portion of the pay period in which the holiday occurs.

When an observed holiday falls on a period of unpaid leave, the employee will not receive credit for holidays during the period of unpaid leave.

When an observed holiday falls during a period of military leave, the employee shall be paid for the military leave and not receive holiday pay in addition to normal pay.

4.4 VACATION LEAVE GUIDELINES

A. Eligibility

1. Regular full time exempt or non-exempt employees IN PAY STATUS are eligible to accrue vacation leave.

2. Regular part-time exempt or non-exempt employees IN PAY STATUS with a regular schedule of at least twenty (20) hours per week are eligible to accrue vacation leave.

B. Use of Time

1. Approval of employees' use of accrued vacation leave on specific dates is at the sole discretion of the Department Head.

C. Crediting and Computation

1. Vacation leave time for Regular employees of Horry County will be accumulated as follows:

Employees Working 2,080 Regular Hours per Year:

Vacation Leave Earnings in Hours					
Years of Service	0 < 5	5 < 10	10 < 15	15 < 20	≥ 20
Earnings per Year	80	120	160	200	240
Earnings per Month	6.67	10.00	13.33	16.67	20.00

Employees Working 2,223 Regular Hours per Year:

Vacation Leave Earnings in Hours					
Years of Service	0 < 5	5 < 10	10 < 15	15 < 20	≥ 20
Earnings per Year	85.5	128.5	171	213.75	256.50
Earnings per Month	7.13	10.71	14.25	17.81	21.38

Employees Working 2,756 Regular Hours per Year:

Vacation Leave Earnings in Hours					
Years of Service	0 < 5	5 < 10	10 < 15	15 < 20	≥ 20
Earnings per Year	106	159	212	265	318
Earnings per Month	8.83	13.25	17.67	22.08	26.50

Employees Working 2,496 Regular Hours per Year:

Vacation Leave Earnings in Hours					
Years of Service	0 < 5	5 < 10	10 < 15	15 < 20	≥ 20
Earnings per Year	96	144	192	240	288
Earnings per Month	8.00	12.00	16.00	20.00	24.00

2. Regular part-time non-exempt employees shall not earn vacation leave time unless they regularly work at least 20 hours weekly. Regular part-time non-exempt employee with a regular work schedule of at least 20 hours per week shall be entitled to earn 50% of the vacation leave time earned by a regular full-time employee. Regular part-time non-exempt employees who do not regularly work 20 hours a week or more shall not earn vacation time.
PART-TIME EMPLOYEES HIRED AFTER JANUARY 1, 2024 WILL NO LONGER ACCRUE VACATION LEAVE TIME. ANY EMPLOYEE THAT IS REHIRED OR REINSTATED AS A PART-TIME EMPLOYEE AFTER JANUARY 1, 2024 WILL NOT ACCRUE VACATION TIME.

3. Regular part-time exempt employees shall earn vacation leave days on a pro-rata basis dependent upon the regular schedule of the part-time employee, as compared to the number of vacation hours earned by a regular full time employee. For example, if the exempt part-time employee regularly works 30 hours per week and full time employees in the same department and class regularly work 40 hours, the 30 hour part-time employee would earn 75% of the vacation days earned by the full time employee as set forth in paragraph B1 above.

4. Should the County utilize other regular annual work hour cycles permitted by federal and/or state law, vacation leave accrual rates will be calculated in the same manner as existing regular annual work hour cycles.

D. Maximum Accumulation

1. Regular Full-time Employees

Maximum Vacation Accumulations for Regular Annual Hours Worked:

Regular Annual Hours Worked	Maximum Accumulation of Vacation Hours
2,080	240
2,223	256
2,756	318
2,496	288

Once employees reach the maximum accumulation in vacation leave hours, they can choose to transfer the vacation leave hours to their sick leave time until they drop below the maximum amount hours per the chart above.

2. Regular Part-time Employees

Regular part-time employees shall be permitted to accumulate up to fifteen (15) days or 120 hours of vacation leave. When regular part-time employees accumulate the maximum allowable vacation leave, they will not earn additional vacation leave until their vacation leave balance falls below the maximum accumulation.

E. Credited Service

1. Cumulative Service

Employees who terminate employment with the County and who are rehired within one (1) year following a break in service shall be given credit for the period of service prior to termination to a maximum of ten (10) years. No credit shall be given for the period between termination and reemployment. Employees who are hired one year or later after a break in employment will be given a new date of hire and will receive no previous credit in earning vacation leave.

2. Leave Accrued While in Leave With Pay Status

Vacation leave will accrue to the credit of an employee who is in leave with pay status such as vacation, sick, military or other leave with pay.

3. Leave Not Earned While in Leave Without Pay Status

Employees shall not earn vacation leave while on leave without pay.

4. Break in Service

An employee experiences a break in service under the following circumstances:

a. By remaining in leave without pay status for a period of more than one (1) year.

b. By separation from County service and subsequent reemployment regardless of lapse of time, an employee is considered to have terminated from County service (as opposed to a transfer) if he/she receives a payout of accrued leave at the time of separation. Exception: (1) Any regular employee separated from County service by a reduction in force shall not experience a break in service if the employee is re-employed within one (1) year in accordance with the procedure which he/she was separated.

EXCEPTIONS

All employees in leave without pay status for more than one (1) year shall not experience a break in service if:

1. The employee is on a military tour of duty with reemployment rights protected under Federal and/or State Law.

2. The employee is on disability leave without pay that has been extended by the County Administrator as allowed by this policy.

In the event a disciplinary act such as suspension or dismissal is reversed as a result of a grievance hearing at the direction of the Administrator, the period in which the employee is not on the department's payroll shall not be considered as a break in service.

F. Vacation Leave Payouts at Termination of Employment

Should an employee separate from the County for any reason, the following guidelines apply to payouts of accumulated vacation leave—less all required deductions (e.g., retirement, FICA, etc.):

For Regular Full-Time Employees:

a. Zero to less than five years	Maximum cash payout is 80 hours of vacation leave.
b. Five to less than 10 years	Maximum cash payout is 120 hours of vacation leave.
c. Ten to less than 15 years	Maximum cash payout is 160 hours of vacation leave.
d. Fifteen to less than 20 years	Maximum cash payout is 200 hours of vacation leave.
e. Twenty and greater years	Maximum cash payout is 240 hours of vacation leave.

Regular Part-Time Employees

a. Zero to less than five years	Maximum cash payout is 40 hours of vacation leave.
b. Five to less than 10 years	Maximum cash payout is 60 hours of vacation leave.
c. Ten to less than 15 years	Maximum cash payout is 80 hours of vacation leave.
d. Fifteen to less than 20 years	Maximum cash payout is 100 hours of vacation leave.
e. Twenty and greater years	Maximum cash payout is 120 hours of vacation leave.

Employees who separate employment from the County, either voluntarily or involuntarily, and are either reinstated or rehired, shall not be entitled to credit for any past vacation leave which may have been forfeited at the time of separation. The employee will earn vacation leave according to his or her date of rehire.

G. PAID LEAVE BUYBACK PROGRAM

In the sole discretion of the Administrator, he/she may designate for employees to request that the County buy back a portion of his/her accrued Paid Vacation Leave Time. To be eligible, the employee must have a paid leave balance of at least 700 hours total unused leave and have utilized at least 40 hours of vacation leave in the last 12 months.

The availability of this program in any year is at the discretion of the Administrator and the availability of funding. The program may be suspended at any time, without notice. For further information concerning details of the Paid Leave Buyback Program, consult Human Resources or the Horry County Government HC Café.

4.5 SICK LEAVE GUIDELINES

A. Eligibility

The following employees are eligible for sick leave.

1. Regular full-time employees who are IN PAY STATUS are eligible to accrue sick leave.

2. Regular part-time employees IN PAY STATUS who work at least 20 hours per week are eligible to accrue sick leave.

3. Approval of employees' use of sick leave is at the sole discretion of the Department Head. Department Heads may establish policies that require employees to provide a doctor's note for absences due to illness. Absences for which Family Medical Leave applies shall be subject to the procedure set forth by law and in these Guidelines.

B. Sick Leave Earnings

1. Full-time Employees

Sick Leave Earnings per Year in Hours

Regular Annual Hours	Monthly Hourly Earnings	Annual Hourly Earnings
2,080	8	96
2,223	8.55	102.6
2,756	10.6	127.2
2,496	9.6	115.2

2. Part-time Employees

A. Regular part-time non-exempt employees shall not earn sick leave time unless they regularly work at least 20 hours weekly. Regular part-time non-exempt employee with a regular work schedule of at least 20 hours per week shall be entitled to earn 50% of the sick leave time earned by a regular full time employee. Regular part-time non-exempt employees who do not regularly work 20 hours a week or more shall not earn sick time.
PART-TIME EMPLOYEES HIRED AFTER JANUARY 1, 2024 WILL NO LONGER ACCRUE SICK LEAVE TIME. ANY EMPLOYEE THAT IS REHIRED OR REINSTATED AS A PART-TIME EMPLOYEE AFTER JANUARY 1, 2024 WILL NOT ACCRUE SICK TIME.

B. Regular part-time exempt employees shall earn sick leave days on a pro-rata basis dependent upon the regular schedule of the part-time employee, as compared to the number of vacation hours earned by a regular full time employee. For example, if the exempt part-time employee regularly works 30 hours per week and full time employees in the same department and class regularly work 40 hours, the 30 hour part-time employee would earn 75% of the sick days earned by the full time employee as set forth in paragraph B1 above.

C. Should the County utilize other regular annual work hour cycles permitted by federal and/or state law, sick leave accrual rates will be calculated in the same manner as existing regular annual work hour cycles.

D. Sick Leave Maximum Accumulation

Maximum Sick Accumulations for Regular Annual Hours Worked:

Regular Annual Hours Worked	Maximum Accumulation of Sick Hours
2,080	720
2,223	770
2,756	954
2,496	864

Once employees reach the maximum accumulation in sick leave hours, they will no longer accrue sick leave hours until they drop below the maximum level.

E. Crediting and Charging Sick Leave

1. Crediting Sick leave

Employees shall not be credited with leave earnings for any month in which they are not in pay status for one half or more of the workdays of the month. Employees who are in pay status one-half or more but not all of the workdays of the month shall be credited with leave earnings for the full month. An employee shall be credited with sick leave earnings while on vacation leave, sick leave or other authorized leave with pay.

2. Charging Sick Leave

An employee's sick leave credit shall be charged for the actual time an employee must be away from the job, based upon their regular hours worked. When a holiday is observed by the employing department while an employee is on sick leave, the holiday shall not be charged as a day of sick leave.

3. Leave Not Earned While In Leave Without Pay Status

Employees shall not earn sick leave while on leave without pay.

F. Verification and Use of Sick Leave

1. Verification

The use of sick leave shall be subject to verification. When there is reason to believe that sick leave is being abused, the Department Head may, before approving the use of sick leave, require documentation from a physician or other documentation as required by the Department Head. An employee may be required to periodically update and re-verify the use of sick leave, and if the employee is exercising Family Medical Leave the documentation and verification process will occur in accordance with Federal law.

2. Use of Sick Leave

An employee is eligible for sick leave for the following reasons.

a. Personal illness (physical or mental) or injury incapacitating the employee to perform duties of the position.

b. An employee shall be allowed to use earned sick leave to attend to sick parents, spouse, or minor dependent children who are sick at home needing parental care.

c. Appointments for medical or dental examination or treatment when such appointment cannot reasonably be scheduled during non-work hours. To the degree possible, examination appointments must be approved in advance by the Department Head.

d. Absences for illness, disability or pregnancy which are foreseeable. An employee shall inform his/her Department Head as far in advance as possible with notice as to the date on which sick leave for disability is anticipated to begin, and will provide necessary documentation in a timely manner as requested and/or required by federal law for FMLA.

e. Treatment of alcoholism and/or drug abuse --- sick leave may be charged by an employee for the purposes of participating in public and/or private treatment and rehabilitation programs for alcohol or drug abuse which have been approved by the South Carolina Department of Mental Health or other appropriate agencies.

f. Bereavement Leave—up to three (3) days of sick leave may be charged by an employee, if approved by Department Head, for bereavement purposes. Any bereavement leave approved beyond three (3) days will be charged to vacation time.

G. The Effect of Employee Separation on Sick Leave

Employees who separate from the County, whether voluntarily or involuntarily, will not receive any amount of sick leave payout and any sick leave balance will be forfeited. If an employee is rehired or reinstated, no past sick leave will be credited to the employee and the employee will earn sick leave according to his or her date of hire.

H. Paid Leave Donations

The County Administrator shall develop guidelines for paid leave donations, contingent upon available funding.

4.6 LEAVE WITH PAY (ADMINISTRATIVE LEAVE)

Administrative leave with pay requested by full-time employees may be permitted at the sole discretion of the County Administrator, and will be considered and approved on a case-by-case basis. Administrative leave with pay requested by part-time employees may be permitted at the sole discretion of the Assistant Administrator or designee.

Administrative paid leave and military paid leave do not require the use of an employee's vacation or sick leave; however, employees on military leave may utilize their vacation leave while on military duty as needed.

4.7 LEAVE WITHOUT PAY

All leave without pay requested by full-time employees must be approved in advance by the County Administrator or his designee, except in cases of disciplinary suspension without pay. Department Heads have the authority to suspend employees without pay for disciplinary reasons with approval from the appropriate Assistant County Administrator (or County Administrator in the absence of an Assistant County Administrator). Additionally, employees who are suspended without pay may not use vacation or sick leave time while suspended. Advanced approval is not needed in cases of unexpected absences where an employee does not have any accumulated vacation or sick leave; however, the department head must report the absence to the appropriate Assistant County Administrator (or County Administrator in the absence of an Assistant County Administrator). Administrative leave without pay requested by part-time employees may be permitted at the sole discretion of the Assistant Administrator or designee.

4.8 PROCEDURES AND REASONS FOR LEAVE

An employee who resigns under these guidelines is eligible for reinstatement according to Section 6.4. An employee who is not covered by reinstatement under Section 6.4 will be eligible for rehire according to normal hiring guidelines.

1. **Request for Leave of Absence Form**

Employees are always required to submit this form to Human Resources when leave is anticipated for any and all non-vacation related leave which extends FIVE (5) DAYS OR LONGER.

2. **Department Notification to Human Resources**

DEPARTMENTS ARE REQUIRED TO NOTIFY HUMAN RESOURCES WHENEVER AN EMPLOYEE IS ABSENT FOR FIVE (5) DAYS OR LONGER FOR ANY REASON EXCEPT SCHEDULED VACATION LEAVE.

3. **Call-In Policy**

Employees who are out on leave without a specific date of return are required to comply with the department call-in policy to inform the department as to his/her status. Failure to follow the call-in policy may result in disciplinary action, up to and including termination.

4. **Length of Leave**

Employees approved for Family and Medical Leave are entitled to up to twelve (12) weeks of leave in a rolling twelve (12) month period.

If the leave is not an approved Family and Medical Leave or leave required due to military service (see Section 4.14 below), then leave will be granted in no more than four (4) week increments, and will be approved completely at the discretion of the Department and Assistant County Administrator.

Any leave that extends longer than twelve (12) weeks is considered an Extended Leave of Absence, and is completely discretionary, except for military leave or leave to care for wounded military member

4.9 COURT/JURY-RELATED LEAVE

1 An employee summoned to jury duty or subpoenaed as a witness (not in the line of duty) shall be granted administrative leave with pay; however, any payments received for jury fees must be submitted to the Finance Department. If employee receives a mileage check with jury pay, employee is allowed to keep the mileage amount and submit a personal check to the Finance Department. If an employee is not scheduled to work on the day(s) he or she is required to be in court, then administrative leave with pay does not apply. This policy does not apply to departments whose employees are exempt from jury duty by law.

2. An employee subpoenaed to testify as a witness or defendant in connection with the performance of his/her job will not be granted administrative leave with pay, since testimony under these circumstances is considered a part of the employee's job assignment. An employee serving in this capacity shall be reimbursed in accordance with existing County policy as appropriate for meals, lodging and travel expenses that may be incurred.

3. In no instance shall administrative leave with pay be granted for court attendance involving an employee's personal litigation matters. An employee may request approval to utilize accrued paid leave time or leave without pay in these circumstances.

4. If an employee is excused from jury duty during working hours, the employee is expected to return to the job. An employee who fails to return to work without approval may be subject to disciplinary action and will have the time charged against his/her accrued paid leave time.

4.10 MILITARY LEAVE

The Uniformed Services Employment and Reemployment Rights Act (USERRA) provides the opportunity for employees who serve in the military to be re-employed within five (5) years of initial deployment. Timely notice in accordance with the law must be provided by the employee in advance of the leave, at the conclusion of military service and of the intent to return to work in order for an employee to be entitled to exercise USERRA rights.

Employees actively serving in the military also have the option to retain a variety of benefits during active military service, including but not limited to an exemption from the early withdrawal penalty for defined contribution plans for qualified reservists called to active military duty. For further details concerning Military Leave, consult Human Resources.

4.11 HAZARDOUS WEATHER AND EMERGENCY LEAVE

The Hazardous Weather and Emergency Policy applies to all employees of Horry County.

1. **Definitions**

   "Emergency Conditions" means circumstances that would expose County employees to harmful or unsafe conditions, as determined by the County Administrator.

   "Extended Emergency Condition" means a Declaration of Emergency with duration of three or more consecutive days.

2. The County Administrator or his/her designee has the sole authority to excuse employees of County government from reporting to work during extreme weather or other emergency conditions. The Administrator shall issue a Declaration of Emergency stating that, because of extreme weather or other specified emergency conditions, employees should not report to work. Unless such a Declaration of Emergency has been issued, all County government employees are expected to report to work.

3. The Declaration of Emergency may apply to all County employees, or only to employees in select geographical region(s). Non-essential employees who live or work within the region(s) specified in the Declaration of Emergency will not be expected to report to work unless the Administrator deems it necessary and the affected employees are able to safely report to work. The County may provide transportation to and from work to affected employees.

4. During a Declaration of Emergency, all essential and direct care services will be maintained. All Department Heads shall identify essential employees by position, classification, or internal title.

5. It may be necessary for the County to establish and maintain emergency work groups as a part of the overall emergency response plan. These groups will consist of County employees who do not perform emergency response functions and not assigned to the Emergency Operations Center. Human Resources will develop the work groups in coordination with the Emergency Management Department and other County departments. The work groups will perform ancillary services and tasks required before, during and after an event or disaster. These work groups may be reassigned to jobs or tasks that may differ from their normal jobs or tasks.

6. Nothing contained in this section precludes the necessary, immediate evacuation of a facility by a supervisor in the interest of personal safety.

7. **Notification of Declaration of Emergency**

   A. **Normal Working Hours**

      a. Once a decision for a closing has been made, it will be communicated from the County Administrator or his/her designee to the Human Resources Director.

      b. The Human Resources Director or his/her designee will transmit the message to each County Department Head or designee.

      c. The County Administrator or his/her designee will issue a statement to the news media concerning the release of County employees due to the emergency.

   B. **Off-Duty Hours**

      Between the hours of 5:00 p.m. and 8:00 a.m., all Declarations of Emergency will be communicated by the Administrator or his/her designee to the news media. In addition, the Administrator or his/her designee will use available resources to communicate to employees including, but not limited to, email, cellphone texts, etc. Employees will be responsible to respond in an appropriate manner to closings as they may be announced and contact their supervisor or other appropriate department contact if they are unsure whether to report or not report to work.

8. **Compensation During Declaration of Emergency.**

In the event Horry County Council declares a Declaration of Emergency and County offices are closed during normal business hours, compensation will be determined as follows:

- Non-essential employees who do not report to work will receive their regular holiday pay, calculated based on the number of hours normal operations are closed.

- Non-exempt employees who report to work when County offices are closed during normal business hours will be compensated for hours worked. They will also receive their regular holiday pay equivalent to the number of hours normal operations are closed.

- Exempt employees below the department head level who are required to report to work when County offices are closed during normal business hours will receive their regular rate of pay. Additionally, they will receive holiday hours equivalent to the number of hours normal operations are closed. For any hours worked beyond their normal schedule, they will be compensated at their regular rate of pay. The Administrator will have sole discretion in determining which employees are required to report to work under the Declaration of Emergency for this additional compensation.

- Exempt employees classified at or above the department head level who report to work when County offices are closed will be paid their regular rate of pay and will also receive holiday hours equivalent to the number of hours normal operations are closed.

A. During a Declaration of Emergency, the Administrator will pay employees not working or reporting late to work for such time lost without having to use accrued paid leave time as long as funds are available and the order applies to all similarly situated employees.

B. Employees who are scheduled off on the day(s) that the County closes its normal operations due to a Declaration of Emergency will not be required to submit paid leave for those day(s) provided that funding is available and the Administrator issues an order authorizing that submission of paid leave time is not required for those employees not scheduled to work. The use of paid leave time during an Extended Emergency Condition may be limited or eliminated at the discretion of the Administrator at any time.

C. Any Declaration of Emergency that remains in effect longer than seven days will be considered an Extended Declaration of Emergency. When an Extended Declaration of Emergency is in effect, employee will be compensated if they report to work as directed by the Administrator or his/her designees, or as directed by the Emergency Plan authorized by the Administrator. The use of paid leave time during an Extended Emergency may be limited or eliminated at the discretion of the Administrator. Should an employee fail to report to work when required, he or she may be placed in a leave without pay status and/or be subject to disciplinary action as outlined in the Employee Guidelines, Section 5.2 B

D. Rate of Pay

For the purposes of this section, all employees will be compensated at their normal rate of pay and in compliance with all legal requirements.

9. **Emergency Leave**

Emergency leave is leave required when an employee cannot attend work during normal operating hours related to an event associated with a Declaration of Emergency. An employee must request emergency leave through the appropriate supervisor and it must be approved by the department head. Emergency leave may be taken with pay or without pay. If emergency leave is taken with pay, the employee must use vacation pay. If an employee's vacation hours balance is zero, the employee may use sick leave hours. If both the vacation hours balance and sick leave hours balance are zero, then the leave must be without pay.

4.12 ABSENCES UNDER THE FAMILY AND MEDICAL LEAVE ACT

A. **Eligibility**

Employees are eligible for leave under the FAMILY MEDICAL LEAVE ACT (FMLA) only if he/she has been employed for 12 months or longer and worked 1250 hours or more. Employees who do not qualify for FMLA may apply for discretionary leave in accordance with County policy.

B. **Description of FMLA Leave**

1. Eligible employees are entitled to receive FMLA leave for up to twelve (12) weeks in a rolling twelve (12) month period, with medical insurance offered at the same terms as while working. Military Caregiver leave may extend up to twenty-six (26) weeks in a rolling twelve (12) month period.

2. The twelve (12) month period is measured on a "rolling" basis, backward from the day the FMLA period would begin.

3. To compute twelve (12) weeks of leave, if an employee is absent for an entire work week, this constitutes one (1) calendar week of leave. If an employee is absent for a portion of a work week, only the actual work days are counted toward the twelve (12) week total. Dependent upon the schedule of the department, individual days absent will be added until the total constitutes a regular one (1) week schedule.

4. An eligible employee must exercise consecutive leave to care for a healthy newly born, adopted, or fostered child. However, other types of FMLA may be taken intermittently or by means of a reduced or modified schedule when necessary and appropriate. An employee who requests intermittent leave must work with the County whenever possible to ensure that the schedule of leave does not unduly disrupt work. During intermittent leave, an employee may be placed in a different job at the same rate of pay to facilitate work flow.

5. Spouses. When both a husband and a wife are employed, their combined right to a leave of absence to care for a child or parent is 12 weeks in a rolling 12-month period.

6. Employees will be required to utilize any sick leave time that he/she has accrued during any FMLA leave. If all sick leave time has been exhausted, employees must use available vacation leave during FMLA leave. If an eligible employee does not have paid leave time accrued, and the leave qualifies under FMLA, the time off of work will be granted, but the leave time will be unpaid. On a case-by-case basis, employees may elect to use partial sick and/or vacation leave to cover insurance costs rather than utilizing leave to cover a full pay period as approved by the Human Resources director or designee.

7. Employees approved for FMLA leave are entitled to be reinstated to their former job or to a comparable job with the same compensation when the employee returns to work.

8. Family and Medical Leave will run concurrently with any other types of leave granted/requested.

C. Reasons that FMLA Leave may be Designated

Eligible employees may be granted up to twelve (12) weeks of FMLA leave in the following circumstances:

1. Employee's **own serious health condition** prevents the employee from being able to perform his/her job;

2. Employee is required to be absent from work **to care for his/her spouse, child, or parent** who suffers from a serious health condition;

3. Leave to care for a **newly born child, adopted child, or foster child;**

4. **Military Leave for Qualifying Exigencies**
   An employee's spouse, child or parent is on active duty or called to active duty in the military, and leave is needed to take care of "exigencies" that arise due to the family member's military duty, such as military events, family assistance programs or briefings, childcare and/or school activities for the child of the military member, or financial or legal arrangements.

5. **Military Caregiver Leave**
An employee may be granted up to twenty-six (26) weeks of FMLA leave if his/her spouse, child or parent incurs a serious injury or illness in the line of duty while on active duty in the military, and the employee is required to be absent from work to care for the family member.

D. Leave Application Procedure

1. Employee must complete Request for Leave of Absence Form within thirty (30) days of need for leave, when foreseeable. If not foreseeable, the request must be submitted upon learning of the need for leave.

2. After receipt of Request, County will notify employee as to whether he/she is eligible and whether need for leave qualifies under the FMLA.

3. If employee is eligible and the need for leave qualifies under FMLA, employee is required to submit a Medical Certification Form if the need for leave is due to the employee's or family member's serious health condition. A qualified medical provider must complete the Certification Form.

4. If a Military Leave for Qualifying Exigency is requested, the employee will be required to submit a Certification that the military member is on active duty or called to active duty, and provide a statement about the nature and details or the leave needed.

5. If the forms received are not fully completed by the employee or medical provider, the application is considered incomplete and the employee will be given seven (7) days to correct the deficiency. Failure to return the completed forms after this period will result in the failure of the absence to qualify as FMLA leave.

6. After the employee has completed and submitted all required forms, the County will forward notice to the employee within five (5) days as to whether the leave will be designated as FMLA leave.

E. Certification of Need for Leave

All requests for leave due to medical reasons for an employee's own condition or that of a family member must be accompanied by a Certification from a Medical Provider. Military leave requests require a Certification as to military service.

The County may request a second or third medical opinion at its expense, or Human Resources may seek clarification from the medical provider concerning a Certification provided.

F. Intermittent Leave

An eligible employee must exercise consecutive FMLA leave to care for a healthy newly born, adopted, or fostered child. However, FMLA leave may be taken intermittently or by means of a reduced or modified leave schedule when necessary or appropriate, including situations where an expected mother has a serious health condition in connection with the birth of her child or a newborn has a serious health condition. An employee who requests intermittent FMLA leave must make a reasonable effort to work with the County to ensure that the schedule does not unduly disrupt the County's operations. During intermittent leave, an employee may be placed in a different job at the same rate of pay to facilitate work flow.

G. Accrued Paid Leave Time Must be Used

An employee approved for FMLA leave will be paid during time out of work from accrued vacation or sick leave time. If there is no accrued vacation or sick leave time, then time out of work on FMLA will be unpaid.

H. Effect of FMLA Leave on Benefits

1. **General Benefits**
Employees who are paid during FMLA leave from accrued paid time off will continue to receive the same benefits that he/she received while working before the leave. If the employee is not paid during the FMLA leave, then the employee is responsible to pay the cost incurred by the County for all ongoing benefits except health insurance.

2. **Health Insurance**
Health insurance benefits will continue to be offered to all employees on FMLA leave at the same terms as when actively employed. Employees on FMLA leave must continue to pay their portion of health benefit plan premiums on the same date that the payment would be deducted from the employee's wages. An employee's failure to pay the employee's portion of health benefit premium may result in a loss of health insurance coverage.

3. **Reimbursement of Premiums**
An employee who does not return to work after the expiration of leave will be required to reimburse the County for its payment of health insurance premiums on the employee's behalf during the leave unless the failure to return to work is due to the employee's serious health condition or other circumstances beyond his/her control.

I. Termination of FMLA Leave

An FMLA leave will end when the first of the following circumstances occurs:

1. Reason described in leave request no longer exists;

2. Employee's own serious health condition resolves and the employee is able to perform his/her job;

3. Family member's serious health conditions no longer requires that the employee take time off from work to care for him/her;

4. "Qualifying Exigencies" that required the employee's time out of work due to a family member's military deployment have been resolved.

5. Arrival of the end date of the leave provided by the employee in the leave request;

6. Expiration of twelve (12) weeks from the date the leave commenced, or twelve (12) total weeks of leave in a rolling one (1) year period.

J. Reinstatement after FMLA Leave

At the conclusion of the leave of absence, the employee is entitled to reinstatement to the former position or a position at the same grade and pay. The employee must provide a "fit for duty" certification and give reasonable notice of intent to return to work.

However, Key Employees (salaried employee in highest paid 10% of all employees) may be denied reinstatement rights if reinstatement is deemed to cause substantial economic injury to operations.

4.13 EXTENDED LEAVE OF ABSENCE-DISCRETIONARY LEAVE-NON-OCCUPATIONAL (Injury or illness has not been approved by insurer as a workers' compensation injury or illness)

A. **Definition**

A leave that extends beyond twelve (12) weeks is considered an "Extended Leave of Absence". The maximum total time that any employee may be absent on leave or on light duty for a non-occupational injury or illness in any rolling twelve (12) month period is 180 calendar days or twenty-six (26) weeks.

Non-occupational and unrelated to employment with the County refers to any injury or illness which is unrelated to an employee's job, role, or position with the County and/or is not approved as a work related illness or injury by the workers compensation insurer.

To compute weeks of leave: An absence for an entire work week constitutes one (1) calendar week of leave. If an employee is absent for a portion of a work week, only the actual work days are counted toward the total. Dependent upon the schedule of the department, individual days absent will be added until the total of days constitutes a regular one (1) week schedule.

Upon the expiration of twenty-six (26) calendar weeks of leave in a rolling twelve (12) month period, the employee must have returned to full duty. Light duty does not constitute full duty. An employee who is unable to return to work at full duty after the expiration of twenty-six (26) calendar weeks will be considered to have been administratively terminated, or may voluntarily resign. An employee who resigns under these conditions is eligible for rehire. In rare circumstances, the County administrator may approve a limited extension to the requirement that an employee be terminated automatically after the expiration of 180 days.

B. Eligibility

All requests for extended leave beyond twelve (12) weeks are considered on a completely discretionary basis, and may or may not be approved subject to the operational needs of the department and the employee's history (except for active military duty or leave to care for a wounded family member which by law may extend longer than 12 weeks).

C. Extended Leave Application Procedure

1. A Request for Leave of Absence form must be submitted, even if the employee has already submitted a Request for Leave form for the first 12 weeks of the leave.

2. Extended Leave requests will be approved in increments of up to four (4) calendar weeks. If an employee's request for Extended Leave is for longer than 4 weeks, a new Request for Leave form must be submitted.

3. If an employee is unable to return to work on the date the approved leave specifies, he/she is required to request an extension of the leave as soon as the employee is aware that the leave extension will be necessary.

4. The employee or the employee's designee should maintain communication each pay period with the employee's Department. The employee (not the employee's designee) may utilize employee's County email account for such communication while not working and on extended leave. The employee may not utilize employee's County email account to engage in work while on extended leave, however.

D. Termination of Extended Leave of Absence

An Extended leave of absence will end upon the first to occur of the following circumstances:

1. The reason described for the needed leave no longer exists;

2. The date arrives that the approved leave was scheduled to end; or

3. The employee has reached the maximum of twenty-six (26) weeks of leave in a rolling twelve (12) month period.

E. Discharge Procedures for Extended Leave of Absence

1. The decision to discharge an employee due to extended leave is at the sole discretion of the Department Head with concurrence of the appropriate Assistant County Administrator or other Administrator designee.

2. The Human Resources Department may assist the Department with communication of the discharge decision; however, the Human Resources Department does not have the authority to discharge employees outside of the Human Resources Department. Employees discharged under this section are eligible for rehire should they be medically cleared to return to work.

4.14 EXTENDED LEAVE OF ABSENCE – OCCUPATIONAL (the employee is approved for workers compensation by the insurer for the injury or illness which occurred in the line of duty)

A. **Definition**

A leave that extends beyond twelve (12) weeks is considered an "Extended Leave of Absence". The maximum total time that any employee may be absent on leave or on light duty in any rolling eighteen (18) month period is 365 calendar days or fifty two (52) weeks.

An employee is defined as having an occupational injury or illness in the line of duty when an employee has an approved workers compensation claim relating to the injury or illness which occurred in the performance of his or her job, role, or position with the County.

To compute weeks of leave: An absence for an entire work week constitutes one (1) calendar week of leave. If an employee is absent for a portion of a work week, only the actual work days are counted toward the total. Dependent upon the schedule of the department, individual days absent will be added until the total of days constitutes a regular one (1) week schedule.

Upon the expiration of fifty-two (52) calendar weeks of leave in a rolling eighteen (18) month period, the employee must have returned to full duty. Light duty does not constitute full duty. An employee who is unable to return to work at full duty after the expiration of fifty-two (52) calendar weeks in any eighteen (18) month period will be considered to have been administratively terminated, or may voluntarily resign. An employee who resigns under these conditions is eligible for rehire. In rare circumstances, the County Administrator may approve a limited extension to the requirement that an employee be terminated automatically after the expiration of 365 days or fifty-two (52) weeks.

B. Eligibility

All requests for extended leave beyond twelve (12) weeks are considered on a completely discretionary basis, and may or may not be approved subject to the operational needs of the department and the employee's history (except for active military duty or leave to care for a wounded family member which by law may extend longer than 12 weeks).

C. Extended Leave Application Procedure

1. A Request for Leave of Absence form must be submitted, even if the employee has already submitted a Request for Leave form for the first 12 weeks of the leave.

2. Extended Leave requests will be approved in increments of up to four (4) calendar weeks. If an employee's request for Extended Leave is for longer than 4 weeks, a new Request for Leave form must be submitted.

3. If an employee is unable to return to work on the date the approved leave specifies, he/she is required to request an extension of the leave as soon as the employee is aware that the leave extension will be necessary.

4. The employee or the employee's designee should maintain communication each pay period with the employee's Department. The employee (not the employee's designee) may utilize employee's County email account for such communication while not working and on extended leave. The employee may not utilize employee's County email account to engage in work while on extended leave, however.

D. Termination of Extended Leave of Absence

An Extended leave of absence will end upon the first to occur of the following circumstances:

1. The reason described for the needed leave no longer exists;

2. The date arrives that the approved leave was scheduled to end; or

3. The employee has reached the maximum of fifty-two (52) weeks of leave in a rolling eighteen (18) month period.

E. Discharge Procedures for Extended Leave of Absence

1. The decision to discharge an employee due to extended leave is at the sole discretion of the Department Head with concurrence of the appropriate Assistant County Administrator or other Administrator designee.

2. The Human Resources Department may assist the Department with communication of the discharge decision; however, the Human Resources Department does not have the authority to discharge employees outside of the Human Resources Department. Employees discharged under this section are eligible for rehire should they be medically cleared to return to work.

4.15 OUTSIDE EMPLOYMENT AND APPROVED LEAVE

Unauthorized work for personal gain while on leave other than leave designated as vacation, personal, or military is prohibited. An employee may not work at another job when he/she has submitted a request for leave to the County certifying that he/she cannot perform their County job due to their own serious illness or to care for an ill or wounded military family member.

NOT A CONTRACT

1. This policy does not create contract rights of any kind or nature.

2. In no case will an employee have a greater right to a job than he/she would have had if he/she had not taken leave under this policy.

SECTION 5

DISCIPLINARY ACTIONS

5.1 SCOPE AND PURPOSE

This section sets forth the guidelines for correcting or eliminating employee performance deficiencies and behavioral problems.

5.2 STATEMENTS OF POLICY

A. Each department is responsible for administering disciplinary actions to employees within the guidelines and requirements of each respective department's operating environment. All disciplinary actions should be issued in accordance with the Horry County Disciplinary Action Procedures on a case-by-case basis, based on the circumstances, and based on the particular deficiency or problems identified.

B. The following disciplinary actions are available for use by supervision:

1. Oral reprimand
2. Written Reprimand
3. Suspension
4. Mandatory participation in Employee Assistance Program (with prior Human Resources consultation)
5. Demotion
6. Discharge
7. Reimbursement of incurred County costs

On a case-by-case basis, Department Heads may utilize any and all of the above actions based on circumstances and problems.

In addition, after appropriate review and approval by the Assistant County Administrator, Department Heads may utilize discharge for any or no reason, for cause or no cause, as Horry County Government is an employment-at-will organization.

If required by the Assistant County Administrator, suspensions may require advance approval of the Assistant County Administrator and/or review by Human Resources.

Human Resources' role in disciplinary actions is in an advisory capacity only: providing support and recommendations. Human Resources does not have the authority to issue disciplinary actions to employees or discharge employees, including administrative discharges, for any reason outside of the Human Resources Department staff. Human Resources staff are those employees assigned to the Human Resources Department, department 105, under the direction of the human resources director.

5.3 PURPOSE AND DISCLAIMER

EMPLOYEES OF HORRY COUNTY ARE EXPECTED TO OBSERVE ESTABLISHED RULES OF WORK AND CONDUCT. THE LISTING OF THE EXAMPLES BELOW IS INTENDED TO DESCRIBE ACTIONS THAT MAY SUBJECT AN EMPLOYEE TO DISCIPLINE. THESE EXAMPLES DO NOT DESCRIBE ALL CONDUCT THAT MAY RESULT IN DISCIPLINE AND ARE NOT INTENDED TO LIMIT ANY SUPERVISOR OR MANAGER FROM ISSUING DISCIPLINARY ACTION AS MAY BE DEEMED APPROPRIATE ON A CASE-BY-CASE BASIS.

THE DISCIPLINARY PROCEDURES GUIDELINES DO NOT CREATE ANY CONTRACTUAL RELATIONSHIP BETWEEN THE COUNTY AND ANY EMPLOYEE. EACH EMPLOYEE IS AN EMPLOYEE-AT-WILL AND SUBJECT TO TERMINATION AT ANY TIME WITH OR WITHOUT JUSTIFICATION OR CAUSE. AN EMPLOYEE MAY ALSO LEAVE THE SERVICES OF THE COUNTY AT ANY TIME WITH OR WITHOUT REASON.

5.4 PERSONAL APPEARANCE

Department Heads will determine appropriate attire and grooming standards according to the needs of the Department. The County Administrator shall have final approval of attire and grooming standards for all County employees.

5.5 TELEPHONE POLICY

County phones are to be used for County business and may be used for personal business on a de minimus basis only. This applies to county cellular telephones, smart phones, land lines and the use of fax machines.

It is the employee's responsibility to ensure that no cost to the County results from their personal telephone calls.

Use of cellular phones or similar communication devices while driving County vehicles is prohibited, except as required in the performance of one's duties.

5.6 USE OF COMPUTER AND INFORMATION TECHNOLOGY

All computer and information technology supplied by the County constitutes County property, and the County reserves the right to access and disclose all messages sent over the internet, telephone or electronic mail system for any purpose without notice to an employee. Employees have no expectation of privacy in connection with any communication sent or received on the County system or utilizing County technology. All County supplied technology including but not limited to phones, electronic devices, computers and related equipment are subject to monitoring by the County at any time without notice.

The County's information system is not to be used in any way that may be disruptive, offensive to others, or harmful to the County or to the morale of the County's employees. Employees shall not use the County's computer system, including electronic mail, internet and information systems, for personal use. The information system shall not be used to solicit or communicate in any way to others in regard to commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. Violation of this policy will result in appropriate disciplinary action up to and including discharge.

5.7 COUNTY VEHICLES

No employee shall utilize a County owned vehicle without having completed a driver training program approved by risk management. Rules of the road shall be followed at all times, including but not limited to use of seat belt restraints. Use of cellular phones and similar devices are not permitted while operating County vehicles, except as required in the performance of one's duties. Only persons conducting official County business may be passengers in County vehicles. County vehicles shall be used only for County business, and not for personal purposes.

5.8 WEAPONS ON COUNTY PROPERTY

Except for authorized public safety personnel on duty with issued weapons and all persons allowed to carry weapons on duty under South Carolina Code of Laws Section 23-31-240, employees are prohibited from carrying or possessing weapons while on County property, including but not limited to firearms or knives, except for pocket knives with a blade of 3 inches or less.

5.9 EXAMPLES OF DISCIPLINARY OFFENSES

Some examples of offenses that may result in disciplinary action include, but are not limited to, those set forth below. **THESE ARE EXAMPLES ONLY; OTHER ACTIONS NOT LISTED MAY SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION.**

1. Failure to follow oral or written instructions of one's supervisor.

2. Inefficiency or lack of application in performance of duties.

3. Failure to report for duty at the assigned time and place.

4. Unexcused absence.

5. Violation of a County or Department policy or procedure.

6. Creating or contributing to unsanitary/unsafe conditions.

7. Engaging in horseplay.

8. Careless, negligent or improper use of County equipment or property.

9. Careless or negligent conduct that endangers or injures others or results in property damage.

10. Failure to maintain satisfactory and/or harmonious working relationships with the public or fellow employees.

11. Tardiness.

12. Failure to wear seat belts or the use of cell phones or electronic devices while operating any County vehicle at any time whether on or off duty. See Section 5.5 for cell phone exception.

13. Conduct on or off duty that has a negative impact on the County. This includes an employee addressing any County matter, behaving unprofessionally to anyone while associated with the County or interacting in any way that would not be appropriate behavior in a County Office while off duty to a member of the public, coworker or any County employee.

14. The use of profanity or abusive language towards a fellow employee or member of the general public while performing official duties as a County employee.

15. Being wasteful of materials, property, or work time.

16. Gambling on County property.

17. Sleeping on duty.

18. Operators failing to maintain County equipment to proper working condition.

19. An employee engaging in a fight on County property while on or off duty.

20. Conviction, entry of plea, entry into a pre-trial intervention agreement, forfeiture of bond or entry of nolo contendere plea or an “Alford” plea to the charge involving violence, theft or moral turpitude whether committed on or off duty.

21. Failure to use safety equipment or refusal to comply with safety rules.

22. Mishandling or mismanagement of an inmate.

23. Dishonesty, including knowingly giving false information, knowingly falsifying records while employed or making false statements when applying for employment

24. Refusal to cooperate in an internal investigation.

25. Improper use of time clocks or the employee's identification card regarding time clock. This includes, but is not limited to, alteration of the employee's card, damage to the card or time clock machine, having some other employee clock in or out the offending employee, clocking in or out for another employee.

26. Unauthorized use or improper use of County equipment.

27. Misuse of County funds or failure to account for funds that are in the possession or control of an employee.

28. Thievery from the County or co-employees.

29. Drinking or possessing alcoholic beverages and/or using or possessing narcotic drugs while on duty.

30. Willfully or recklessly causing damage or destruction of equipment or property belonging to the County, fellow employees or to the general public; unsafe operation of County equipment.

31. Except for authorized on-duty public safety officers and those allowed under South Carolina Code of Laws Section 23-31-240, possession or firearms or other weapons while on County property.

32. Unauthorized or improper use or disclosure of County records, documents or information.

33. Conviction, entry of plea or pre-trial intervention agreement, forfeiture of bond or entry of nolo contendere plea or an Alford plea to the charge of grand larceny whether committed on or off duty.

34. Giving negligent or substandard care to any patient.

35. Refusal to submit to a drug or alcohol screen as required by the Drug Free Workplace Policy, or stand examination by a licensed physician when requested in writing or orally by Department Head in order to establish abilities to perform job duties or potential health risk to the public or fellow employees while on the job, provided that costs for such required examinations shall be paid for by the County.

36. Conviction, entry of a plea or pre-trial intervention agreement, forfeiture of bond or entry of nolo contendere plea an Alford plea to any criminal offense if the violation occurs during working hours, or if it occurs off duty should the offense involve conduct that may present a risk to co-workers or the public if it were to recur on the job.

37. Insubordination.

38. Divulging or misusing confidential information, including removal from County premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind.

39. Refusal to comply with supervisor's written and/or oral directives.

40. Abuse of governmental powers.

41 Reporting to duty while under the influence of intoxicants and/or drugs.

42. Harassment of fellow employees or the public.

43. Conduct that causes embarrassment for the County.

44. Unauthorized work resulting in personal gain while on leave other than leave designated as vacation, personal or military.

45. Engaging in work or other activities that represents or constitutes a conflict of interest with the employee's job with the county.

46. Employee initiated communication with County Council members concerning legitimate employment issues affecting the employee should not automatically expose the employee to disciplinary action, provided that the chain of command is not intentionally circumvented thereby, and the administrator is included in any follow up deemed advisable.

5.10 EMPLOYEE ARRESTS

A. Procedure

Employees who are arrested will be suspended without pay. The following procedure will occur:

1. Human Resources and the Employee's department will review all available information and determine whether the employee violated the County's disciplinary or code of conduct rules without regard to any criminal charge. If a violation is identified, then the department head may take additional disciplinary action up to and including termination with approval from the appropriate Assistant County Administrator (or County Administrator in the absence of an Assistant County Administrator. If information becomes available at any time while the case is pending that identifies a violation by the employee of a disciplinary or code of

conduct rule, the department head may take additional disciplinary action up to and including termination with approval as outlined previously.

2. If no violation of a disciplinary or code of conduct rule is identified while an employee's case is pending, then the employee will remain suspended without pay until the case is resolved and/or otherwise adjudicated.

3. If an employee is found not guilty and/or the case is dismissed, the employee may return to work. If an employee is found guilty or pleads guilty, the employee may receive additional disciplinary action up to and including termination. If the case is dismissed after the employee's successful participation in pre-trial intervention or another diversionary program, or the employee enters a plea of nolo contendere or no contest, the employee may receive additional disciplinary action up to and including termination as if the employee had been found guilty.

4. An employee suspended without pay under this section may not use paid leave (vacation or sick) while suspended.

B. **Pay and Benefits**

1. An employee who returns to work after being suspended without pay for an arrest is not entitled to back pay. The County has no control over arrests and utilizes suspensions in response to employee arrests as a matter of public safety and consistency.

2. While suspended without pay, the employee will be required to pay his or her portion of normal benefit deduction cost. The County will continue to pay its portion of the normal benefit deduction cost as long as the employee pays his or her portion. If an employee fails to pay his or her portion of the normal benefit deduction costs, then the County will not pay its portion and the employee may be terminated from his or her benefits. If the employee is not terminated from benefits for nonpayment while suspended without pay and returns to work, then the employee will be required to follow a payment plan to reimburse the County for its portion of the costs incurred during the period of the suspension. If the employee is not terminated from benefits for nonpayment while suspended without pay, does not return to work, and is discharged voluntarily or nonvoluntarily, then any vacation leave remaining in the employee's paid leave account, will be used toward satisfying any outstanding balance.

   In rare circumstances, the County Administrator or designee may waive the use of suspension in response to an employee arrest if extenuating circumstances exist.

5.11 LOSS OF POSITION QUALIFICATION

Should an employee fail to attain or lose a mandatory position qualification, such as driver's license and/or required certification that render the employee incapable of performing the duties for which employed the employee may be demoted or terminated, solely within the discretion of the Department Head.

5.12 ELECTIONS AND POLITICAL ACTIVITIES

A. Horry County certainly expects its employees to exercise their rights as citizens and to be informed about issues and vote those convictions at the polls. The County encourages all employees to become registered and to vote at every opportunity provided to them.

B. However, employees are not permitted to be involved in the political campaigns that affect that employee's day-to-day work or compromise that employee's effectiveness in providing services for the citizens of Horry County. Partisan political activity by any employee is prohibited during regular working hours. Employees may not use County equipment, vehicles, supplies or any other properties in political activity whether conducted during or after regular working hours. Employees may not display political promotional material of any kind in his/her workspace or in County buildings. Employees subject to federal regulations concerning campaigns and political activities will be required to conform to those regulations.

C. Any employee seeking elective office shall not be obliged to resign from County employment before elected to such office unless a conflict of interest is presented. Notwithstanding any other provision in this section, all employees must comply with State and Federal law concerning election activities. Any employee elected to

public office shall be required to resign if a conflict is created with performance of his/her County duties and the elective office, in accordance with state and/or federal law.

SECTION 6

EMPLOYMENT STATUS AND CHANGES

6.1 SCOPE AND PURPOSE

This section sets forth the policies and procedures for the various types of appointments and separations in the county service.

6.2 STATEMENTS OF POLICY

A. Appointments shall only be made to positions that have been established by County Council, classified by the Human Resources Director, and approved by the County Administrator.

B. The County Administrator, through the appropriate Assistant Administrator (where applicable) and in consultation with the Human Resources department, shall be responsible for the final approval of all employment actions within the scope of this resolution. An established position shall be filled by one of the following types of appointments:

1. Regular
2. Reinstatement
3. Promotion
4. Demotion
5. Transfer

C. Upon appointment to an established position, an employee shall be given one of the following status designations:

1. Regular - Full-Time
2. Regular - Part-Time
3. Temporary - Full-Time
4. Temporary - Part-Time
5. Substitute (Temporary)
6. Seasonal (Temporary)

D. An employee's official date of hire occurs when the employee receives an appointment to a regular full-time or regular part-time position. Employees in a temporary status will have an official date of hire that coincides with the date appointed to a regular status position. Employees do not receive Horry County Government service credit during an appointment to a temporary position.

E. Any person appointed to a position in County service must meet minimum training and experience requirements set forth in the job description for the position unless the Human Resources Director has approved an equivalency to the required training and experience established for the class.

F. When a position receives a title change without a change in salary grade, the incumbent employee shall retain the same status as held under the old class title.

G. All employees will be classified as approved by Human Resources as "Exempt" or "Non-Exempt Exempt employees are salaried, while non-exempt employees are paid based upon the hours he/she works. Pay for jobs classified as exempt do not depend on the number of hours worked per day or week, but are based upon a fixed salary, subject only to those deductions specifically authorized by the Fair Labor Standards Act (FLSA) as consistent with exempt status. No department policy or procedure shall allow impermissible deductions from your salary that are inconsistent with the exempt employee's salaried status.

1. **Eligibility.**
To qualify as exempt, employees generally must meet certain tests regarding job duties and be paid on a salary basis at not less than the amount required by the Fair Labor Standards Act (FLSA). Job titles do not determine exempt status.

2. **Deductions from Pay**
Exempt public employees may have deductions from pay for less than one work day in accordance with County policy, based upon public accountability. Deductions from pay for one or more work days may be implemented as a disciplinary action. An exempt employee may also be required to deduct less than one work day from accrued paid leave time to account for hours not worked.

3. **Exempt Employees Leave without Pay**
An exempt employee may be placed on leave without pay status under the following circumstances:

a. permission for use of accrued vacation or sick leave time has been denied or not requested;

b. accrued paid leave time has been exhausted;

c. employee requests and is authorized to be on leave without pay status;

d. a budget required furlough is implemented.

e. Administrative leave without pay, pending an ongoing investigation (internal or external).

Any employee concerned that his/her salary has been subject to impermissible deductions inconsistent with the Fair Labor Standards Act should contact Human Resources.

6.3 ORIGINAL APPOINTMENTS

A. Upon receiving an original appointment, an employee shall be given status in accordance with the following:

1. Regular Status

An employee appointed to regular status is eligible to receive benefits as defined by County policy. Such appointments may be as full-or part-time. Those employees appointed to regular, part-time positions receive limited benefits as defined by County policy.

2. Temporary Status

An employee appointed to temporary status is not eligible for benefits as defined by County policy, except for participation in the State of South Carolina Retirement program, and subject to any overriding federal or state statutory requirement(s). An employee appointed to fill a position on a full-time or part-time basis shall be given temporary status when:

a. The appointment is temporary as determined by budgetary and/or classification purpose. No person may maintain a temporary status or occupy a temporary position for more than six months in a rolling 12-month period. That is, a person cannot occupy a temporary position more than six months within a twelve-month period beginning at the time of his/her appointment to a temporary position. Should the temporary position exist longer than six months, the department shall re-fill the position with a different person. An exception to this policy is that temporary grant positions may be employed for the full term of the grant; however, if the grant is renewed, the person filling the position must separate from the County and the position must be re-filled by normal hiring practices. Persons occupying Library Substitute positions may remain on payroll longer than six months provided their scheduled work is infrequent; that is, they do not work a standard schedule. Seasonal employees, those employees hired to perform work for seasonal projects, may remain on payroll longer than six months provided that their schedule is related to specific seasonal work. Temporary employees hired by Registration and Elections may remain on payroll longer than six months provided their work schedule is related to periodic election-related tasks. Temporary employees hired to fill a position that is occupied by an employee who is on extended leave per sections 4.13 and 4.14 may be employed longer than six months to accommodate an employee who is absent due to extended leave.

b. The appointment is to replace an employee granted a leave of absence not exceeding six (6) months;

c. The appointment is pursuant to a written contract in accordance with the guidelines for Special Contract Services for a defined period of time in a non-regular position to perform a special service or project not ordinarily performed by employees of the department or institution.

3. Interim Status

An employee may be hired on an interim basis when there is a vacancy created at the level of Department Head, Assistant County Administrator, Administrator, or other positions deemed as critical to County operations. Interim appointments will not extend longer than six (6) months in duration, except that the County Administrator may elect to extend an interim appointment for additional time, not to exceed a total of twelve (12) months unless required for business purposes.

4. Seasonal Status

Employees may be hired to work only on a seasonal basis for recreational or organized camp positions, so long as the job is not performed for more than seven (7) months in any calendar year, pursuant to FLSA Section 13(a)(3). Employees hired with this status are subject to an overtime exemption.

6.4 REINSTATEMENTS

A. An employee who held regular status in any class in the County service prior to separation may be given a reinstatement in accordance with the below listed provisions.

1. The employee was separated from the County service in good standing.

2. Reinstatement is within one (1) year from the date the employee was separated from County service; and,

3. The Department Head approves the reinstatement.

B. If an employee receives a reinstatement, his or her date of hire ("service date" as identified by the County's payroll system) will be adjusted to reflect the time he or she was separated from County employment.

C. Reinstatement does not apply to County retirees who are rehired. Except for the "original hire date" County retirees will receive all new employment dates when they are rehired.

D. Pre-Employment Physicals are valid for 1 year and Drug screens are valid for 30 days unless otherwise approved by the Human Resources Director. Background checks are required for any period of employment separation.

6.5 PROMOTIONS

A. An employee shall be given a promotion when the employee is moved from a position in one class to a position in another class having a greater degree of responsibility and a higher maximum salary.

B. Any County employee who applies for and is considered for promotion to a higher or more responsible position must be fully qualified for the position for which consideration is being given. The Department Head in consultation with the Human Resources Director shall prepare minimum criteria for evaluating all potential candidates for the promotion regardless of the department from which the employee is currently located.

6.6 RECLASSIFICATIONS

A. Reclassification of an established position may result from changes in the duties and responsibilities, a redistribution of work assignments that significantly alter the duties and responsibilities of a position, or revisions of class specifications to reflect accurate levels of work performed.

B. Reclassifications do not apply to and cannot be effected for situations involving the assignment of new duties and responsibilities that have the effect of creating a new position. This situation would result in a new position and would require the advertising process.

C. All reclassifications will be reviewed by the Human Resources Department. Upon review, the Human Resources Department will forward its recommendation to the County Administrator.

D. The County Administrator must approve all reclassifications before they become effective.

6.7 DEMOTIONS

A. An employee shall be given a demotion when the employee is moved from a position in one class to a position in another class having a lesser degree of responsibility and a lower maximum salary.

B. An employee may be given a demotion appointment for loss of position qualification.

C. An employee may be given a demotion as a disciplinary action based on a case-by-case basis by the Department Head, Human Resources Director, and the County Administrator.

6.8 TRANSFERS

A. When possible, the Department Head where an employee is currently working will be notified when an employee is considered for hire by another Department before the final selection of such an employee to fill the vacancy. Unless agreed by the affected Department Heads, at least a one-week notice will be given by the transferring employee.

B. The County Administrator is authorized to transfer employees from one department to another to minimize staffing, increase productivity, improve efficiency of service delivery, and to decrease the cost of service delivery. The affected employees may be transferred to any comparable vacant position in other departments, either voluntarily or as a condition of continued employment. The Human Resources Director shall be consulted to ensure staffing requirements are met prior to effectuation of any transfer.

C. An employee will be considered transferred when moved from a position in one class to a different position in the same class or in a different class having the same degree of responsibility and the same maximum salary.

6.9 SEPARATIONS

A. Resignations

An employee should submit a resignation in writing with reasons, with a minimum of two (2) week notice prior to separation whenever possible; however, this is at the employee's discretion as employment with Horry County Government is at-will. In addition, the Department Head may also choose to forgo the two weeks and require the immediate resignation. An employee who resigns may not rescind a resignation unless the Department Head agrees to the rescission prior to effective date of the resignation.

B. Suspensions

1. A suspension is generally defined as a Disciplinary action which temporarily relieves an employee of duties for a specified period of time without pay. The County Administrator has the authority to suspend with or without pay as determined on a case-by-case basis.

2. A Department Head may suspend an employee as a disciplinary measure for a violation(s) of County Policies and Procedures. Assistant County Administrators may require that Department Heads obtain their advance approval before issuing suspensions, and/or that Human Resources be consulted.

C. **Dismissals**

1. A dismissal is a Disciplinary action taken by the Department Head, upon review and approval of the Assistant County Administrator to discharge an employee from County Service. Dismissals require advance approval from the Assistant County Administrator and consultation with Human Resources. The County Administrator has the authority to overturn dismissal decisions as outlined in Section 2.

2. All dismissal notices shall be in writing and submitted to the employee stating the reason for the dismissal. The written submission of dismissal of the employee may occur before or after dismissal, depending on extenuating circumstances.

3. An employee whose employment is involuntarily terminated is not eligible for rehire. However, the County Administrator *may* waive this prohibition under extenuating circumstances. The former employee must contact HR regarding the procedures and guidelines to appeal the former employee's employment status. The former employee must contact HR prior to applying for any position with the County.

D. Reduction in Force

1. The Administrator shall be responsible for the development of a written reduction in force procedure at any time such procedure becomes necessary.

2. Any regular employee affected by reduction in force shall retain job title status and rights to recall for a period of one (1) year from the date of separation.

3. Competitive areas shall be determined by the Department Head according to critical needs.

4. Employees laid off due to a reduction in force who are subsequently rehired within one (1) year by another department shall have their paid leave credits reinstated except those paid out at separation.

E. Elimination of Department

1. Any regular status employee terminated by the elimination of his/her department shall have first priority for positions that are created after the elimination of the department, for which the terminated employee is eligible and qualified to apply.

2. Any regular status employee terminated by the elimination of his/her other department shall retain status and rights under this section for a period of one (1) year from the date of termination.

3. Any regular status employee who is terminated by the elimination of his/her department and who is subsequently rehired by another department within one year from the date of separation pursuant to this section, shall have paid leave credits reinstated, except those paid out at the time of separation.

6.10 PERSONNEL SETTLEMENT AGREEMENTS

A. With the exception of Worker's Compensation cases, Unemployment Compensation cases, or cases otherwise handled by the County's insurance carrier, the Administrator or County Attorney shall advise County Council of the terms of any Settlement Agreement involving personnel matters. Personnel settlement agreements of $10,000 or greater charged to any County fund must be approved by Council before considered final.

B. All Settlement Agreements shall contain sufficient information so as to fully protect and to relieve Horry County from liability from any and all causes of action as allowed by law.

6.11 VOLUNTEERS AND INTERNS

Horry County relies on Volunteers and Interns to conduct regular business. While these Guidelines do not directly apply to Volunteers and Interns, Volunteers and Interns are expected to conduct themselves in the same professional manner as employees contained in these Guidelines. All Volunteers and Student Interns must be registered with Horry County Human Resources and have followed established procedures for qualification as an Intern or Volunteer prior to performing service for any department. Volunteers and Interns should sign Waivers applicable to each Department they are assigned. Volunteer or Intern opportunities may be terminated at any time without cause or prior notice. Age requirements may apply depending on the Department's needs. If a minor has applied, it is imperative that a parent/guardian give permission for the child to be a Volunteer. Waivers must be updated if they do not address: insurance issues, all possible risk of injuries including death, waiver of damages, and waiver of pay or benefits.

SECTION 7

HARASSMENT

7.1 SCOPE AND PURPOSE

Horry County is committed to maintaining a work environment that is free from discrimination and in which employees at all levels can devote their full attention and best efforts to the job. Harassment has no place in the work environment. The County does not authorize or tolerate any form of harassment **upon any class or characteristic that is protected by law.** This policy applies to management and non-management employees alike, and even to non-employees who harass our employees.

7.2 HARASSMENT

Examples of harassment that are covered by this policy include offensive language, jokes, or other physical, verbal, written, or pictorial conduct relating to any factor protected by law that would make a reasonable person experiencing such behavior feel uncomfortable and would interfere with the person's work performance.

The examples below are just that—examples. It is impossible to list every type of behavior that can be considered harassment in violation of this policy. In general, any conduct based on these traits that could interfere with an individual's work performance or could create an offensive environment will be considered harassment in violation of this policy. ***This is the case even if the offending employee did not mean to be offensive. It is essential that employees be sensitive to the feelings of others.***

7.3 SEXUAL HARASSMENT

Sexual harassment (whether opposite-sex or same-sex) is strictly prohibited. Examples of the types of behavior that are considered sexual harassment in violation of this policy include:

- Sexually offensive jokes or comments;
- Physical assaults or other touching that is sexual in nature;
- Promising favorable treatment or threatening unfavorable treatment based on the employee's response to demands for a romantic, sexual or personal relationship;
- Displays or transmission of sexually oriented reading materials or pictures, including electronic materials;
- Punishing an employee for complaining of sexual harassment.

7.4 HARASSMENT BASED ON OTHER CLASSES PROTECTED BY LAW

Harassment based on other classes protected by law is also strictly prohibited. Examples of the types of behavior that will be considered violations of the sexual harassment policy include:

- Jokes or negative comments about these characteristics;
- Displays or transmissions of reading materials or pictures containing negative material about these characteristics, including electronic materials;
- Vandalism or "pranks" based on these characteristics;
- Name-calling based on these characteristics;
- Punishing an employee for complaining of these types of harassment.

7.5 REPORTING HARASSMENT

The County cannot resolve matters that it does not know about. Every employee has a duty to immediately report harassment so that the County has the opportunity to take corrective action. You should report harassment when:

- You feel that you have been harassed;
- You have seen someone else be harassed.

This is true whether the alleged harasser is an employee, a supervisor or manager, or even a non-employee, such as a vendor with whom the County does business.

To report harassment, contact your supervisor, Department Head, the Human Resources Director, Assistant County Administrator, or the County Administrator.

Complaints of violation of the harassment policy will be referred to Human Resources for investigation. Reports of alleged harassment must be immediately forwarded to the Human Resources Director or the Assistant County Administrator.

Once your report has been received, the County will:

- Conduct a prompt and thorough investigation;
- Discuss the results with the complaining employee and, where appropriate, the action to be taken;
- Keep the investigation and results as confidential as possible;
- If the complaint is substantiated, take appropriate corrective action, up to and including termination.

No employee will be punished for bringing a report of harassment to the County's attention or for cooperating in an investigation. It is a condition of employment for employees to cooperate with investigations and to keep information concerning these matters confidential.

7.6 OUR COMMITMENT TO AN EFFECTIVE NO-HARASSMENT POLICY

Finally, if you feel that the County has not met its obligations under this policy, or if you are not satisfied with the way in which your report of harassment was handled, you should contact the County Administrator. An effective No-Harassment policy depends on all of us, working together, to address this very important subject.

For further information concerning your rights to a work environment free of sexual harassment, including information regarding the Equal Employment Opportunity Commission ("EEOC") and/or the South Carolina Human Affairs Commission, please consult the EEOC poster posted on the Human Resources and other County bulletin boards.

SECTION 8

ETHICS

8.1 SCOPE AND PURPOSE

To establish procedures covering employment in compliance with the South Carolina Ethics Act. Horry County employees are bound by Horry County Ethics Policy and Code of Conduct, which encompasses the South Carolina Ethics Act.

Immediate Relatives—For purposes of this section, "immediate relatives" include spouse, parent, child, sibling, grandparents, parents-in-law, siblings-in-law, daughters or sons-in-law, grandchildren, aunts, uncles, nephews or nieces, or step relationships within the aforementioned categories. This policy shall also apply to persons residing in an employee's home.

8.2 NEPOTISM POLICY

It is the County's policy that relatives will not be employed in regular full-time or regular part-time positions where:

A. One relative would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other.

B. One relative would be responsible for auditing the work of the other.

C. Other circumstances exist which would place the relatives in a situation of actual or reasonable foreseeable conflict between the County's interest and their own.

Where business necessity requires the limitation of employment opportunity of relatives, the means chosen to meet the business necessity shall be those with the least adverse impact on the individuals.

The exclusion from employment should be limited to the job, work crew, shop or unit where the reason for exclusion exists, and should not bar the person from the whole work force, unless the reason for the exclusion would apply to the whole work force.

When it is necessary to dismiss one employee because both spouses are employed by the County, then the spouses will have the opportunity to determine which spouse will remain employed in his/her present position. The County may require one spouse to resign thirty (30) days after marriage if a violation of this policy is caused by virtue of the marriage, and a mutually agreeable solution cannot be reached between the County and the employees.

Reasonable efforts shall be made to comply with this policy through voluntary reassignment.

8.3 CLOSER-THAN-NORMAL RELATIONSHIPS POLICY

Closer-than-normal relationships are relationships entered into by mutual consent between County employees that are amorous, romantic, and/or sexual, including contacts deemed to be the nature of dating or other personal, pre-arranged social activity.

It is the County's policy to prohibit closer-than-normal relationships that create a conflict of interest for the County and its operations. **This policy applies to all employees.**

A non-exhaustive list of prohibited closer-than-normal relationships under County policy is as follows:

1. Relationships between supervisor and subordinate;

2. Relationships between employees employed in the same department where it is reasonable to foresee that a conflict of interest may arise;

3. Relationships between any employees where it is reasonable to foresee that a conflict of interest may arise due to the functions performed by these employees or the information shared between the employees or departments.

4. Actions by employees involved in a closer-than-normal relationship indicate that a potential conflict is created.

If an employee intends to engage in a closer-than-normal relationship or engage in interactions that are closer than normal with another County employee, the employees should notify their department head(s) prior to engaging in the relationship or interaction. Should a closer-than-normal interaction develop before notification, the employees should notify their department head(s) as soon as possible. The department head(s) should inform the appropriate Assistant County Administrator or designee so it can be determined whether a conflict of interest arises due to the relationship or interaction.

8.4 REMEDIAL ACTION FOR CLOSER-THAN-NORMAL RELATIONSHIPS

In the event a report of a prohibited closer-than-normal relationship is made and is denied by the parties involved, the report will be referred to Human Resources for investigation to determine whether such a relationship exists. If a prohibited closer-than-normal relationship is acknowledged or substantiated after investigation, remedial action may be taken by the Department Head, which may include, but not be limited to, any or all of the following:

1. Transfer of one or both of the employees in a closer-than-normal relationship to another department where a conflict of interest is eliminated.
2. Demotion or other classification change of one or both employees in a closer-than-normal relationship where a conflict of interest is eliminated.

Where the above remedies do not eliminate a conflict of interest, it may be necessary for one or both of the employees in a closer-than-normal relationship to resign his or her employment with the County. Should the need for resignation arise, the employee or employees may have thirty (30) days from the time that the conflict arose to resign.

8.5 ETHICAL CONDUCT

A. An employee shall not solicit or accept, directly or indirectly, any gift, offers or promises of anything of value including, but not limited to, money, favors, services, food, transportation, entertainment, honorarium or any other item of value from any business, vendor, potential vendor or anyone who does business, directly or indirectly, with Horry County. Any such solicitation or acceptance is a disciplinary offense and shall result in disciplinary action, up to and including termination.

B. An employee shall not ask, demand, exact, solicit, seek, accept, assign, nor receive anything of value for that employee or any other person in return for:
    1. The discharge of that employee's official responsibilities; or
    2. Forbearance from discharge of that employee's official responsibilities;
    3. Collusion in the commission of fraud against Horry County;
    4. Forbearance from reporting on a matter.

C. Each employee of Horry County shall conduct business or the discharge of duties in such manner as avoids the appearance of impropriety.

D. Any violation of this Section of the policy shall be a disciplinary offense up to and including termination.

E. Employees may seek confidential counsel from the Assistant County Administrator of Administration or Human Resources concerning any ethical issue, or may refer to the Horry County Ethics Policy and Code of Conduct on the Horry County Government Intranet/HC Café for further guidance and information.