

## Attachment #17

### FREQUENTLY ASKED QUESTIONS

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## I. ATTENDING TRAINING, SPECIAL ASSIGNMENTS

### A. *When is travel time on an overnight trip considered work time that must be compensated?*

When an employee takes an overnight trip, travel time by that employee is considered to be paid work time only if the travel time occurs during the employee's normal work hours unless the employee is *required* to drive an automobile. This is true even if the travel time occurs during the employee's regular hours of work on the employee's day off.

**Example:** If an employee regularly works Monday through Friday from 8:00 a.m. to 5:00 p.m., the travel time spent by an employee during these hours on Saturday or Sunday is paid work time. However, travel time before 8:00 a.m. and after 5:00 p.m. on any day, including Saturday or Sunday is not counted as hours worked and the employee is not owed compensation for the travel time outside his regular work hours except as provided below.

#### **29 CFR 785.39**

Travel time is considered hours worked on an overnight trip, even if the travel time occurs *outside* the employee's regular work hours, if the employee is **required to drive** an automobile, train, boat, bus or airplane. An employee is considered to be performing work when "driving." An employee that is not driving (i.e., is a passenger) is not considered to be working. As such, time spent traveling, as a *passenger* in a plane, train, boat, bus or automobile is not paid work time, unless it occurs during the employee's regular work hours.

#### **29 CFR 785.41**

**Example:** An employee drives his personal vehicle to a seminar or training that involves an overnight stay. He is compensated for his travel time. If the employee is a *passenger* in a vehicle or other transportation, he is paid only if the travel time intersects with his normal working hours.

### B. *Is travel time to and from a training site, on the same day, which falls outside an employee's normal scheduled hours of work, paid work time?*

Employers are not required to pay an employee for traveling to the place where their principal work activities will be performed. Therefore, travel from the employee's home to their work site and the return trip home on the same day at the conclusion of the day, regardless of distance, is not paid work time. This is ordinary home to work travel to their work site for the day.

#### **29 CFR 785.35**

#### **Training**

Mandatory off-site training is included in an employee's principal work activity. Travel time to this training will not be paid work time. Mandatory off-site training is any training approved by the department.

#### ***Imada v. City of Hercules 138F.3d 1294 (1998)***

**Example:** An employee normally assigned to work in Barstow drives from his home in Barstow to training in San Bernardino for two (2) months. Her travel time will not be compensated.

### **Temporary Work Assignment**

Travel time from home to work is not paid work time when an employee travels to a temporarily assigned work location that is different from his usual work location.

**29 CFR 785.34/35**

**Example:** An employee on modified duty who is normally assigned to work in Victorville is assigned to work at ARMC in Colton to accommodate his restrictions. His increased travel time is not paid work time.

### **C. Is travel time for a “special one day assignment” in another city or jurisdiction paid work time?**

Employees who regularly work at a fixed location that are given a “special one day assignment” in another city or jurisdiction (that is far from the employee’s ordinary work site) may be entitled to pay for their travel time that occurs outside their regular work hours. Pay for travel time is appropriate where the special assignment is performed for the employer’s benefit and at the employer’s special request to meet the needs of the particular and unusual assignment. Mandatory training or other assignments that are a normal, contemplated and mandated incident of the employee’s employment are **not** entitled to pay for travel time.

**29 CFR 785.37**

#### **Example #1:**

An employee must fly to Sacramento to attend a meeting. The employee drives to the Ontario airport, takes a flight to Sacramento, attends the meeting, flies back to the Ontario Airport, and then must go to their regular work location before driving home. The travel time from the employee’s home to the airport is not paid time. This is ordinary home to work travel. The employee is paid for his time flying, and for all his time until he leaves the office. He is paid up until the time he starts his commute home. His commute home is also unpaid time.

#### **Example #2:**

An employee is a floater, assigned to work at another location one day per week. The employee’s travel time to the other location one day per week is not paid travel time. That time is ordinary home to work travel because the one day assignment to work at a different location is a part of that employee’s regular duty.

### **D. Can employees use a County vehicle to travel to training classes?**

It is at the discretion of the employee’s department. If the department allows this practice, it should not impact the department’s operation. This may be done purely for convenience to the employee, and the employee is not entitled to compensation for the time spent in the vehicle unless the vehicle is required for the training or the employee is required to drive other employees to the training.

## II. MATERNITY, BEREAVEMENT, SICK, FMLA/CFRA LEAVE & COMP TIME

### A. *Are there provisions for employees to take leave to attend to a sick child or other family members?*

#### **Clerical Employees**

Refer to Leave Provision in appropriate MOU

### B. *If an employee runs out of sick time, can they utilize vacation time as sick leave?*

#### **General Employees**

If an employee has exhausted sick leave, vacation leave may be used upon special request of the employee and with the approval of the appointing authority. If the medical condition falls under FMLA, (personal or family medical leave) utilization of accrued vacation time must be granted.

#### ***Consolidated MOU, Leave Provisions, Section 3(a)***

#### **Safety Employees**

Annual leave is a right, earned as a condition of employment, to a leave of absence with pay for the recreation and well being of the employee. Under unusual circumstances, annual leave may be used for sick leave purposes upon a special request of the employee and with the approval of the appointing authority. If the medical condition falls under FMLA (personal or family medical leave) utilization of accrued vacation time must be granted.

#### ***Safety Unit MOU, Leave Provisions, Section 2, Annual Leave (a)***

### C. *What is FMLA and CFRA? What is Pregnancy Disability Leave? Who is eligible to take off FMLA and/or CFRA leave time?*

#### **General and Safety Employees**

The Family Medical Leave Act of 1993 (FMLA) provides job protection to an eligible employee and allows up to 12 weeks (480 hours) of unpaid leave for certain family or medical reasons every 12 months on a rolling calendar basis. A qualified employee is one who has worked at least 12 months and 1250 hours in that time. The California Family Rights Act (CFRA) of 1993 is a state act that provides leave provisions similar to FMLA. Pregnancy Disability Leave (PDL) is a separate act in California and does not run concurrently with CFRA, nor does it require that the employee complete 12 months of service or 1250 hours of service to be covered by PDL. Other than for pregnancy, FMLA and CFRA time run concurrently. To be eligible for FMLA and CFRA the employee must have been employed by the County for at least 12 months and worked a minimum of 1250 hours within the past 12 months. An employee who wishes to take FMLA/CFRA time off must notify their supervisor of the need for leave at least 30 days before the leave begins, if possible. An employee who takes time off for reasons that fall under FMLA/CFRA will be charged for said leave time. Federal and state laws require the County to code FMLA and CFRA leave for all eligible leaves of absence. Per the California Code of Regulations, if an employee requests *medical leave* as defined by CFRA, the employer may require the employee to use sick time. If time off is for *family leave*, the employer may require the employee to use accrued paid time off (Vacation, Comp). A request for absence without pay (AWOP) for family leave may be denied if the employee still has leave balances.

#### ***County of San Bernardino, Human Resources***

#### ***California Code of Regulations 7297.5(b)(2)***

**D. What process is used when an employee wants to take FMLA/CFRA leave?**

**General and Safety Employees**

Once an employer has been notified that an employee wants to take time off as defined under FMLA/CFRA a determination must be made regarding how the leave time will be charged. Medical Leave: Is for the employees *own* serious health condition or the health condition of the employees spouse, registered domestic partner, child or parent. Family Leave: Is for the birth of a child or the placement of an adoptive or foster child into the home. Leave must be taken within twelve (12) months of the birth or placement of the child. Whether the time off is defined as medical leave or family leave, a Request for Extended Sick and Special Leave (RESSL) document must be completed and signed by the employee as soon as practicable. If the employee does not return the RESSL, it should be submitted without signature to allow Human Resources to preliminarily designate the leave as FMLA/CFRA. When the employee is taking time off for any reason other than their own serious health condition, a *Health Care Provider Certification for Family Leave* form or a *Health Care Provider Certification for Medical Leave* form must be completed by the employee and signed by a health care provider. Again, the RESSL should be submitted in advance of the receipt of the form to allow Human Resources to make a preliminary designation of covered leave.

**E. What is the definition of a “serious health condition” as it relates to FMLA/CFRA?**

**General and Safety Employees**

As defined under the Medical Leave Act, a serious health condition is:

1. A physical or mental condition involving either inpatient care in a medical facility or continuing treatment by a health care provider.
2. Any period of incapacity due to pregnancy or for prenatal care.
3. Any period of incapacity due to a chronic serious health condition.
4. Any period of incapacity due to long-term conditions for which treatment may not be effective.
5. Absence for treatment for restorative injury.
6. Absence for treatment to prevent further incapacity.
7. Incapacity for more than three (3) calendar days and subsequent treatment or incapacity, provided that it also involves either:
  - a) two (2) or more treatments by, under the supervision, or on referral by a health care provider; or
  - b) one (1) treatment by a health care provider resulting in a regimen of continuing treatment under the health care provider’s supervision.

In all instances when an employee is taking medical leave as defined by FMLA/CFRA, sick time leave shall be used. The employer can compel use of sick leave. If the employee exhausts sick leave, the use of other accrued leave time shall be granted.

**FMLA/CFRA/County Human Resources**

**F. How is FMLA leave coded on an employee's time sheet?**

**General Employees**

If and when an employee takes leave time as defined in the FMLA they may be required to use their vacation or sick leave balances. An employee may elect to use paid sick leave for a family member's illness according to the sick leave policy. However, the employer cannot require the employee to use sick time to attend to a family member, but can require the use of vacation time for that purpose. The employer can only require the employee to use their sick time for their own personal illness. If an employee takes time off for his or her own serious health condition they may utilize sick time for the duration of the illness or period of absence as defined. If sick time has been exhausted, vacation leave may be used for sick leave purposes. The Department may require the use of vacation and other leave balances for CFRA qualifying leave in place of unpaid leave. The RESSL form should indicate the dates of absence and the number of hours that were utilized during all medical leave. When an employee takes times off to care for a parent, child, spouse, registered domestic partner or the child of a domestic partner they may use a maximum of ½ of their annual accrual of earned sick leave per calendar year. There is no limit to the amount of sick leave a clerical unit employee may use for the care of a family member. Vacation leave may be utilized to accommodate time off for family leave purposes. In every instance where an employee takes leave to provide care for a family member, a signed *Health Care Provider Certification* form must be completed by a recognized health care provider and the original document shall be submitted to Human Resources.

**County Human Resources**

***Consolidated MOU, Leave Provisions, Section 1***

***Code of Federal Regulations 825.207***

***California Code of Regulations 7297.5***

**Safety Employees**

When an employee takes leave time as defined in the FMLA they may be required to use their vacation or sick leave balances. An employee may elect to use paid sick leave for a family member's illness according to the sick leave policy. However, the employer cannot require the employee to use sick time to attend to a family member, but can require the use of vacation time for that purpose. The employer can only require the employee to use their sick time for their own personal illness. If an employee takes time off for his or her own serious health condition they may utilize sick time for the duration of the illness or period of absence as defined. If sick time has been exhausted, vacation leave may be used for sick leave. The RESSL form should indicate the dates of absence and the number of hours that were utilized during all medical leave.

Attendance upon an ill member of the employee's immediate family is an authorized absence as defined under sick leave. Attendance upon the parent(s) of an employee may not exceed a total of eighty (80) hours per calendar year. All family leave time taken shall be documented on the RESSL form accordingly. In each instance a *Health Care Provider Certification* form must be submitted with the signature of a health care provider.

**County Human Resources**

***Safety MOU Unit, Leave Provisions, Section 1(a)***

***Safety Management MOU, Leave Provisions, Section 1(a)***

***G. If an employee and spouse are both County employees, can they take off the same amount of time under FMLA or CFRA?***

**General and Safety Employees**

A husband and wife are limited to a combined total of 12 weeks of leave if the leave is taken:

- a. for the birth of the employee's child or to care for the child after birth
- b. for placement of a child with the employee for adoption or foster care, or to care for the child after placement.
- c. to care for the employee's parent with a serious health condition.

In cases where the employees have each taken 6 weeks of family leave, they are each still entitled to the remaining 6 weeks for medical leave. If FMLA and/or CFRA are taken for any other qualified reason (for example, for your own serious health condition) each employee is entitled to 12 weeks. Further, the disability period for a mother after giving birth (6-8 weeks) will be considered time used for her own serious health condition and would not be subject to the combined 12 week limit.

***County of San Bernardino, Human Resources  
29 Code of Federal Regulations 825.202***

***H. If an employee is off work due to an FMLA issue, can this be mentioned in their evaluation?***

**General and Safety Employees**

Time taken off under FMLA and/or CFRA can be mentioned in an employee's annual evaluation as an explanation of hours used. There can be no adverse consequence or adverse comment based upon the amount of time an employee was on FMLA and/or CFRA leave.

***San Bernardino County Human Resources***

***I. How does a supervisor handle notification from an employee that she is pregnant?***

**General Employees**

If a female employee makes verbal notification of her pregnancy, there is nothing that needs to be done. Absent a modified duty order from a physician, an employer SHALL NOT change her work assignment. Federal statutes have determined that an employer CANNOT make an employee disabled – even if work conditions may be hazardous to her health. (Example: Blood Borne Pathogen exposure, criminal or inmate contact) PREGNANCY ALONE IS NOT A DISABILITY! (unless determined to be so by a Health Care Provider). Once an employee brings in a modified duty notice, the employer shall make every effort to accommodate those restrictions listed. Any uniform requirement shall be specifically addressed on a case-by-case basis and according to any department specific policy.

***State and Federal Statutes***

***Consolidated MOU, Leave Provisions, Section 1(a)(1)***



**Safety Employees**

In addition to the guidelines listed above, per the Safety MOU:

*“An employee who is medically able to perform the duties of her position but who prefers to be reassigned to available duties that are less strenuous and/or less dangerous, may request a reassignment under the conditions listed. If the appointing authority is unable to find other suitable duties, and the employee prefers a leave of absence to continuing to perform her regular duties, a leave of absence with right to return will be granted. “*

**Safety MOU Unit, Leave Provisions, Section 6(d)**

**J. How much time can an employee take off for maternity leave?**

**General and Safety Employees**

A physician’s verification of pregnancy must be submitted to an employee’s supervisor in order for her to qualify for leave pursuant to FMLA and Pregnancy Disability Leave (PDL). PDL only covers the time that the employee is actually disabled as a result of the pregnancy or birth. The pregnant employee is entitled to a total of 28 weeks off. This will include all time taken off before, during and after childbirth. The employee may code their TLR’s as sick (during their period of actual disability), vacation, or absent without pay (AWOP). The FMLA and Pregnancy Disability Leave run concurrently during the first 12 weeks of time off, the PDL allows for an extra 4 weeks off for a total of 16 weeks. Consecutive to this time, CFRA allows for a maximum 12 weeks off for a total of 28 weeks. The employee is responsible to contact their Payroll Specialist to verify continuing benefits if they opt to take time off without pay. According to the MOU, benefit plans will be continued up to a maximum of 12 weeks if the employee is not showing at least 41 hours of paid leave per pay period. After 12 weeks AWOP, the employee may be required to pay the entire amount of their benefits for them to continue.

**EXAMPLE:**

If an employee is ordered off work due to pregnancy for four weeks prior to the birth of the child and then is given a continuing disability for the six weeks after the birth of the child, then the employee’s FMLA time has two weeks remaining. Her job must be secure for two more weeks. Assuming that the employee is released from disability six weeks after the birth, the right to PDL ends and the employee is then entitled to the 12 weeks of leave allowed under the CFRA, for a total of 22 weeks. PDL only extends the leave entitlement by the time the employee is declared disabled as a result of the pregnancy and birth.

**County of San Bernardino, Human Resources  
Consolidated MOU**

**Time Lines – Pregnancy**

FMLA

-----  
12 Weeks Maximum

PDL

-----  
16 Weeks Maximum

CFRA

-----  
12 Weeks Maximum

-----  
Combined = 28 Weeks Maximum

**K. How much time is a new father allowed to take off?**

**General Employees**

A maximum of 40 hours earned sick leave may be used per occurrence for the birth of his child or the arrival of an adoptive child at the employee's home. The FMLA allows up to 12 weeks of leave for the birth, adoption or foster care placement of a child so the remaining 11 weeks will be charged to vacation or holiday leave time, if available. If the employee is medically necessary to care for the infant or spouse, then half of the employee's annual accrual of sick leave may be used. For clerical employees, there is no limit on the use of sick leave to care for sick family members.

**Consolidated MOU, Leave Provisions, Section 1(e)(3) FMLA**

**Safety Employees**

An employee is entitled to a total of 12 weeks of leave during any 12 month period for the birth, adoption or foster care placement of a child in accordance with the FMLA. There is no provision in the current MOU that allows a new father to use sick leave during any of these events unless there is a documented medical need for him to care for the newborn child or his spouse/partner. During the dates that the employee is acting as the medical care provider, sick time may be utilized. Absences taken to allow for "bonding" father to child will be charged against annual leave balances. An employee is entitled to a leave of absence, without pay, with right to return to the position, for the purpose of birth or adoption of a child and/or care of a child, spouse or parent as required by the FMLA.

**Safety Unit MOU, Leave Provisions, Section 6(c) FMLA**

**L. Can a supervisor require an employee to accrue comp time in lieu of paid overtime?**

**General and Safety Employees**

No. FLSA regulations and the Safety MOU prohibit the department from requiring an employee to accrue comp time rather than receive overtime pay.

**M. What are the guidelines for an employee who wants to use comp time?**

**General and Safety Employees**

The general rule is that any employee who has accrued comp time and requested use of this comp time will be allowed to use the time off within a "reasonable period" after making the request, if such request is not "unduly disruptive" to the department's operations. Mere inconvenience to the department is an insufficient basis to deny a request to use comp time. Likewise, the fact that the granting of a request for use of comp time will result in overtime is an insufficient reason to deny a request. In order to turn down a request for comp time, the Supervisor must, reasonably and in good faith, determine that the request for comp time would impose an unreasonable burden on the department's ability to provide services of acceptable quality and quantity for the public during the time requested without the use of the employee's services. The "reasonable period" during which you must grant the request for comp time will depend on the facts and circumstances in each case considering such things as:

- The normal schedule of work;
- Anticipated workloads based on past experience;
- Emergency requirements for staff and services;
- The availability of qualified substitute staff.

Comp time does not have to be granted for the specific dates requested if the granting of that comp time would unduly disrupt operations.

**Example #1:**

On June 1st, an employee requests to use comp time on July 11th and 12th. If there is going to be adequate staffing in the department on July 11th and 12th, the request for comp time should be granted. If the employee's use of comp time on those dates would result in staffing levels that are lower than is reasonable and safe for the department, then alternative dates should be proposed to the employee. As long as the comp time can be used within a "reasonable time" from the date of the request, the requirements of the laws are met. Proposing alternative dates in November, for example, would not likely be considered reasonable.

**Example #2:**

On June 1st, an employee requests to use 2 days of comp time on unspecified dates. The request for use of comp time should be granted. The dates for the employee's leave can be any dates agreed upon by the employee and supervisor, as long as adequate staffing arrangements can be made for those dates

**29 CFR 553.25**

**III. PHYSICAL THERAPY, MODIFIED DUTY PROGRAM**

**A. *Can physical therapy time for an occupational injury be claimed as time worked if physical therapy is on the employee's day off?***

Employers must provide for the medical care, but they do not have to pay employees for attending an appointment on a day off or during non-scheduled work hours. If an employee is on modified duty and attends physical therapy during the scheduled workday, the employee must use accrued sick leave.

**B. *Can an employee with an injury, occupational or not, refuse to participate in the modified duty program?***

**General and Safety Employees**

The modified duty program has proven to be very cost effective in reducing temporary disability payments, medical costs, legal costs, permanent disability awards, and worker's compensation premiums charged to the department. In addition, modified duty positions benefit the employee, as they are therapeutic and can speed the employee's recovery.

**Occupational Injury**

An employee with an occupational injury, who has a modified duty restriction and meets the criteria of the modified duty program, will be assigned to a modified duty position by the appointing authority or his designee. An employee with an occupational injury does not have the discretion to work in the modified duty program. They may be transferred to other Stations/Divisions if no meaningful work is available or the transfer meets the needs of the employee and department.

**Non-Occupational Injury**

An employee does not have the discretion to participate in the modified duty program if he/she has incurred an injury that is not work related. In this situation, the employee has a work restriction and if a modified duty position has been offered to them by the appointing authority or his designee, the employee can refuse to participate. The employee will then have to utilize their own sick leave balance or other appropriate leave until they are returned to full duty status by their personal physician and the County doctor.

#### **IV. EVALUATIONS, EXTENDING PROBATION, WORK IMPROVEMENT PROGRAM**

##### ***A. What is the process to extend an employee's probation? Are there time limits?***

###### **General Employees**

With proper notification, an employee's probationary period may be extended. An appointing authority may extend a probationary period in increments of three (3) pay periods with a maximum extension of fifteen (15) pay periods. It is imperative that the employee is notified PRIOR to the completion of the required number of service hours needed to complete their probationary period. If this is not accomplished, the employee attains regular status. Contact your HRO for assistance to ensure the process is completed properly.

***County Personnel Rules, Rule 7, Appointments, Section 8***

##### ***B. How do you terminate an employee's probation?***

###### **General and Safety Employees**

Prior to completion of the probationary period, or extended probationary period, you shall provide the employee with written notification of termination. Even though the employee is considered an "at-will" employee, it is important to have a valid and documented reason for failure of probation. If the employee was promoted and has regular status in a prior position, they shall be returned to their former department and classification or a comparable classification. In either circumstance, the employee does not have a right to review or appeal the action.

##### ***C. How do you process an evaluation when the employee is off on long-term leave or disability?***

###### **General Employees**

If the employee is on an extended paid leave, the evaluation shall be held in abeyance until such time they return from leave. The supervisor must notify their Payroll Specialist.

***D. What should you do if an employee is due a merit increase and they are being rated unsatisfactory or below standards on a performance appraisal report?***

**General Employees**

If you are going to rate an employee unsatisfactory or below standards and deny them a merit advance, you must follow one of two procedures:

**#1:** If the employee is going to be rated below standards or unsatisfactory, you must give the employee written notice of an inadequate work performance at least three (3) pay periods prior to giving them their performance evaluation, which coincides with the step advance eligibility date. If this procedure is followed, the step advance shall be denied. If the employee's step is denied, the employee will be re-evaluated after three (3) pay periods from receiving their below standards or unsatisfactory evaluation. If they receive a meets standards or exceeds, the employee shall be granted the merit advancement effective at the beginning of the pay period in which the meets standards or exceeds standards evaluation was administered.

***Consolidated MOU, Merit Advancements***

***Consolidated MOU, Merit Advancements, Section 4, Denied Steps***

**#2:** If you fail to give the employee notice three (3) pay periods in advance of their unsatisfactory or below standards evaluation, the merit increase shall be held in abeyance. The supervisor then must re-evaluate the employee after three (3) more pay periods from the date of the original evaluation. If the employee is still unsatisfactory or below standards at the second evaluation, the step increase will be denied. If the employee is not re-evaluated after the 4th pay period of the original evaluation, they will be automatically deemed as meeting job standards and be granted their merit advancement retroactive to the original eligibility date. If they are rated within the three (3) pay periods, as meeting job standards or exceeding job standards, the step shall be granted retroactive to the original step advance eligibility date.

***Consolidated MOU, Merit Advancements***

**V. SEPARATION FROM EMPLOYMENT, SEPARATION REPORTS, EMPLOYMENT VERIFICATIONS**

***A. What documents are necessary when an employee notifies their supervisor that they intend to separate their employment from the County?***

**General and Safety Employees**

When an employee notifies their supervisor of their intent to separate their employment with the County due to retirement or resignation, the supervisor or department representative should ask them for a letter of resignation or Separation Report, although an oral resignation is still considered official notification.

***B. When completing the County Separation Report, what rating should you give the employee?***

**General**

The rating should be based on the most recent and timely work performance evaluation and should accurately reflect the employees work performance.

***C. When a supervisor receives a telephone call about the performance of a current or ex-employee, what information can be provided?***

Supervisors and other employees are only to verify that employee works or did work at the County, the position they held, and date of employment. All other inquires require a signed release form the employee which should be reviewed by the department's Human Resources Officer. Some departments may have a more specific policy that should be adhered to.

**VI. MISCELLANEOUS QUESTIONS**

***A. Does the department have to pay appellants for attendance at Civil Service hearings?***

**General and Safety Employees**

General and Safety employees who are appellants in a Civil Service Commission hearing should receive pay for attendance at hearings that occur during hours that such employees have been scheduled to work. However, employees who are appellants in Civil Service Commission hearings should *not* receive overtime pay for attendance at hearings at times or on days that fall outside these employees' scheduled hours of work.

***B. Are employees entitled to pay for time spent on matters where the employee is a party to an action against the County?***

**General and Safety Employees**

General and Safety employees who are plaintiffs in a lawsuit against the County or are parties to any other actions involving personal matters are *not* entitled to receive pay for time spent on court appearances.