Personnel Ordinance

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• Current ordinance is difficult to navigate, outdated and conflicts with itself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

<table>
<thead>
<tr>
<th>COMPLETED</th>
<th>CURRENT</th>
<th>FUTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fall 2021</strong></td>
<td><strong>Spring 2022</strong></td>
<td><strong>Winter 2022</strong></td>
</tr>
<tr>
<td>• COLA Methodology update</td>
<td>• Leave Policy</td>
<td>• Recruitment and Selection Policy</td>
</tr>
<tr>
<td>• HHS employee change</td>
<td>• Federal/State Statements</td>
<td>• Employee Relations Policy</td>
</tr>
<tr>
<td>• Conflict of Interest Policy</td>
<td>• Benefits Policy</td>
<td>• Position Management Policy</td>
</tr>
<tr>
<td>• Vehicle Usage Policy</td>
<td>• Grant Funded Positions Policy</td>
<td>• Finalized Personnel Ordinance</td>
</tr>
<tr>
<td>• IT Acceptable Usage Policy</td>
<td>• Employee Pay Policy</td>
<td></td>
</tr>
<tr>
<td>• Inclement Weather Policy</td>
<td>• Supplemental Pay Policy</td>
<td></td>
</tr>
<tr>
<td>• Remove conflicts in PO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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
<table>
<thead>
<tr>
<th>Board Approved Policy / Ordinance</th>
<th>Management Approved Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>Employee Pay</td>
</tr>
<tr>
<td>Grant Funded Positions</td>
<td></td>
</tr>
<tr>
<td>Supplemental Pay</td>
<td></td>
</tr>
<tr>
<td>Leave</td>
<td></td>
</tr>
</tbody>
</table>
Drug Screen Policy

Presented by
Rafael Baptista/Sharon Burke/Heather Parkinson/Michael Frue
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