



# Personnel Ordinance

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*Presented by*

Rafael Baptista



# Why Are We Updating The Personnel Ordinance

- Current ordinance is difficult to navigate, outdated and conflicts with itself
- Update eliminates conflicting language
- Shortens the ordinance
- Increases transparency by providing employees with greater detail on HR operations
- Creates a consistent (OneBuncombe) approach to personnel management



# Process

Review of  
Personnel  
Ordinance for  
conflicts/edits

Research other  
orgs, statutes,  
laws

Identification/  
communication  
of timeline and  
changes

Make updates  
to Ordinance/  
create policies



# Schedule Of Changes To The Ordinance

COMPLETED	CURRENT	FUTURE
Fall 2021	Spring 2022	Winter 2022
<ul style="list-style-type: none"> <li>COLA Methodology update</li> <li>HHS employee change</li> <li>Conflict of Interest Policy</li> <li>Vehicle Usage Policy</li> <li>IT Acceptable Usage Policy</li> <li>Inclement Weather Policy</li> <li>Remove conflicts in PO</li> </ul>	<ul style="list-style-type: none"> <li><b>Leave Policy</b></li> <li><b>Federal/State Statements</b></li> <li><b>Benefits Policy</b></li> <li><b>Grant Funded Positions Policy</b></li> <li><b>Employee Pay Policy</b></li> <li><b>Supplemental Pay Policy</b></li> </ul>	<ul style="list-style-type: none"> <li>Recruitment and Selection Policy</li> <li>Employee Relations Policy</li> <li>Position Management Policy</li> <li>Finalized Personnel Ordinance</li> </ul>

Temporary Employment Policy to come Summer 2022



# What Is Changing With These Policies?

- Moving several topics from ordinance to policy
- Providing supplemental pay and bilingual pay incentives to employees
- Creating greater clarity around employee compensation, benefits, and leave
- Updating on-call language for all County employees
- Provides clarity on benefits for grant-funded employees



# Benefits Policy

- Moves benefits details from Ordinance to board-approved policy
- No change in employee benefits, just greater clarity of benefits in policy language
- Ensures all language is consistent with federal and state laws



# Leave Policy

- Moves leave details from Ordinance to board approved policy
- Clarifies leave accrual for 12 and 24 hour shift employees
- Clarifies banked holiday hours for all employees: hour for hour worked
- Adds annual community service leave
  - All regular employees are eligible to receive 16 hours of leave for community service



# Leave Policy

- Updated definition of relatives for funeral leave
- Annual Leave Cash Conversion





# Grant Funded Positions

- Edit to existing County policy
- Sets consistent approach for grant-funded employee benefits and compensation
- Makes clear that all grant-funded positions and their salaries must be approved by the BOCC



# Employee Pay

- New policy that does not require board approval (but board does control position classification pay)
- Provides a consistent approach and market-driven strategy for employee compensation
- Ensures more equitable employee compensation
- Shift in 4.5% 6 month raise to initial starting offer
- FEMA Pay



# Supplemental Pay

- New policy that does require board approval
- Sets a consistent standard for on-call pay
- Establishes a bilingual pay system to increase the County's ability to serve residents in a variety of languages
- Creates a consistent process mandating that departments select overtime or comp time for their employees
- Sets consistent shift differential approach for 24/7 operations



# Future Policy Approval

Board Approved Policy / Ordinance	Management Approved Policy
Benefits	Employee Pay
Grant Funded Positions	
Supplemental Pay	
Leave	





# Drug Screen Policy

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# Drug Screen Policy

- Current Language within Personnel Ordinance
  - Requires drug screen of applicants prior to the offering of employment, positive test disqualifies the applicant from employment with County for at least one year
  - Prohibits drugs and alcohol in the workplace
  - Allows for reasonable causes, post-accident and post-injury drug testing
  - Allows for random drug testing (not currently done)



# Policy Considerations

- Major national employers are moving from random drug testing and applicant screening (examples include Amazon and Walmart)
- Research indicates that drug testing disproportionately affects people of color
- Difficult to detect drugs such as cocaine and heroin with a drug test
- Current policy only applies to employees in non-elected departments
- Changing marijuana laws across the United States
  - Marijuana is fully legalized in 18 states and the District of Columbia
  - Medical marijuana is legal in 37 states and the District of Columbia



# Policy Objectives

- Serve as a model of inclusive hiring in the region
- Positions us to foster a more equitable workplace
- Increase our applicant pool in a difficult labor market
- Maintain a drug-free workplace





# Draft Policy For Consideration

- Maintains prohibition of
  - possession and use of illegal drugs
  - being under the influence of alcohol/other substances while on duty or possessing or consuming alcohol while on duty

## Updated Testing Requirements

- Reasonable suspicion testing if at least two employees AND HR suspect the employee is under the influence of drugs or alcohol
- Post-accident testing if an accident causes damage to property or injury to persons.
- Applicant drug screening for positions where driving is a core part of the role.



# Recommended Action

- Hold a public hearing on the Personnel Ordinance
- Approve proposed changes to the Personnel Ordinance
- Approve the following policies: Leave Policy, Benefits Policy, Grant Funded Employee Position, Drug Screening Policy, Supplemental Policy

