



# RICHLAND COUNTY COUNCIL

## ADMINISTRATION AND FINANCE COMMITTEE

Kelvin Washington  
District 10

Greg Pearce  
District 6

Joyce Dickerson, Chair  
District 2

Kit Smith  
District 5

Val Hutchinson  
District 9

*February 24, 2009*  
*6:00 PM*

**Richland County Council Chambers**  
**County Administration Building**  
**2020 Hampton Street**

### **Call to Order**

### **Approval of Minutes**

January 27, 2009: Regular Meeting

Pages 3 – 5

### **Adoption of Agenda**

### **Items for Action**

1. An ordinance amending the Fiscal Year 2008-09 Industrial Park budget to appropriate fifty thousand dollars (\$50,000) for expenses related to economic development projects Pages 6 – 8
2. Amendments to Human Resources Guidelines and Policies: Pages 9 – 91
  - a. An ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2, entitled “Administration”
  - b. Request to approve the amended Employee Handbook and Human Resources Guidelines
3. An ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General Pages 92 – 95  
*(Jackson)*

4. Pioneer Bowl / Harambee Festival Funding Request

Pages 96 – 99  
*(Livingston)*

**Items for Discussion / Information**

There are no items for discussion / information.

**Adjournment**

*Staffed by: Joe Cronin*

# MINUTES OF



## RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, JANUARY 27, 2009 6:00 P.M.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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### MEMBERS PRESENT

Chair: Joyce Dickerson  
Member: Valerie Hutchinson  
Member: L. Gregory Pearce, Jr.  
Member: Kit Smith  
Member: Kelvin E. Washington, Sr.

**ALSO PRESENT:** Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Matthews, Joe Cronin, Larry Smith, Stephany Snowden, Pam Davis, Joe Kocy, Lillian McBride, Donny Phipps, Teresa Smith, Dwight Hanna, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting started at approximately 6:02 p.m.

### ELECTION OF CHAIR

Ms. Smith moved, seconded by Ms. Hutchinson, to nominate Ms. Dickerson. The vote in favor was unanimous.

### APPROVAL OF MINUTES

**November 25, 2008 (Regular Session)** – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Pope suggested that the first item on the agenda be placed at the end of the agenda.

Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the agenda as amended. The vote in favor was unanimous.

**ITEMS FOR ACTION**

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article I, in general; and Article II, Administration** – Ms. Hutchinson moved, seconded by Ms. Smith, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

**Request to approve an amendment to the lease agreement between Richland County and Palmetto Health Alliance** – Mr. Pearce moved, seconded by Ms. Hutchinson, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

**Amendments to Human Resources Guidelines and Policies:**

- a. **An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2, entitled “Administration”**
- b. **Request to approve the amended Employee Handbook and Human Resources Guidelines**

Ms. Smith moved, seconded by Mr. Pearce, to defer this item until the February committee meeting.

The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions, so as to add a new section regulating the naming of buildings** – Ms. Hutchinson moved, seconded by Ms. Smith, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

**Budget Amendment (\$84,887) to cover a deficit for overtime, part-time employment, and operating expenses in the Board of Voter Registration Department** – Ms. Smith moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; Section**

**Richland County Council  
Administration and Finance Committee  
January 27, 2009  
Page Three**

**16-19, Appeals; and Section 16-22, Penalties; so as to amend the appeals process** – Mr. Pearce moved, seconded by Ms. Hutchinson, to go into Executive Session. A discussion took place.

Mr. Pearce withdrew his motion.

Mr. Pearce moved, seconded by Ms. Hutchinson, to forward this item to Council with a recommendation to change the days to appeal from 10 business days to 15 business days and to receive further information from Council's attorney before First Reading. The vote in favor was unanimous.

**ITEMS FOR DISCUSSION/INFORMATION**

**Discussion of a possible trip to Washington, D.C. to pursue federal stimulus funds** – This item was retained in committee.

**Energy Audit Update** – This item was retained in committee.

**ADJOURNMENT**

The meeting adjourned at approximately 6:55 p.m.

Submitted by,

Joyce Dickerson, Chair

The minutes were transcribed by Michelle M. Onley

## Richland County Council Request for Action

**Subject:** Industrial Park Fund Balance Amendment

### **A. Purpose**

Council is requested to approve a \$50,000 Industrial Park Fund Balance Amendment.

### **B. Background / Discussion**

The Industrial Park account provides funding for economic-development related items.

The FY 09 Industrial Park budget was \$257,000.

	<b>Recurring</b>	<b>One Time</b>	<b>Total</b>
Export Consortium	\$10,000	-	\$10,000
USC Incubator	\$25,000	\$50,000	\$75,000
Engenuity	\$25,000	\$15,000	\$40,000
RC Strategic Plan	-	\$50,000	\$50,000
Central SC Alliance	\$82,000	-	\$82,000
<b>Total</b>	<b>\$142,000</b>	<b>\$115,000</b>	<b>\$257,000</b>

Certain economic development-related items have come up during the current fiscal year which were not appropriated during the FY 09 budget process. The largest financial impact is legal fees. Legal fees for economic development items were previously paid out of other accounts, but are now being shifted, appropriately, to this account for disbursement.

Further, President Obama's Economic Stimulus Package was not foreseeable at the time the FY 09 budget was developed. At the February 17, 2009 meeting, the Economic Development Committee recommended \$25,000 from the Industrial Park Fund be used for legal assistance in garnering economic stimulus funds specifically for Richland County purposes.

The expenditures not appropriated in the Industrial Park Account, but expended thus far in this fiscal year, include \$5,000 for the SC Minority Business Enterprise Center, and legal expenditures totaling over \$15,000. Projected legal expenditures through the end of the fiscal year total approximately \$50,000. This projection is the result of five currently pending economic development projects, each of which takes numerous hours to negotiate FILOTs and other economic development related incentives. The potential investment from these five companies totals \$227,000,000, and the creation of 100+ jobs. The \$50,000 projection is also inclusive of the \$25,000 proposed for the legal assistance in garnering economic stimulus funds specifically for Richland County purposes.

As stated, legal fees were not accounted for in this particular account during the FY 09 budget process, but will be appropriately budgeted in FY10 and thereafter.

The current Industrial Park Fund Balance totals \$648,212.00. Therefore, it is at this time that we are requesting a fund balance amendment in the amount of \$50,000, leaving a projected fund balance of \$598,212.00.

**C. Financial Impact**

We are requesting \$50,000 from the Industrial Park Fund Balance, which is currently \$648,212.00. If approved, \$598,212.00 will remain in Fund Balance.

**D. Alternatives**

1. Approve the fund balance amendment as requested.
2. Do not approve the fund balance amendment.

**E. Recommendation**

It is recommended that Council approve the requested \$50,000 Industrial Park Fund Balance Amendment.

**Recommended by:** J. Milton Pope      **Department:** Administration      **Date:** 2/10/09

**F. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 2/12/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: Approval would require a budget amendment.

**Legal**

Reviewed by: Larry Smith

Date: 2/18/09

Recommend Approval

Recommend Denial

No Recommendation

Comments:

**Administration**

Reviewed by: Roxanne Matthews

Date: February 18, 2009

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Recommend approval of the \$50,000 Industrial Park fund balance amendment. Projected legal expenditures from this account through the end of the fiscal year total approximately \$50,000. This projection is the result of legal fees associated with five pending economic development projects, as well as the \$25,000 recommended by the Economic Development Committee for legal assistance in garnering economic stimulus funds specifically for Richland County purposes.



# Richland County Council Request of Action

**Subject:** Employee Handbook and HR Guidelines

## **A. Purpose**

County Council is requested to: approve removing most of the personnel section of the Richland County Code; approve the updated Employee Handbook; establish the HR Guidelines; provide the County Administrator the authority to approve, changes and/or deleted HR Guidelines consistent with the Employee Handbook as approved by Council; and to approve some policy changes.

We are requesting that we update the process for Richland County personnel policy administration. All Richland County personnel polices are in the form of ordinances. Most of the ordinances are over 15 years old. The current structure does not permit the County Administrator to make administrative changes or develop administrative guidelines.

## **B. Background / Discussion**

### **Origin of Issue:**

Administration and Human Resources

### **Lead Department:**

Human Resources

### **What are the Key Issues (Precipitation of Project):**

HRD began the development of a new personnel policy administration process for the following reasons:

- Need to Update Richland County Code of Personnel Ordinances
- Maintain Legal Compliance with New and Changing Laws
- Discourage Illegal Actions or Undesirable Activities
- Keep Up with New and Changing Technology (i.e. Intranet, Cell Phones, Small Recording Devices, Medical Records, Mini Cameras, etc.)
- Clearly distinguish between polices, guidelines, and department SOP's
- Provide More Detailed Supervisory Guidance
- Formalize the process for department SOP's
- Clearly Communicate Expectations to Employees and Supervisors
- Utilize Best Practices in Human Resources Management
- Reduce Logistical Burden of County Council
- Create Consistency in Enforcement of Policies and Procedures
- Reduce Grievances, Litigation, EEOC and SHAC Complaints
- Inform and Educate Employees
- Provide an Ethical Process Relating to Employees
- Promote a Positive Work Environment
- Support and Properly Document Necessary Disciplinary Action
- Avoid Charges of Unlawful Discrimination

- Promote Equal Employment and Diversity
- Balance Respect for Employees and Employee Accountability
- Create Greater Efficiency for Supervisor, Department Heads, Administration, and Human Resources
- Reorganize Format to a More Accessible and User Friendly Format
- Make grammatical language edits and clarify definitions

**Date Ready for Implementation:**

Upon Council approval and presentation to County departments and employees.

**Multiple Year Project:**

Yes

**Estimated Work Hours for Completion:**

Approximately 2000 man hours have gone into the completion of this project

**Process to Date:**

- Drafted Employee Handbook = Policies reviewed, commented Approved by Department Heads and County Administration
- Drafted Human Resources Guidelines = Guidelines reviewed, commented Approved by Department Heads and County Administrator
- Human Resources Consulted with County Administration, County Legal Department, and Department Heads
- Presented Employee Handbook and Human Resources Guidelines to Outside Legal Counsel (Attorney Vance Bettis) for review and comment
- Met with Attorney Bettis to review each of his comments page by page
- Made Revisions Based on Outside Legal Counsel
- Prepared Guidelines and placed on the Intranet Site for Department Heads to View Updated Version

**Process Plan for Future Action:**

- County Council to Approve Employee Handbook and authorize Human Resources Guidelines
- Authorize County Administrator to approve Human Resources guidelines and make additions, deletions and changes thereto consistent with the Employee Handbook
- Remove most policies in the County Code and place in the Employee Handbook
- Changes to Handbook in the Future Made through County Council approval
- County Administrator Approves and Administers Human Resources Guidelines to Comply with County Policies
- Human Resources Manages Human Resources Guidelines
- Department Heads Have Input Into Guidelines Through County Administrator and Human Resources

**Reference:**

All other progressive Counties (i.e., Charleston County, Mecklenburg County) researched in the past few years do not have their HR Guidelines codified in the County Code. They either never were in the County Code or were removed and put into a Guidelines Manual in order for more efficient management.

### C. Financial Impact

Approving the changes as presented will have no immediate financial impact.

### D. Alternatives

1. Leave Code as it stands and do not approve the employee handbook to take it's place.
2. Leave Code as it stands and do not approve the HR Guidelines.
3. Approve updating Employee Handbook, authorization of HR Guidelines, provide authorization to County Administrator to administer HR Guidelines and approve proposed policy changes.

### E. Recommendation

Human Resources prepared this action at the direction at the request of County Administration and recommends approval of both the Employee Handbook and the HR Guidelines, authority of County Administrator to administer HR Guidelines and proposed policy changes. Additional ordinance amendments, as recommended by the County Administrator, are included on pages 11-22.

### F. Reviews

#### Finance

Reviewed by: Daniel Driggers

Date: 1/20/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation based on policy decision with no financial impact.

#### Legal

Reviewed by: Larry Smith

Date: 1/20/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

#### Administration

Reviewed by: Tony McDonald

Date: 1/21/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as presented.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-08HR

AN ORDINANCE REPEALING SECTIONS OF THE RICHLAND COUNTY CODE OF ORDINANCES, SPECIFICALLY THE PROVISIONS OF ARTICLE VIII, ENTITLED “PERSONNEL REGULATIONS”, OF CHAPTER 2, ENTITLED “ADMINISTRATION”.

## **Additional amendments recommended by the County Administrator:**

### **Sec. 2-31. Emergency ordinances.**

(a) An emergency ordinance may be enacted only to meet public emergencies affecting life, health, safety, or the property of the people. Such an ordinance may not levy taxes, grant, renew or extend a franchise nor may it impose or change a service rate.

(b) Each emergency ordinance shall contain a declaration that an emergency exists, defining the emergency, and shall be entitled an "Emergency Ordinance."

(c) Emergency ordinances require no readings or prior publications before adoption by county council.

(d) Emergency ordinances require a two-thirds (2/3) affirmative vote of members present for adoption.

(e) An emergency ordinance is effective immediately on the date of adoption and shall expire automatically on the sixty-first day following the date of enactment.

(f) The clerk of council shall be responsible for indexing and providing for compilation of the emergency ordinance adopted and shall, with the **county attorney's** assistance, cause a copy of the emergency ordinance to be filed in the office of the clerk of court.

### **Sec. 2-43. Preparation, publication and notice.**

Unless waived by a majority vote of those members of the council present and voting, no ordinance or regulation shall be enacted or promulgated by the council unless it has been prepared or reviewed by the **county attorney**, or other competent attorney approved by the council, and his approval as to form and legality of the proposed ordinance or regulation is endorsed thereon. All ordinances, regulations, resolutions and actions of the council shall be deemed published and public notice thereof shall be effective as of the date the formalities of enactment hereinabove provided are complied with, and are entered into the minutes of the council.

### **Sec. 2-87. Powers and duties.**

The powers and duties of the county administrator shall be:

- (1) To direct and supervise the administration of all county officials and departments for which the council is responsible, or may hereafter be responsible, including specifically the construction, maintenance and operation of all county roads, bridges, drainage, buildings and other public works, and the care and maintenance of all personal property owned by the county; the administration of personnel policies, purchase of all supplies and equipment, finance, accounting, budgeting, payroll,

auditing and any other administrative responsibilities necessary for implementation of the council's policies;

- (2) To appoint, and when in his discretion the welfare of the county requires it, suspend, discharge, transfer, remove or otherwise deal directly with all employees excepting only those employees and/or officials who are appointed directly by the council or who are employed in the offices of elected officials and officials appointed by an authority outside county government as those terms are used in South Carolina Code, 1976, section 4-9-30(7);
- (3) To see that all ordinances, resolutions and orders of the council and all laws of the state which are subject to enforcement by him or by officers or department heads and subject, under this article, to his direction and supervision are faithfully executed;
- (4) To prepare and submit the annual budget and capital program to the council and to execute the budget and capital program adopted by the council, approving all disbursements and expenditures as budgeted and/or authorized by the council;
- (5) To confer with and advise all other elected or appointed officials of the county who are not under the immediate control of county council, but who receive financial support from the council, such as probate judges, magistrates, solicitor, sheriff, coroner, auditor, treasurer and the like;
- (6) To examine regularly at periods fixed by the council the accounts, records and operations of county boards, commissions, departments, offices, and agencies which receive appropriations from the council; to make regular, monthly reports to the council on county fiscal and other affairs as are appropriate; to keep the council fully advised on the financial conditions and future needs of the county; and to make such recommendations on county affairs as he deems necessary;
- (7) To submit to the council at the end of each fiscal year a complete report on the finances and administrative activities of the county for the preceding year; and
- (8) To execute such other powers and duties as may be prescribed from time to time by the council.

**Sec. 2-120. Same--Responsibilities, powers and duties.**

The director of finance and budget shall be the chief administrative finance officer of the county, responsible to the county administrator for the performance of his duties and responsibilities which shall be to:

- (1) Direct the county office of finance and budget and supervise its staff and activities;
- (2) Approve all warrants issued by officers of the county and draw drafts in payment thereof;

- (3) Maintain current accounts of all county budget expenditures and make periodic reports thereon as required by the county administrator;
- (4) Maintain a current inventory of all county property, real and personal; and collect and account for all income from rental or sale of same;
- (5) Receive all requests from county offices and agencies in excess of budget allowances, and prepare recommendations for the county administrator to submit to the council for consideration thereof;
- (6) Obtain and supervise contracting and payments for all insurance on county property, including liability and related insurance;
- (7) Cooperate with the county council, treasurer, **attorney** and other officers concerned in the preparation and sale of all county bond issues and other long-term financial transactions;
- (8) Cooperate with the county auditor, treasurer and other county officers in securing annual and special audits of all county accounts as required by law or directed by council; and
- (9) Serve as the trust officer of the county and be granted authority to sign necessary documents and create accounts for the proper maintenance of such funds, provided that such procedures shall be approved by the county administrator.

## DIVISION 7. **COUNTY ATTORNEY**

### **Sec. 2-136. Office established.**

There is hereby established the office of the **county attorney**, who shall be the chief legal officer of the county. The **county attorney** shall be retained from the membership of the county bar by the county council and shall serve at its pleasure.

### **Sec. 2-137. Eligibility.**

No member of the council or of the county legislative delegation, or any partner of any such member, shall be retained as **county attorney** or assistant county attorney, or perform any service for compensation as an attorney for the council, any county agency which is funded in whole or in part from county funds, or for any board, commission, committee, or agency of the county over which the council has any appointive powers. No member of any county board, commission, committee, or agency which is funded in whole or in part from county funds, or any board, commission, committee or agency of the county over which the council has any appointive powers, or any partner of any such member, shall be attorney or do any legal work for such board, commission, committee, or agency; provided, however, that, a partner of such member may serve as **county attorney** or as an assistant county attorney.

**Sec. 2-138. Duties and responsibilities.**

The **county attorney** shall represent and defend the county and all of its officers in any of the courts of this state or of the United States, shall do such work in connection with county real estate conveyancing, title work and bond issues, shall bring all actions and proceedings that may be necessary to enforce payment and collection of any claims existing in favor of the county or of any of its officers, boards, or agencies, and shall advise the county administrator and all county officers and department heads in all matters wherein they may seek advice or counsel. The **county attorney** shall meet with the council and the county legislative delegation whenever requested for the purpose of advising them as to any matters that may properly come before them.

**Sec. 2-139. Compensation.**

The **county attorney** shall receive compensation for his services in the amount determined by the council. The annual salary of the **county attorney** shall constitute his total compensation from the county for all of the services enumerated above, except under unusual circumstances as directed by council.

**Sec. 2-140. Annual appropriation.**

The council shall establish in the annual operating budget the compensation of the **county attorney**. Such budget shall also provide for the compensation of any assistants employed pursuant to section 2-141 of this division.

**Sec. 2-141. Assistants.**

The **county attorney** may employ such staff and assistants for positions approved through budgetary appropriations by council as are deemed necessary to the performance of the duties of the office.

**Sec. 2-142. Employment of attorney, other than county attorney, by council agencies.**

No officer, board, commission, committee, or agency in the county receiving any county funds or appointed in whole or in part by the council may employ an attorney other than the **county attorney**, or agree to pay for legal services out of public funds without first obtaining the **county attorney's** approval of the employment of such attorney. Provided that, in cases where the amount of outside legal fees to be paid exceeds twenty-five hundred dollars (\$2,500.00), the approval of the county council must also be obtained.

**Sec. 2-143. Settlement of claims.**

With the consent of the county administrator or his designee, the **county attorney** shall have the authority to settle and approve payment of disputed claims submitted to the county in an



amount not to exceed fifteen hundred dollars (\$1500.00) and pay the same from the appropriate account.

With the consent of the county administrator or his designee, the county attorney shall have the sole discretion to decide whether to file an appeal or to waive the filing of same in cases where the amount in controversy appears to be less than seventy-five hundred dollars (\$7,500.00).

#### **Sec. 2-144. Bond.**

The county attorney shall be bonded to the county in an appropriate amount for the faithful performance of the duties as such officer.

### DIVISION 8. CLERK OF COUNCIL

#### **Sec. 2-149. Creation; appointment; term of office.**

There is hereby created the office of clerk of council. The clerk of council shall be appointed by the council and shall serve at the pleasure of the council.

#### **Sec. 2-150. Responsibilities; duties.**

The clerk of council shall:

- (a) Record all proceedings of the council and supply copies of certified records as appropriate;
- (b) Distribute copies of the minutes of each meeting to council members prior to the next meeting;
- (c) Review reports and records for completeness and accuracy;
- (d) Prepare ordinances and resolutions for presentation to council and arrange for their publication as approved by council and as directed by the county attorney;
- (e) Attend regular meetings of the council and attend other meetings as requested;
- (f) Type reports and recommendations of all council committees or designee of the clerk;
- (g) Notify councilmen of all council meetings;
- (h) Maintain the council calendar;
- (i) Be custodian of the county seal, minute books and Code of Ordinances;
- (j) Maintain county files and any records which should be kept for quick accessibility;

- (k) Supervise a complete records management system for department;
- (l) Research materials and supply background information as required;
- (m) Take follow-up actions on the following matters (including initial follow-up and subsequent actions necessary to ensure carrying out of council actions):
  - (1) Easements;
  - (2) Contracts, leases and agreements;
  - (3) Bond issues;
  - (4) Damage claims which are submitted to county council for acceptance or rejection;
  - (5) Ordinances;
  - (6) Resolutions; and
  - (7) Appointments;
- (n) Prepare council agenda and advise news media of items to be considered; shall maintain a complete record of all matters pending council consideration;
- (o) Act for the county in attesting and certifying official documents;
- (p) Be responsible for the appointments book; insure appointments are made in timely fashion in accordance with established procedures;
- (q) Maintain a record of leases, contracts, agreements, rights-of-way, grants and bonds;
- (r) Insure that the overall objective of the council office is achieved in an efficient manner;
- (s) Prepare and monitor budget for operating expenses for the clerk of council office and the council services budget; and
- (t) File documents, as required, with the clerk of court.

**Sec. 2-153. Creation of the office of procurement; generally.**

There is hereby created the office of procurement and the position, director of procurement. The office of procurement shall be responsible for the following:

- (1) Purchasing all supplies, materials, equipment, and contractual services required by county agencies and performing the purchasing-related functions required of the director of procurement herein;
- (2) Negotiating contracts for personal services and submitting them for approval and award as provided herein;
- (3) Using standard specifications wherever they are applicable to purchase orders and contracts and ensuring compliance with such specifications through adequate inspection of deliveries;
- (4) Transferring between agencies, supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency;
- (5) Exchanging, trading in or selling those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the county administrator not to be required for public use;
- (6) Developing, with the approval of the **county attorney** as to legal sufficiency, standard forms and conditions for invitations to bid, requests for proposals, purchase orders, and contracts; developing and prescribing the use by agencies of other forms required in carrying out the provisions of this article; and amending or eliminating any such forms;
- (7) Upon request of the council, and subject to its approval of each transaction, performing all delegable functions in connection with acquisition and disposal of real property;
- (8) Acting as the procurement, purchasing and contracting agent for all officers, offices and agencies of the county, subject to regulations promulgated by the council and approval authority of the county administrator;
- (9) Establishing and maintaining a central purchasing warehousing and supply system for all county offices and agencies, providing for requisition of materials and supplies by county offices and agencies authorized by the council;
- (10) Placing, with a newspaper to be determined pursuant to the requirements of Chapter 2, Article X, "Purchasing," of this Code, all requests for advertising by a county agency or department. Any agency or department requiring advertisement shall prepare the advertisement and present same to the office of procurement for the purposes of processing it for publication. The office of procurement shall have the responsibility of determining the most practical and least costly medium of advertising. In connection with this subsection, the office of procurement shall provide each county agency and department a schedule of processing time allowance so that the requesting agency or department will be assured of the actual date of publication of the advertisement. However, any advertising which is not paid for with county funds, or for which the county is reimbursed by a private individual or company, may be exempt from the provisions of this subsection;

(11) Other duties as directed by the county administrator.

**Sec. 2-172. Advisory opinions.**

(a) Where any public officer or employee has a doubt as to the applicability of any provision of this article to a particular situation, or as to the definition of terms used herein, he may apply to the **county attorney** for an advisory opinion. The officer or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of this article before such advisory opinion is made.

(b) Such opinion shall be deemed advisory and shall not be binding. However, it shall be deemed that the public officer or employee who sought the opinion and acted on it did so in good faith, unless material facts were omitted or misstated in the request for the advisory opinion.

**Sec. 2-342. Employees affected.**

The provisions of this article shall be applicable to all county officials and employees as to whom employment and discharge authority is vested in the county administrator and/or county council, but shall not apply to elected officials or officials appointed by an authority outside of county government. See South Carolina Code, 1976, Section 4-9-30(7).

**Sec. 2-549. Service charge for certain bond issues.**

(a) *Fees.* For the use of county facilities and services performed by members of the county's administrative staff and the county **attorney** in the issuance of industrial revenue, pollution control revenue, and hospital revenue bonds, the county will charge a fee to the industry or hospital facility benefitted in accordance with the following schedule:

**Sec. 2-631. Procedure upon noncompliance.**

(a) In the event that a contractor is not complying with section 2-629, the county administrator or his designee, after notice to the contractor and an opportunity being given to the contractor to comply with the requirements of this division, may either terminate or suspend in whole or in part the contract and declare the contractor ineligible for further county contracts.

(b) The county **attorney** shall review all terminations or suspensions of contracts by the county administrator. When the county **attorney** concurs with the action of the county administrator, the action of the county administrator shall be final. When the county **attorney** does not concur with the action of the county administrator, the action of the county administrator and the county **attorney** shall be brought before county council for final resolution.

(c) Any contractor whose contract with the county has been terminated pursuant to this division; or any contractor that has been suspended pursuant to this division; or any contractor

that has been declared ineligible for further county contracts may appeal the termination, suspension, or declaration or ineligibility to county council.

**Sec. 2-638.1. Results of noncompliance.**

Any contractor failing to comply with the requirements of this division may be declared ineligible to participate in future contracts with the county for one (1) year after the determination that the contractor has violated this division. Such denial of participation shall be reviewed by the county administrator and the county attorney and must have their joint approval in order to be effective.

**From Sec. 2-640:**

*County attorney.* The person duly selected by the county council to serve as county attorney or any attorney member of the staff of the legal department in the absence of the county attorney.

**Sec. 2-642. Conduct of investigations.**

(a) It shall be deemed a violation of this article and of section 4-9-660 of the 1976 South Carolina Code of Laws for any member of the county council to individually do any of the following:

(1) Commence any official investigation or utilize the manpower or facilities of the county for any such official investigation without first obtaining the approval of the county council. For purposes of this article, an official investigation shall be one which is a systematic investigation, examination or official inquiry. A request for information shall not be deemed an official investigation, although council members are encouraged to make such requests through the county administrator's office.

(2) To give orders or instructions to any employee subject to the direction and supervision of the county administrator.

(3) To give orders or instructions to any employee concerning the hiring, firing, reprimanding, promotion, demotion or other personnel action concerning any employee subject to, or who will be subject to, the direction and supervision of the county administrator.

(b) It shall not be deemed a violation of this chapter and of section 4-9-660 of the 1976 South Carolina Code of Laws for a member of council to individually do any of the following:

(1) Contact the proper department head and/or employee concerning potholes, missing signs, garbage collection or otherwise relate minor problems and/or complaints directly to the proper person when the public health, welfare and/or safety is involved.

(2) Make a request for public information on behalf of any citizens although it should be considered that such request ought to be in writing on a form provided signed by the person who actually seeks the information.

(3) Visit departments of the county, observe operations thereof and generally demonstrate a genuine interest in the operations of the county government.

(c) The council may initiate an investigation of any member of council, employee or other person by a majority vote of council in regular, special, executive or open session provided the notice requirements for the particular type of meeting have been met. Such investigation may be conducted:

(1) By the council;

(2) By a duly appointed committee of council of no less than five (5) members;

(3) By the county administrator and/or county attorney;

(4) By any duly constituted law enforcement agency;

(5) By the independent auditing firm;

(6) By the chair of council upon the authorization of seven (7) members of council or in the absence of a majority of council from the confines of the county. Such authority shall immediately terminate upon the return of a majority of the council to the confines of the county;

(7) By a private C.P.A., attorney and/or investigator upon the authorization of seven (7) members of council; provided, however, that funds for such shall be

made available as soon as possible under legal budgeting and appropriating procedure;

(8) All such hearings, reports, investigations and minutes thereof shall be confidential and for council members only until such time as council has officially disposed of such investigations. In the event eight (8) members of council vote to seal the investigative record, it shall be a violation of this article for any member of council, employee, witness or other person to disclose any proceedings so long as such record remains sealed.

(d) *Subpoenas.*

(1) The council, by and through its chair, may for the purposes of this article, subpoena witnesses, administer or cause to be administered oaths and examine or cause to be examined such parts of the books and records necessary to proceedings as relate to investigations and inquiries.

(2) In the event a witness fails to comply with any such subpoena, the council may enforce same by application for writ, show cause or other proceedings to the court of common pleas for the county.

# Richland County Employee Handbook



**NOT A CONTRACT**

Draft

January 2007

**DISCLAIMER**

ALL EMPLOYEES OF THE COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF THE 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 TERM OF EMPLOYMENT; AND 4) THE DOCUMENT IS SIGNED BY THE COUNTY ADMINISTRATOR OR APPROVED BY VOTE OF COUNCIL.

I acknowledge receipt of the County’s Personnel Handbook AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name



## **General**

## **Management Philosophy**

The Richland County Employee Handbook has been developed under the authority of Richland County Council and in accordance with Section 4-9-30(7) of the South Carolina Code of Laws. This handbook and the policies herein were enacted on \_\_\_\_\_ and are intended to provide structure and support for the efficient and effective operation of Richland County in the area of human resource management.

The handbook reflects a human resource philosophy intended to guide our decisions regarding employees. That philosophy rests on the belief that our employees are the County's most valuable resource. Employees are the means by which we are able to meet our organization's goal of providing excellent customer service to the citizens of Richland County.

Richland County's ability to meet this goal is dependent upon establishing an organizational culture that:

- Attracts and retains the best people
- Encourages each employee to reach his/her potential in the organization
- Holds employees accountable for job performance
- Recognizes and rewards employees for performance, commitment, loyalty, and service
- Encourages openness and trust in our dealings with each other
- Provides opportunities for personal growth and professional development
- Stimulates participation, teamwork, and creativity
- Balances employee needs with business necessity
- Utilizes an organizational chain of command to ensure the involvement of appropriate supervisory and management levels in the decision-making and problem-solving processes whenever possible

Richland County management expects every employee to be aware of, and respond positively to, his/her responsibilities in support of this culture. We expect every Supervisor and Department Head to provide the appropriate leadership necessary to establish and reinforce its principles.

As a county government, we are responsible and accountable to the citizens of Richland County and our actions should and will reflect our obligation to those citizens.

### Chain of Command

It is the practice of Richland County to involve the appropriate levels of management and supervision when making decisions or attempting to resolve personnel problems or concerns. The chain of command is designed to handle personnel and organizational matters in a systematic, responsive and effective manner. Richland County encourages employees to know and utilize the chain of command. However, if an employee's concern involves his/her immediate supervisor, s/he may skip that level and proceed to the next level in the chain of command.

Employees should ordinarily utilize their intra-departmental structure, beginning with their immediate supervisor through each level up to their Department Head, whenever possible to address employment related problems or concerns. It is the responsibility of Supervisors,

Department Heads and County Administration to respond appropriately and in a timely manner to employee concerns and questions.

## **Standards**

All employees are expected to:

- Ensure self-compliance with County and department policies, procedures, guidelines and all work assignments.
- Report policy, procedure or guideline violations to Supervisor, Chain of Command, or HRD.
- Understand that any violation of personnel policies, procedures or guidelines could result in disciplinary action, up to and including termination.
- When dealing with the public or fellow employees in any manner, especially on public business, do so in a professional and courteous manner.
- Conduct himself/herself in a manner that reflects credit upon his/her department and the government of the County.
- Keep supervisor informed of any changes in personal information including, but not limited to: address, telephone number, marital status, deductions, exemptions, beneficiaries, dependents, or emergency contact information.
- Report work and leave time accurately.
- Maintain consistent work attendance and punctuality.
- Cooperate with any County inquiry or investigation.

## **Employee Relations**

### **Equal Employment Opportunity**

It is the policy of the County to provide equal opportunity to all applicants for employment, and to administer hiring, compensation, training, promotions, transfer discipline, and other terms and conditions of employment without discrimination because of race, color, religion, gender, disability, age or national origin. Anyone who believes that he has been discriminated against in violation of this policy should report the matter to their Supervisor or Department Head, HRD, the Ombudsman's Office or Employee Protection Line.

### **Anti-Harassment**

Various laws and regulations generally prohibit employment decisions from being made on the basis of race, gender, religion, national origin, color, age, disability, or similar distinctions. In addition, it is our desire to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The County does not tolerate harassment of any kind and prohibits retaliation against anyone who has reported harassment in good faith.

### **Sexual Harassment**

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex constitute sexual harassment when:

1. Submission to the conduct is an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as the basis for an employment decision; or
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, "put-downs" or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching or brushing against another person. Although most commonly the "perpetrator" of such conduct is male and the "victim" is female, this policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was "welcome" or "unwelcome." Conduct, which would violate this policy if it were unwelcome, violates the policy if anyone complains of it. Obviously, not all conduct prohibited by this policy constitutes a violation of the law.

### **Complaint Procedure and Investigation**

If you feel that the anti-harassment and/or sexual harassment policy has been violated by anyone with whom you come in contact on the job, regardless of whether it is by a fellow worker, a supervisor or a member of the general public, you should report the incident(s). You may do this

by completing the Harassment/Discrimination Reporting Form and turning it into your supervisor and:

- a. reporting to your immediate Supervisor or to your Department Head
  - b. reporting to the Human Resources Director
  - b. reporting to the Ombudsman; and/or
  - c. reporting to the Employee Protection Line at 1-800-576-5262 with County Code 30042
- Complaints against the County Administrator should be made to the County Council.

Supervisors and Department Heads who receive complaints of or become aware of harassment should immediately notify and coordinate with the Human Resources Department.

**-- IMPORTANT --**

In order to avoid misunderstandings, complaints of harassment or discrimination must involve the completion of the Harassment/Discrimination Reporting Form, either by the employee complaining or by the person to whom the complaint is made, which summarizes the allegations and lists any witnesses to the alleged harassment. **An employee should be sure to complete a copy of this initial reporting form to confirm compliance with this procedure.**

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. The U.S. Supreme Court has said that as a general rule you may not sue the County for a violation of your rights unless you first give us notice and an opportunity to end the harassment. The reporting procedures that we have adopted are intended to establish a clear record of what has been reported.

Harassment allegations will be investigated, and the investigatory process may vary from case to case. The investigation is conducted as confidentially as possible consistent with the efficient handling of each respective complaint and the relevant facts. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused, the complainant or merely a potential witness. Persons who are interviewed should not discuss the matter with co-workers, friends or management unless authorized to do so by the investigator. This does not mean, however, that employees may not complain to civil rights agencies.

Employees may be asked to submit to a polygraph (lie detector) examination as part of an investigation.

In addition, the County encourages individuals who believe they are being subjected to harassment on account of race, sex, color, religion, national origin, disability, age or similar distinction to promptly advise the offender that his/her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem.

**Retaliation**

No employee, Supervisor, or Department Head may retaliate against any individual because such individual has opposed or reported any unlawful act or practice or because such individual made

a charge, testified, assisted or participated in any manner in an investigation, or grievance proceeding or hearing regarding unlawful employment acts or practices. If an employee believes retaliation has occurred, the employee may report the matter through the chain of command or may report to one of the designated individuals, bring the issue directly to HRD and/or initiate the grievance process.



### **Americans With Disabilities Act**

As an employer with several government grants, it is required to note that it is the policy and practice of Richland County to comply fully with the Americans with Disabilities Act and ensure equal opportunity in employment for all qualified individuals with disabilities with or without reasonable accommodations. Richland County is committed to ensuring nondiscrimination in all terms, conditions and privileges of employment. The County will work toward having all employment practices and activities, whether provided or conducted by Richland County or another entity on our behalf, conducted on a nondiscriminatory basis.

### **Diversity**

Richland County Government values, and will manage diversity because it makes good "people" sense. People are the County's most valuable internal asset. People will ultimately provide the competitive edge needed to achieve the County's mission and goals. Everything the County does is "for and about people." Good "people" sense is good business sense. As Richland County Government becomes even more progressive and visionary, true lasting success will depend upon all of its employees recognizing and respecting the valuable contributions that managing diversity brings.

The County's aim is to create and maintain an environment that fosters fairness, equity and respect for social and cultural diversity...an environment free from unlawful discrimination, harassment, isolation and defamation. In so doing, Richland County Government has the potential to become the best and most productive local government in the country.

The County's senior managers and leaders are committed to embracing and successfully managing diversity. Department Heads and Supervisors lead the way. They must meet the standard and raise it every day and in every way and engage all employees and other County stakeholders in this important effort.

Every employee of Richland County Government's workforce is accountable and responsible for creating and maintaining a positive work environment that allows all employees to maximize their potential and fully contribute to the achievement of the County's mission and vision. Employees are encouraged to respect the perspectives that each individual potentially brings to the County's workforce, operations and service delivery.

### **Nepotism/Employment of Relatives**

Persons in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. Immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law. The immediate family is also considered to include stepparents, stepchildren, stepbrothers and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in an apparently romantic relationship (such as domestic partner, co-habitant or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy.

If employees become related by marriage or begin living with each other and their continued employment would create a situation prohibited by this policy, one of the employees may be asked to give up his position. If the employees cannot choose which of them it will be, the employee having the lower budgeted annual compensation may be removed. The removed employee may be considered for other positions within the County for which s/he is qualified.

Employees are obligated to notify their Supervisor if immediate family members are working within the same department, if a known employment decision would result in such a situation, to disclose relationships on applications for jobs or promotions and to immediately inform their supervisor if relatives become employed with the County.

Situations not specifically addressed in this policy which, in the County's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled in the County's discretion

### **Conflict of Interest**

Employees of the County are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they or their family or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the County. The supervisor must send the notification to the County Administrator for review. If the County determines a potential conflict of interest exists, the matter will be reassigned to another employee.

Employees are required to review the Guide to the South Carolina State Ethics Act, be familiar with the guidelines and policies of the Ethics Act, and sign for receipt of the Guide. Employees must contact the Legal Department for clarification prior to taking any questionable action that might reasonably be viewed as a violation of the Ethics Act.

### **Gifts and Gratuities**

In addition to the prohibitions of the State Ethics Act, no employee may directly or indirectly solicit any gift or accept or receive a gift under circumstances in which it could be inferred that the gift was intended to influence him in the performance of his official duties or was intended as a reward for an official act on his part. A gift is defined as any benefit, favor, service, privilege

or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes but is not limited to meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by County suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are generally distributed to all employees. A determination as to whether this policy has been violated is in the County's sole discretion.

### **Political Activity**

Employees may fully and freely associate themselves in organizations of their own choosing, except those organizations who advocate the forcible overthrow of the government of the United States, the State of South Carolina or any of its political subdivisions. (In addition, supervisory employees may not belong to a labor organization that accepts to membership subordinates of such supervisors.)

In certain circumstances involving real or potential conflicts of interest, employees who run for any partisan or non-partisan public office may not be allowed continue in County employment. Even if an employee or candidate is allowed to remain in the County's employee while a candidate for office, the employee/candidate may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, his employment will terminate upon his election to a partisan public office.

For purposes of this policy, an employee is considered a "candidate for public office" as soon as he begins actively campaigning for nomination or election, or when he files for candidacy, whichever comes sooner.

Employees may not campaign during County work time or use County resources (on or off-duty) for campaign purposes.

### **Code of Ethics**

Employees of the County are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they or their family or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the County. The supervisor must send the notification to the County Administrator for review. If the County determines a potential conflict of interest exists, the matter will be reassigned to another employee.

The County expects its employees to conduct themselves and perform their work in concert with sound business practices and ethics. At all times, whether in or outside the workplace, employees must act in the best interest of the County and must refrain from conduct that is unbecoming and/or that would reflect discredit of his/her department or of the County.

Employees are required to review the Guide to the South Carolina State Ethics Act, be familiar with the guidelines and policies of the Ethics Act, and sign for receipt and ask questions prior to taking any questionable action that might violate the Ethics Act.

**Attendance**

All employees are expected to be at work, arrive on time and observe scheduled work hours. An employee who is absent from duty for a day or any part of a day without notifying his/her Supervisor will be considered absent without approved leave. An employee who is absent for three (3) consecutive days without notice to his/her Supervisor is deemed to have resigned and abandoned their position.

An employee who must be absent from scheduled work should make every effort to personally notify his/her Supervisor, prior to the start of a work shift, of the need for absence. Except in an emergency, an employee who is unable to report to work (due to an illness, injury or disability) is expected to personally notify his/her Supervisor with as much prior notice as possible, but not later than two (2) hours after the start of the work shift (unless departmental directives specify otherwise). If the employee is unable to call, s/he should make arrangements for someone else to call on his/her behalf. The responsibility of notifying the Supervisor lies solely with the employee.

**Personal Appearance**

All employees are expected to maintain a neat, clean and professional personal appearance based on the nature of their work and standards of the department. Employees should dress safely, professionally and appropriately for the type and place of work they perform consistent with departmental procedures. All employees who are required to wear a uniform must be in complete uniform at all times while on duty.

If, in the opinion of the Department Head, an employee's appearance is considered to be inappropriate for the business environment, the Department Head has the right to send the employee home (without pay) to make appropriate changes to his/her dress or appearance.

At the discretion of the Department Head, County departments may observe Casual Day on Friday and develop departmental guidelines for Casual Day attire. However, employees are still expected to represent the County in a professional manner.

**Selling and Solicitation**

The County workplace is not the place for general selling or solicitation.

County employees desiring to solicit funds or to peddle goods for charitable or non-charitable purposes must first obtain written approval (to) from their Department Head and from the Department Head of employees they wish to solicit.

Employees are permitted to solicit during their non-working hours, even in work areas, as long as such solicitation does not involve or interrupt other employees who are working.

Solicitations by County employees are permitted only as long as the privilege is not abused and as long as the employee has written approval to do so, and solicitations do not interfere unduly with the normal conduct of County business.

#### **F. Travel and Expense Reimbursement**

All employees of the County will be reimbursed for approved travel and expenses incurred in the course of their employment. The County desires to reimburse employees in an orderly, consistent and systematic manner for business expenses.

#### **G. Use of County Vehicles**

To ensure County vehicles are appropriated and used in an authorized and safe manner, County vehicles are for use only on official County business and as authorized under the scope of the employee's job duties or as directed by the employee's Supervisor.

Employees using County-owned vehicles must drive and handle them in a safe and conscientious manner, must possess a valid driver's license and obey all traffic rules and regulations, and must comply with all applicable County policies and guidelines.

Any employee involved in an automobile accident involving a County vehicle, unless prevented by serious injury, must:

- Immediately report by telephone to the Richland County Sheriff's Department and/or other law enforcement agencies, if applicable:
- Make every effort to secure the following information from the other driver(s):
  - His/her name, address, and South Carolina Driver License number.
  - The name of his/her insurance company and policy number.
  - The license tag number of his/her automobile.
- Make no statement which could be construed as an admission of fault or which might obligate the County or its insurance carrier.
- Stay with the vehicle until it has been removed for repair or instructions are given otherwise.
- Notify his/her Department Head as soon as possible.
- File an accident report with the Risk Management Department. This report should be filed as soon as possible, but must be filed within three (3) days after the accident.

Any unauthorized use of a County vehicle is strictly prohibited. It is the employee's responsibility to maintain the appropriate authorization and legal ability to operate a County vehicle according to current county state and/or federal laws, regulations or policies.

**Media Communication**

Employees are encouraged to contact the Office of Public Information before giving any press statements, announcements or other public information to mass media news agencies and obtain approval from the County Administrator before releasing information to the media.

**Employment**

### **Hiring/Recruiting**

The County endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The County may also solicit and consider applications from external applicants. Decisions to fill an open position that are made by lower levels of management require prior approval by the County Administrator.

### **Security Identification Badges**

All Richland County employees must have and wear security I.D. badges. Employees are expected to wear I.D. badges at all times while on County property or on County business. The I.D. badge must be available for inspection any time during working hours. Employees must report the loss of their id badge immediately to their supervisor.

### **Employment Status**

Regular full-time employees are those that have satisfactorily completed new hire probationary period requirements and who work in full-time budgeted position and work no less than the department's official full-time work schedule in a regular budgeted and funded position (however, the County does not guarantee any minimum number of hours of work per week.) Regular full-time employees are eligible for participation in SCRS and Pay for Performance process and County benefits.

Regular, part-time employees are those that have satisfactorily completed new hire probationary period requirements and who work in a part-time budgeted position and work on average less than thirty (30) hours per week in a regular budgeted and funded position (however, may be called upon to work above their normally scheduled hours of work when workloads require). Regular, part-time employees are eligible for participation in SCRS and Pay for Performance process but are **not** eligible for other County benefits.

Part-time employees are those that work less than 30 hours per week in a non-funded position. Part-time employees are eligible for participation in SCRS and Pay for Performance process but are **not** eligible for other County benefits.

Grant Funded Position employees are those that are hired into a position designated for a specified period of time as identified in the grant. Employees in grant-funded positions must sign a Grant Funded Position Acknowledgement, must satisfactorily complete their specified new-hire probationary period, and may be eligible for employee benefits contingent on funding.

All regular, full-time, regular part-time and grand-funded employees must complete a probationary period. Probationary-employees are employees who are serving a specified new employee probationary period and are generally not eligible for promotion.

Temporary employees are those hired for a limited period of time or until completion of a particular project or projects (generally not longer than six months). Such employees may work part-time or full-time hours depending on the needs of the County. Temporary employees are generally not eligible for benefits.





### **Probationary Period**

All new employees (except temporaries) including former employees who have been rehired, are considered to be on probation for the first six months. This period is a continuation of the selection process and is a time in which the new employee should make extra effort to demonstrate that s/he is well suited for his/her job. If the Department Head concludes at any time during the probation period that the new employee is not well suited for the position, the employee may be terminated or may be placed on extended probation if approved by the County Administrator.

The probation period ends successfully when the Department Head, not sooner than six months after the employee was hired, evaluates the new employee in writing and authorized taking him/her off of their initial probationary status.

All newly promoted employees are considered to be on probation in their new positions for three months. This period is a continuation of the selection process and is a time in which the newly promoted employee should make extra efforts to demonstrate that s/he is well suited for the promotion.

Department Heads may require promoted employees to serve probationary periods on their new jobs of not more than 3 months at their former salary. If the Department Head concludes at any time during the promotion probation period that the newly promoted employee is not well suited for his new position, the employee may be removed from that position. If there is a vacancy in his/her former position that is to be filled, s/he may be returned to it. If there is no such vacancy, s/he may be considered for the filling of other vacancies for which s/he is qualified. If no other position is found for him/her, the employee may be terminated. This action does not prohibit an employee from applying for future vacancies with the County.

### **Outside Employment**

The County expects an employee's work for the County will take precedence over any outside employment engaged in by an employee. Employees must get prior written approval on the appropriate form from the County Administrator before engaging in other employment for salary, wages, commissioned services, or self-employment. Should the County, in its sole discretion, determine that an employee's outside employment interferes with or is otherwise incompatible with employment for the County; the County may revoke its written approval and notify the employee. Employees may not engage in any private business or activity while on County work time or at County workplaces.

### **Notice of Resignation**

A separating employee should submit a written notice of resignation or retirement at least fourteen (14) calendar days prior to his/her last day of work. Department Heads may request longer notices in writing for unique positions but this is not a requirement. Division Manager or higher level positions are expected to provide at least thirty (30) days notice. The notice should include the reason(s) for, and effective date of, the resignation.

## **Safety and Security**

## **Workplace Privacy**

The workplace is intended to be a place of work. An important part of work is communications and record keeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Each employee must understand that personal items and personal communications received or stored on County premises are not entitled to a guarantee of privacy.

Management may search County property such as employee desks, lockers, file cabinets, County-owned vehicles, etc.

Electronic media raise similar issues. The County provides electronic and telephonic communication and, when necessary, computers to employees. Although assigned to the employee, these items belong to the County. Similarly, any computer programs loaded on and any computer files created on a County computer belong to the County. While the County permits limited personal use of the computer, it retains the right to determine what use is appropriate. Unauthorized programs and files may not be used on County computers without the written permission of the County. The County reserves the right to review voice mail, electronic mail, computer files and other electronic information generated by or stored in the County's electronic systems.

## **Security**

Employees are prohibited from the use or possession of a weapon of any kind on County property that is not authorized as part of their County employment. The term “weapons” includes, but is not limited to firearms, ammunition, or explosive devices.

Any County employee receiving a verbal or written bomb threat will immediately notify the nearest law enforcement agency by the most expeditious means possible. Employees are to comply with the instructions of the law enforcement agency.

The Richland County Facilities Management Division is responsible for providing and maintaining fire extinguishers and evacuation plans. Department Heads should conduct fire drills for occupants of all County buildings as appropriate

Employees have access to County property and facilities during their normally scheduled hours of work and outside their normal hours of work, when on County business. However, when not engaged in County business, access may be limited to public areas.

No employee may take for his/her personal use any County-owned equipment. All employees must use County-owned equipment only as authorized by their job duties.

The loss through theft or any other reason of an employee’s personal property is not the responsibility of Richland County and reimbursement for loss of personal property will not be made absent exceptional circumstances and then only as approved by the County Administrator. Each employee is urged to secure his/her property so as to prevent damage or loss.

Employees are not permitted to use County facilities (including meeting rooms, County equipment, or duplicating equipment) for other than County business unless such facilities or equipment are available in accordance with established guidelines on a regular basis to the general public. Where such facilities or equipment are made available on a regular basis to the public, employees will be permitted to use such facilities or equipment on the same basis as the general public and subject to the same conditions that apply to the general public.

### **Smoke Free Workplace**

The County desires to achieve a public facility environment as close to smoke-free as practically possible and legally required. When the rights of the non-smoker and the concerns of the smoker conflict, management and employees should endeavor to find reasonable solutions. When this is not possible, the rights of the non-smoker will prevail. Employees are allowed to smoke in designated smoking areas only.

### **Workplace Violence**

It is the policy of the County to make every reasonable effort to discourage workplace violence, including domestic violence at work. Employees are responsible to report any workplace violence threat promptly to their supervisor and/or HRD. Employees are prohibited from threatening other employees or citizens, including “joking” threats.

### **Information Access and Release**

The County may release basic job information, such as employment status, job title, dates of employment and level of insurance coverage without notification to the employee. The County may also cooperate with law enforcement, public safety or medical officials who have a valid need to ascertain information about an employee and may provide to such officials whatever information such officials request.

Employee information may be provided by the County in response to subpoenas or requests by government officials investigating the County’s compliance with federal or state law or on other official government business.

Under the State Freedom of Information Act, certain information about public employees is within the public domain and may be provided if requested. The County abides by this act.

### **Subpoenas**

An employee who receives or is served with a non-routine subpoena in any judicial or other proceeding in his/her capacity as a County employee, will immediately notify his/her Supervisor and/or Department Head of the subpoena. If the employee receiving a subpoena has any questions about whether the subpoena is routine or non-routine, the employee should forward the matter to the Legal Department for review.

### **Employee Protection Line**

The County recognizes that there may be situations where employees do not feel at ease in coming forward internally to report workplace wrongdoing. In these instances, employees are able to report workplace wrongdoing anonymously to a toll-free third-party telephone service.

This toll-free number is an enhancement to the County's internal systems for reporting wrongdoing and risk. Examples of subjects that can be reported using the employee protection line include discrimination, sexual harassment, violence or threats of violence, theft, unsafe acts, worker's compensation fraud and retaliation. Reports are kept as confidential as possible.

The toll-free number is 800-576-5262 and the County Code is 30042.

### **Safety**

The County is dedicated to promoting safe and healthy working conditions and attitudes for its employees. It is therefore the policy of the County to make all reasonable effort to: protect the safety of employees, citizens and visitors against accidents and known occupational hazards; comply with all applicable statutes, regulations and standards of government agencies and other regulatory authorities relevant to occupational health and safety; give priority to safe working conditions and job safety practices in the planning, budgeting, direction and implementation of County activities; and formulate and carry out continuing effective safety programs appropriate to County operations.

Safety rules are important and should not be violated. It is the employee's responsibility, as well as the County's, to ensure employee safety, the safety of coworkers and the safety of the general public, by not engaging in any unsafe acts.

Any employee who has knowledge of unsafe acts, conditions or equipment is encouraged to notify his/her Supervisor, Department Head or the Risk Management Office. Employees must immediately report to the Supervisor or Department Head any work-related accident, injury or near accident.

Employees should check with their Supervisor concerning safe work rules and practices for department and County and become familiar with safety guidelines established by their department and the County.

Employees must comply with department and County safety policies and procedures along with local, state and federal laws and regulations.

Employees should seek guidance from his/her Supervisor concerning safety-related knowledge and skills required to ensure safe performance on the job and attend safety training programs and meetings as assigned.

### **Computer/Internet Abuse**

The County consents to the reasonable use of its computers for personal business, but what is "reasonable" is determined in the sole discretion of the County. The only sure way to avoid violating the County's policy on personal computer use is not to use the County's computers for any personal purpose.

The following personal computer use is absolutely forbidden:

1. to access any material which the County considers to be pornographic
2. to purchase any goods or services, even if charged to the employee's personal credit card
3. to conduct business for outside employment or a side-business of the employee while on County time
4. to transmit or knowingly accept receipt of any communication which is pornographic, obscene or, in the County's opinion, might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability or some similar distinction.

County employees may not use personal electronic equipment (including but not limited to personal laptop computers and cellular phones) on County property or at County work sites to engage in conduct, which would be prohibited if using County equipment.

**Important Notice:** The County has the capacity to examine the computer usage of individual employees in detail. Even though an item has been deleted and the employee cannot retrieve it, this does not mean that the County cannot do so. It is possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection.

#### **Inclement Weather or Emergency Conditions**

Employees whose departments are closed due to inclement weather will be compensated for time not worked due to inclement weather or emergency conditions only with the use of their personal accrued annual leave or by arrangement with the Department Head to make up the time lost from work.

At the discretion of the Department Head, a non-exempt employee may be permitted to make up the time within the next 30 calendar days. Such make up time must be at the regular hourly rate.

At the discretion of the Department Head, exempt employees who do not work may either take accrued annual leave, leave without pay, or administrative leave with pay (to help offset previously worked additional hours) for up to 7.5 hours per week.

If an employee is not called in to work, does not have accrued annual leave or compensatory time, and/or is not authorized to make up the lost work time by his/her respective Department Head, the employee will be on leave without pay status for the normal work time County offices are officially closed.

Employees whose departments are not closed due to inclement weather or whose jobs require that they report are expected to report to work. Those who fail to report, arrive late or leave early will not be paid for the time off work, are considered unexcused, and may be subject to disciplinary action.

#### **Drug Free Workplace Policy**

All employees of the County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's own use. This prohibition applies to use at any time, both on the job and off the job. County employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Similarly, employees are prohibited from reporting to work, using or being anywhere on County property while under the influence of alcohol, illegal drugs or controlled substances. For purposes of this policy, "under the influence" means having any detectable amount of any such substance in the employee's system.

The County requires employees in certain positions to submit to random drug testing as a condition of employment. The County may also test employees for drug or alcohol use in violation of this policy any time the County has reasonable suspicion of a violation of the policy.

As a condition of employment, employees agree to notify the County within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. As required by the state and federal Drug Free Workplace Acts, the County must notify all state and federal grantors/contracting agencies of such employee convictions. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest or a plea of guilty.

The County may notify law enforcement authorities whenever illegal drugs or drugs not prescribed to the employee are found in the workplace.

## **Compensation, Wage & Hours of Work**



### **Compensation Philosophy**

Richland County has adopted a compensation philosophy that provides a foundation for the development of the County's pay plan and guides decisions that affect employee pay. Richland County's mission is to be a leading local government in the State and nation. In order to fulfill this mission, the County must retain and attract competent employees dedicated to the mission of providing high quality public service. This requires a comprehensive compensation program that rewards and recognizes employee job performance, skill development, commitment and quality service delivery through performance excellence.

Richland County is committed to a Total Compensation program that is designed to retain the quality and number of highly skilled and fully-proficient employees needed to support the mission of the County, within fiscal resources based on approved budgets. The County places a high value on employee understanding of the compensation policies and practices as being reasonable and impartially administered.

### **Classification System**

The County Administrator may develop a system for classifying positions within the County, including pay ranges for those positions. Classification systems and pay ranges are subject to change at any time. The establishment of pay ranges or grades for any position does not guarantee the occupant of that position any particular rate of pay.

### **Hours of Work**

The County's normal hours of business are from 8:30 a.m. to 5:00 p.m. However, some departments must operate outside the County's normal hours of business, and schedules of employees of those departments may differ from the County's normal hours. Each department is responsible for scheduling its employees so as to meet the needs of the County. Employees may be required to work overtime. Employees are required to adhere to established work schedules.

Regular full-time employees who work during the County's normal hours of business receive one unpaid meal break of 60 minutes. Breaks and meals for employees whose departments operate outside the County's normal hours are set by those departments. Meal breaks and any other breaks should not interfere with workload and may be adjusted/eliminated as necessary to avoid undue disruption to critical work. .

Employees may not use break times and meal periods to report late or to leave early nor may break periods be combined with the meal period.

### **Overtime and Compensatory Time**

Non-exempt employees, with the exception of law enforcement personnel, receive overtime premiums at 1.5 times their regular hourly rate for all hours worked in excess of 40. Law enforcement personnel receive overtime premiums after 85 hours in 14 days.

Employees must accurately record all hours worked and must have worked all hours recorded. Employees may not work "off the clock," and employees may not work overtime without the permission of their supervisor except in cases of emergency.

Employees who are exempt from overtime receive a salary that compensates them for all hours worked in the workweek. Such employees do not receive overtime pay or compensatory time off. However, the Department Head may, in his/her sole discretion, grant additional paid time off to exempt employees who have worked unusual amounts of time in excess of the normal schedule (not to exceed 7.5 hours per week), but no exempt employee has a right to such additional paid time off. There is no payment for compensatory time upon termination.

### **Payment of Wages**

Employees are paid every other Friday by direct deposit.

The County deducts from employees' gross pay taxes and withholding that are required by the taxing authorities. The County may also deduct from employees' pay the employees' share of any premiums or plan contributions for insurance, retirement and similar plans that are elected by the employee. The County may make other deductions as required by law or court order.

Cash, debts owed the County, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, County identification cards and other items belonging to the County that are advanced or issued to an employee but not repaid or returned by him at the time of his termination are considered advances of wages, the value of which may be deducted from the employee's final pay check(s).

### **Personnel Actions**

Following are the general types of personnel actions within the County.

Demotion – The voluntary or involuntary movement of an employee from one position to a position with reduced duties and responsibilities and/or a lower pay grade. Demotions usually result in the reduction of an employee's pay.

Promotion – The movement of an employee from one position to a different position with increased duties and responsibilities and/or a higher pay grade. Promotions generally result in an increase in an employee's pay.

Reclassification – The reassignment of an existing position from one classification to another based on job content such as duty, kind of work, level of difficulty, required skill and education, and accountability for work being performed. Reclassification may result in an increased, decreased or maintained pay rate.

Transfer – The transfer or reassignment of an employee to a position with the same level of duties and responsibilities and pay grade as the position that the employee previously held. Transfers usually result in no change in pay.

### **Longevity Performance Bonus Pay**

The County recognizes and values the training, experience, contributions and commitment of long-term employees as a valuable asset to the County and reaffirms the County's decision to encourage valuable employees to remain with the County. All Regular, full-time employees are eligible for Longevity Bonus Pay after they have been employed in a Regular, full-time position

with the County, for a continuous minimum period of five (5) complete years, as of July 1<sup>st</sup>, which will be established as the base date both for qualification and computation. Longevity Bonus Pay will be computed after this date.

Longevity Bonus Pay is paid at the rate of one (1) percent of the employee's base pay rate for each year of service for those employees serving five years, two (2) percent of the employee's base pay rate for those employee's serving ten years and three (3) percent of the employee's base pay rate for those employees serving fifteen or more years.

## **Holidays and Leave**

## Holidays

The County observes the following holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11
Thanksgiving Holiday	4 <sup>th</sup> Thursday and following Friday in November
Christmas Holiday	Christmas Eve and Christmas Day or Christmas Day and the day after Christmas

Only employees working in Regular, full-time positions are eligible for Observed Holiday Pay.

Holidays which fall on Saturday are generally observed the preceding Friday. Holidays which fall on Sunday are generally observed the following Monday.

County Council may declare additional days as holidays.

An eligible employee must be in active pay status on his/her normal or scheduled workday before and after the observed holiday to receive holiday pay.

Exempt employees who are required to work on a holiday may arrange for administrative leave with pay (not to exceed 7.5 hours per week) as their schedules allow and Department Head authorizes. The administrative time off may or may not fall in the same pay period as the holiday and does not necessarily equal or exceed the time worked on the holiday.

At the discretion of the supervisor, non-exempt employees who are scheduled to work on a holiday receive an additional day's pay or are provided with an alternate day off to be scheduled by the supervisor.

### Annual Leave

The County's strives to support the well being of eligible employees by providing the opportunity to accrue and take accrued annual leave. The County encourages all employees with accrued annual leave to take approved vacation annually. Annual leave is a benefit that must be accrued and not a right.

Regular full-time employees accrue annual leave as follows:

75 HOUR WORK SCHEDULE	HOURS ACCRUED PER PAY PERIOD	HOURS ACCRUED PER YEAR
0 – 10 years	2.89	75
11-20 years	4.33	112.5
21 or more years	5.77	150

85 HOUR WORK SCHEDULE	HOURS ACCRUED PER PAY PERIOD	HOURS ACCRUED PER YEAR
0 – 10 years	3.27	85
11-20 years	4.90	127.5
21 or more years	6.54	170

An employee must request and receive prior approval from his/her Supervisor or Department Head in order to utilize accrued annual leave. Annual leave may not be used during the first six (6) months of employment unless approved (in writing) by the Department Head.

Under normal circumstances, annual leave should be requested by the employee in writing well in advance of the date leave is scheduled or as prescribed by department procedures. Annual leaves will be scheduled as much as practical in accordance with employee requests. The County's workload demands, however, are paramount.

When more employees request particular days off than can be accommodated, supervisors will make annual leave assignments taking into account the date the requests were made, special needs for particular annual leave dates and the employees' lengths of service.

The maximum number of annual leave days that can be accumulated and carried over from year to year is 45.

Unused annual leave will be paid for at termination only if the employee is terminated for non-disciplinary reasons or if the employee gives and properly works a two-week notice of resignation. The notice requirement may be waived by the County Administrator. Annual leave balances may be reduced for disciplinary reasons.

## Sick Leave

The County strives to support the well being of eligible employees by providing the opportunity to accrue and take accrued sick leave. Sick leave is a privilege granted by the County, not a right. The County strives to provide employees with sufficient paid sick leave. Sick leave may be approved for the following reasons:

- Illness, injury or disability of the employee.
- Obtaining professional services from a health practitioner for treatments for which arrangements cannot reasonably be scheduled outside of working hours.
- Illness, injury or disability of an employee's immediate family member (up to a maximum of six (6) days of sick leave per year).

Employees may be required to submit a physician's statement before being eligible for sick leave payment. A physician's statement will be required if the employee is absent from work for 3 or more consecutive days and/or where the employee has previously been counseled or disciplined for excessive use or abuse of sick leave. In some circumstances, employees may be required to provide certification from their physician that they are able return to work before being allowed to return to work. Abuse of leave or failure to call in as required may result in denial of paid sick leave.

Only regular full-time employees accrue sick leave and carry over a maximum number of hours as follows:

WORK SCHEDULE	HOURS ACCRUED PER PAY PERIOD	HOURS ACCRUED PER YEAR	MAXIMUM ACCRUAL LIMITATION
75 hour work schedule	3.46	90	675
85 hour work schedule	3.93	102	765

Employees are required to contact their supervisor as soon as possible prior to the start of work (no later than two (2) hours after the start of the work shift) when requesting an absence unless other arrangements have been made with the Supervisor.

An employee who has accrued at least 150 or more sick leave hours (170 for 85 hour –14 day work schedules) and who resigns or retires voluntary, will at the time of their separation (providing employee gives and works a two week notice and is terminated without cause), be paid for 1/4 of their accrued, but unused, sick leave hours (up to the maximum number of allowed hours).

## Advanced Sick Leave

The County provides the opportunity for Regular full-time employees with a serious medical condition who have used all of their accrued sick and annual leave the opportunity to borrow sick leave. Sick leave may be advanced up to twenty-four (24) work days upon Department Head,

HRD and County Administrator approval in order to help support the recovery of employees who are seriously ill, injured or disabled.

Upon returning to work, an employee who has been granted advanced sick leave will have deducted from his/her accruals all accrued sick leave to be applied to the existing deficit, until such time as the deficit in the employee's sick leave account no longer exists.

If an employee who has been advanced sick leave have his/her employment with the County is terminated for any reason prior to accruing sick leave equivalent to the amount advanced, the Finance Department will cause an appropriate amount of money (equal to the employee's daily rate of pay times the number of unrepaid sick hours) to be deducted from the employee's final paycheck and/or the employee may be billed for the amount of outstanding monies due to the County.

Employees should notify their Supervisor immediately of request and reason for advanced sick leave request.

### **Administrative Leave With Pay**

To provide for leave with pay under circumstances that do not fall under the guidelines of any other paid leave procedure. In unusual or emergency circumstances, Regular full-time employees may be granted administrative leave with pay only by the County Administrator.

No employee has any right or entitlement to administrative leave with pay, regardless of the circumstances of his/her absence. Among those unusual situations to which administrative leave with pay may apply:

- Absences due to a County-ordered fitness for duty examination.
- Absences due to pending investigations or reviews of alleged improper conduct.
- Absences due to any other unusual or emergency circumstance that the County Administrator determines warrants a leave with pay.

Employees should notify their Supervisor of dates and reason a leave with pay is being requested if leave is voluntary.

### **Catastrophic Leave**

The Catastrophic Leave Program is a voluntary program that allows eligible employees to donate a portion of their accrued annual leave and sick leave to assist other eligible employees who are experiencing a catastrophic illness and/or injury. The Catastrophic Leave Program provides eligible Regular, full-time employees the opportunity to receive 67% of their gross pay and continue in pay status for up to thirty (30) days (225 hours for 37.5 hours –7 day period employees and 255 hours for 85 hour-14 day period employees) in a rolling twelve-month period.

Donations and Requests will be processed in the order in which they are received. If time is available within ninety (90) days, it will be allocated accordingly. If time is not available,



requests will be kept for ninety (90) days. During that time frame, if time becomes available and if the employee still qualifies, time will be distributed. If time does not become available, requests will be considered void and requesting employee and Department Head notified.

Donors may not donate directly to an individual employee. Donations must be made in hour increments after an initial 37.5 hour donation. An employee may donate his/her accrued annual or sick leave to the catastrophic leave program only if the employee has at least seventy-five (75) total hours of accrued sick and/or accrued annual leave remaining after the donation. A donor may not donate accrued leave that exceeds the maximum annual carry over limitation for the respective type of leave (leave that would be lost due to maximum accrual limitations). Once the donation is approved, the donor may not revoke the donation.

To be eligible for catastrophic leave, an employee must be a regular, full-time employee and must not have been the subject of disciplinary action due to attendance in the preceding two (2) years. The recipient must have had a minimum of seventy-five (75) hours of combined sick and annual leave time available at the beginning of the illness or injury. Recipients must exhaust all annual and sick leave, and request, be approved for, and use advanced sick leave before participating in the catastrophic leave program. The recipient employee may not compensate the donor employee for time donated. The maximum request for leave from the catastrophic leave program may not be more than thirty (30) days requested in a rolling twelve-month period. In any pay period, recipients may use donated hours only up to 67% of their normal scheduled work hours.

### **Military Leave**

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

### **Jury Duty**

Employees who work in Regular, full-time positions are entitled to a paid leave of absence for their regular rate of pay on all work days during which s/he is required to appear in any court to serve as a juror.

An employee receiving notice of a call for jury duty should immediately notify his/her Supervisor. The employee must provide the Supervisor with all pertinent information, including a copy of the official notification of selection for duty.

If jury duty extends for less than half the daily scheduled work period, the employee is required to report for work at the conclusion of jury duty, unless departmental directives specify otherwise. If jury duty is required for more than half the scheduled daily work period, the employee is not required to report for work on that day.

To receive paid jury duty leave, the employee must turn in to the Finance Department any compensation received for serving on a jury (excluding mileage). That is, an employee eligible

for paid jury duty leave may receive either his/her regular rate of pay for days served on jury duty or the juror fees/allowances paid by the court for his/her jury service, but not both.

**Bereavement Leave**

An employee will be paid for time actually lost from straight time scheduled work up to 3 days due to attendance at the funeral of a member of his immediate family, which is defined as spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law. The immediate family will be considered to include step-parents, step-children, and step-brothers and step-sisters only when the employee and the deceased had lived together regularly in the same household at or prior to the time of death. The County requires proof of relationship and attendance at the funeral by requiring an obituary or documentation from the funeral home that states the relationship of the deceased to the employee.

Employees may be excused from work to attend the funerals of other family members and, upon request, may be paid for such absences from accrued annual leave balances.

## **Disability and Personal Leave**

Leave for Employees Employed Less Than 12 Months; for Employees Who Have Worked Fewer Than 1250 Hours In Preceding 12 Months; and for Employees Whose Reasons for Leave are not Covered by the Family and Medical Leave Act.

An employee who has completed his initial probation (and any extension thereof) may request a leave of absence for up to 6 months when unable to work because of sickness, pregnancy or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leaves are granted only in the discretion of the County Administrator upon recommendation by the employee's Department Head and/or HRD. Employees still in their probation periods who are absent for more than five consecutive scheduled workdays because of any physical disability are automatically terminated but are eligible for rehire.

Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

Disability leave begins on the first day of absence.

After the employee has exhausted any annual and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. Certain exceptions may be established by law.

Employees on leave of absence may not engage in other employment.

Employees desiring to return to work from an unpaid leave of absence should notify their Supervisor in writing at least 5 days prior to their desired return date. If the County finds that the employee is fit to resume his duties, the employee may be recalled to his former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be recalled to any job in which there is a vacancy and for which s/he is qualified. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee who has not been reinstated within six (6) months following the commencement of a leave of absence is terminated. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time.

## **Disability and Personal Leave**

### **Family & Medical Leave Act – (Applies Only to Employees Employed 12 Months Or Longer And Who Have Worked 1250 Hours or More in the Preceding 12 Months, Both Prior to Commencement of Leave.)**

Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on leave status without application.

#### **Reason for Leave of Absence**

An eligible employee will be granted a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household will end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household. **Proof of need for leave of absence may be required.**

#### **Length of Leave**

An eligible employee is entitled to the equivalent of a total of 12 work weeks of leave during any 12 consecutive months. The County uses a “rolling” twelve months for determining leave availability. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child or parent may be taken intermittently or by means of a modified work schedule when necessary.

#### **Effect of Leave on Paid Time Off**

An employee who must be absent due to his own serious health condition or that of a parent, spouse or child will be paid for time lost from work first from accrued sick leave balances and then from accrued annual leave balances and similar balances. An employee who takes leave for any other reason will be paid for time lost from work from his annual leave balance. Leave taken under this policy counts towards the employee's 12 weeks of leave regardless of whether all or part of the employee's leave is paid.

FMLA time will run concurrently with the employee's accrued sick and/or annual leave, as well as any advanced sick leave or any leave pool time paid to the employee during the FMLA leave.

#### **Effect of Leave on Accrual of Fringe Benefits**

Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages.

Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

### **Employee Responsibility**

Employees who request leave under this policy must give 30 days advance notice or such lesser amount of notice as is possible in the particular circumstances.

Employees may not engage in other employment while on leave of absence.

### **Light Duty**

Employees who accept a light duty assignment because of a condition which qualifies them for FMLA leave have a right to restoration to their regular positions for only 12 weeks counting both FMLA leave and time spent on light duty.

### **Termination of Leave of Absence**

A leave of absence under this policy ends when the need for the leave of absence ends or when the maximum leave described above has been taken, whichever occurs sooner.

### **Reinstatement**

At or before the conclusion of the FMLA leave of absence (or 12 week combination of leave of absence and time spent on light duty), the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that s/he is fit for duty and must give reasonable notice of intent to return to work (with the exception of those employees designated as key employees).

### **Extension of Leave Without Benefits**

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for a Leave of Absence Without Pay. Such extended leaves are granted only at the discretion of the County Administrator upon recommendation of the employee's Department Head.

### **Automatic Termination of Employment**

An employee's employment automatically terminates if s/he does not return to full active employment status at the conclusion of his leave of absence or extended leave of absence.

### **Special Situations**

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 12 month period.

Key Employees (salaried employee in highest paid 10% of all employees) may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

## **Benefits**

**The County currently offers a competitive benefits package. The terms of the County's benefits plans are subject to change, and the County is not responsible for any changes in or elimination of benefits or benefit plans. Please see contact the Human Resources Department for specific information on the County's benefit plans.**

**Some benefits require that certain conditions be met, the employee's request and/or management's approval for activation.**

## **Health, Dental and Life Insurance**

The County currently pays the premium cost for group health, dental and life insurance for each Regular full-time employee. Employees may choose from various dependent coverage options. The cost of dependent health insurance coverage is currently shared between the County and the employee. The cost of all other employee and dependent insurance coverage (i.e., dental and life) is currently borne exclusively by the employee.

## **Retirement**

Richland County retirement benefits, contributions and procedures are governed by state laws covering the South Carolina Retirement System. All Regular, full-time County employees must participate in the Retirement System as a condition of employment, unless participation is specifically excluded by legislation.

An employee who meets the service requirements for full retirement prescribed by the SCRS or PORS (Police Officer Retirement System), who retires from County employment directly to retirement under the SCRS or PORS, is eligible to participate in the Richland County retiree benefit program. If an employee is eligible for retirement and the appropriate documentation is provided to the County to verify such retirement, the County currently pays for health insurance coverage for such retiring employee subject to the terms and conditions of the insurance contract in existence at the time of retirement. An additional 10% longevity payment will be included in the final paycheck of employees who have twenty (20) or more years of service dating from the last employment or reemployment, and left County employment in order to immediately begin receiving benefits under the state retirement system (and show evidence of such), and have not been terminated for disciplinary reasons, nor have retired in order to avoid termination for disciplinary reasons.

For information on the Teachers Employment Retirement Incentive or the Law Enforcement Retirement Incentive Programs, please contact Human Resources.

## **Deferred Compensation**

The County provides a voluntary pre-tax retirement program administered by the State of South Carolina Deferred Compensation Office which is designed to enable employees to supplement their retirement financially by using a tax-deferred program as provided by law.

## **Supplemental Insurance Benefits**

Disability programs and other supplemental insurance programs are provided to Richland County employees through payroll deduction at the employee's expense.

## **Workers' Compensation**

County employees are covered by workers' compensation for on-the-job injuries. Benefits are governed by state law and not set by the County. Employees must report immediately any on-the-job injury, regardless of severity, to their supervisor.

## **COBRA**

Employees covered by the County's group health, dental, and/or Section 125 health care flexible spending accounts have a right to choose continuation coverage of group health, dental, and Section 125 plans, if coverage is lost because of a reduction in hours of employment or separation from employment (for reasons other than gross misconduct on the employee's part).

## **Section 125**

The County currently provides Section 125 plans to employees in Regular, full-time positions in order to allow eligible employees to pay for certain benefits pre-tax. The terms of such plans are governed by the respective plan documents and federal law not by the County. The County is not responsible for changes to benefits and may discontinue any or all plans at any time.

## **Teleworking**

Richland County recognizes the majority of County employees work at County office and facilities during designated work hours, generally 8:30 am – 5:00 p.m. Monday through Friday. However, there may be times when it is beneficial to the County and the employee to have other options. Richland County recognizes that teleworking may be an alternative work arrangement in certain circumstances and encourages Supervisors to give employees' teleworking proposals consideration when mutually beneficial to the County and the employee. However, no employee is entitled to this alternative work arrangement or to the continuation of such arrangement.

## **Alternative Work Schedules**

Departments that can operate more effectively utilizing an alternative work schedule may do so with written approval from HRD and the County Administrator. Such alternative work schedules may include:

Compressed work weeks – Involves assigning employees to work schedules that allow work to be completed in a fewer number of workdays, such as a four (4) day workweek. This is accomplished by lengthening each workday.

Flexible Hours – Offers employees a choice of arrival and departure times while still working the required number of hours each day.

Job Sharing – Allows the use of two (2) part-time employees to complete the duties and responsibilities of one (1) Regular, full-time position. This may be accomplished by having the employees work full days on different days of the week, or different portions of each work day. Employees who are job-sharing will be considered part-time employees and will not receive benefits.

## **Employee Assistance Program**

The County provides an Employee Assistance Program (EAP) to motivate employees to seek professional help for personal problems before they affect job performance, to refer employees to qualified treatment resources and to retain valued employees as a result of continued or restored job performance.

## **Credit Union**

The County offers access to membership in a credit union for the benefit of its employees. An employee who is a member may use this source as a checking account, savings plan through



payroll deductions and/or may borrow money in accordance with credit union established rules and regulations. Employees may join the credit union directly at any time.

## **Training and Development**

## **Training and Development**

Richland County's strives to encourage professional and personal growth of employees. Our goal is to provide training and development opportunities to develop, augment, and encourage continuous improvement of skills for current positions and/or the potential for possible future positions.

## **Tuition Assistance Plan**

Richland County encourages all employees to take advantage of educational opportunities that will help them in professional development and help position them to take advantage of promotional opportunities with the County. At the same time, the County must balance financial responsibility and develop guidelines to ensure mutual benefit for both the employee and the County.

Only Regular, full-time employees are eligible to apply for participation in the TAP program.

Any TAP monies paid by the County to or on behalf of an employee will represent a pay advance to the employee. Each TAP recipient authorizes the County to deduct from his/her final paycheck any such balance remaining if the employee has not successfully fulfilled his/her obligations to the County under TAP.

To receive TAP reimbursement, an employee must obtain written recommendation from the Department Head, review by HRD and approval by the County Administrator prior to starting a course, training or seminar. The course must be directly-related to the employee's job as determined by the Director of HRD and the County Administrator. Funding is provided by a central County-wide fund and funds may not be taken from the department's budget to provide for participation in TAP.

Employees are required to inform their supervisor, prior to the budget process, of any planned requests for TAP courses which s/he may take during the upcoming fiscal year. Employees should include a justification statement to indicate the course's direct relevance to the employee's position and how it will be helpful to the employee. The statement must be submitted to the Supervisor and Department Head prior to forwarding to HRD.

The employee must remain employed by the County for two (2) years from the date of the completion of the approved TAP course. If the employee leaves employment with the County prior to the expiration of the two (2) year period (for whatever reasons, including involuntary termination) the employee must repay all TAP monies received during the preceding two (2) years. Prior to receiving TAP funds, the employee must authorize (in writing) the County to deduct any TAP monies from his/her compensation (paycheck) and (if applicable) provide the County with additional funds owed at the time of termination.

## **Employee Performance**

### **Performance Evaluations**

The County may periodically conduct oral or written evaluations of employees' performance. Employees must sign written evaluations. The employee's signature does not necessarily indicate agreement with the contents of the evaluation, only that s/he has been made aware of it. While favorable performance evaluations may be a factor in determining wage increases, no employee is entitled to a wage increase because s/he receives a favorable evaluation.

The County maintains a Performance Enhancement Program (PEP). The purpose of the PEP is primarily to promote and maintain quality customer/citizen service. Richland County established the PEP to motivate and reward employees according to their quality of customer/citizen service, their job performance, and their contributions toward accomplishment of their performance measures.

### **Discipline**

As is the case with all organizations, instances arise when an employee must be disciplined. The discipline which may be imposed includes but is not limited to oral reprimand, written warning, probation, suspension without pay, demotion and discharge. In addition, the County may procedurally suspend an employee pending investigation to determine if disciplinary action is appropriate. If the County determines an unpaid suspension is appropriate discipline, exempt employees will be suspended in full-day increments; non-exempt employees will be suspended in partial or full-day increments. In addition, the County may impose a combination of disciplinary measures. **THE DISCIPLINE IMPOSED IN ANY PARTICULAR SITUATION IS AT THE SOLE DISCRETION OF THE COUNTY. NOTHING IN ANY OF THE COUNTY'S POLICIES OR BY VIRTUE OF ANY PAST PRACTICE OF THE COUNTY REQUIRES THE COUNTY TO FOLLOW ANY PARTICULAR COURSE OF DISCIPLINE.** Supervisors and Department Head must submit terminations to the County Administrator for review.

Employees must sign counseling memoranda, policy statements, performance evaluations and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that s/he has been notified of the contents of the document. If an employee refuses to sign the document s/he will be relieved of duty without pay. If s/he does not sign the form by 5:00 p.m. at the end of his next scheduled work day, s/he will be presumed to have resigned and will be separated from the payroll.

### **Examples of Conduct Warranting Disciplinary Action**

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the County. The following are merely examples of some of the more obvious types of misconduct that may result in disciplinary action, up to and including discharge. **THE COUNTY RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.**

- a. conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude or offense which affects the County's

reputation or which reasonably could create concern on the part of fellow employees or the community

- b. incompetence
- c. unauthorized absence or tardiness
- d. insubordination, disrespect for authority, or other conduct which tends to undermine authority
- e. failure or refusal to carry out instructions
- f. unauthorized possession or removal, misappropriation, misuse, destruction, theft or conversion of County property or the property of others
- g. violation of safety rules; neglect; engaging in unsafe practices
- h. interference with the work of others
- i. threatening, coercing or intimidating fellow employees, including “joking” threats
- j. dishonesty
- k. tardiness or absenteeism
- l. failure to provide information; falsifying County records; providing falsified records to the County for any purpose
- m. failure to report personal injury or property damage
- n. neglect or carelessness
- o. introduction, possession or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is "under the influence" if s/he has any detectable amount of any such substance in his system.
- p. unsatisfactory performance
- q. violation of County policies
- r. lack of good judgment
- s. any other reason that, in the County’s sole determination, warrants discipline

## **Grievance Procedure**

This procedure is adopted in accordance with the County and Municipal Employees Grievance Procedures Act, sections 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

A grievance is defined as any complaint by a Regular employee that s/he has been treated unfairly, unlawfully or in violation of his/her rights under county policies, with regard to any matter pertaining to his/her employment by the County. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion and demotion.

Matters involving compensation are not proper subjects for consideration under the grievance procedure except as they may apply to alleged inequities within an agency or department of the County. Employee performance appraisal ratings may not be the subject of a grievance before the grievance committee.

If a Regular employee believes that s/he has not received or been credited with or has otherwise lost benefits to which s/he is entitled, s/he must present his/her grievance in accordance with this procedure, or such wages or benefits may be forfeited.

Only Regular employees may appeal their grievance to the Richland County Grievance Committee. Employees in their initial probationary period of County employment may appeal up to the level of Department Head and no further in the process.

An employee who feels that s/he has a grievance must follow the following procedure:

Discuss the grievance with his/her immediate Supervisor. If his/her Supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2.

Follow the chain of command, appealing to each successive level of supervision. At each level each Supervisor will have two (2) work days (Saturdays and Sundays excluded) to render a decision. If no decision is made within this time, the grievance is considered denied. If a Supervisor at a particular level is unavailable to consider the grievance, it is considered denied and the employee may appeal to the next level of supervision.

If the Department Head in which the employee is employed denies the grievance, this decision is final as to any grievance brought by an employee in their initial probationary period of County employment.

An employee, other than one serving an initial probationary period, may appeal to the employee grievance committee the denial of his/her grievance by the Department Head, by filing a written request for appeal with HRD. This must be done within fourteen (14) calendar days of date that the facts on which the grievance are based become known to the employee. The written request for appeal must include the purpose of the appeal and what recommendation is requested of the grievance committee.

HRD will assist the employee in preparing the appeal, if requested.

Within ten (10) days of receipt of the employee's request, the Chair of the Grievance Committee should schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department and HRD.



## **The Employee Grievance Committee**

The County Council will appoint a committee composed of seven (7) employees to serve for staggered terms of three (3) years, except that the members appointed initially will be appointed so that their terms will be staggered, and approximately one-third (1/3) of the terms will expire each year.

A member will 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 will be for the unexpired term.

Any member may be appointed for succeeding terms at the discretion of the County Council.

All members will be selected on a broadly representative basis from among County employees.

Members employed in the same department as the grieving employee and members who have formed an opinion on the issues prior to the hearing, will not participate in that employee's hearing.

The Council will qualify and appoint no fewer than one (1) and no more than four (4) employees to serve for a term of three (3) years as alternate members of the Employee Grievance Committee. In the event three (3) or more permanent members of the committee are disqualified or otherwise unable to participate in a grievance proceeding, such that a quorum of the committee as required by this section would otherwise be unavailable, a sufficient number of alternate members should be called to constitute a quorum so that the grievance may be heard.

Alternate members may seek appointment as interim or permanent committee members as vacancies occur, in which event the council will designate replacement for such alternate members so chosen for full membership on the committee.

The committee annually will select its own chair from among its members. The chair will serve as the presiding officer at all hearings which s/he attends, but may designate some other member to serve as presiding officer in his/her absence. The chair will have authority to schedule and to re-schedule all hearings.

A quorum consists of at least five (5) members, and no hearings may be held without a quorum.

The presiding officer will have control of the proceedings. S/he will take whatever action is necessary to ensure an equitable, orderly and expeditious hearing. Parties will abide by his/her decisions, except when a committee member objects to a decision to accept or reject evidence, in which case the majority vote of the committee will govern.

The committee has the authority to call for files, records and papers which are pertinent to the investigation and which are subject to the control of the County Council; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the service of a recording secretary at its discretion. The committee has no authority to subpoena witnesses, documents or other evidence, nor will any County employee be compelled to attend any hearing. All proceedings will be tape-recorded by the Legal Department. Witnesses, other than the grieving employee and the department representative, will be sequestered when not testifying. All witnesses will testify under oath.

All hearings will be held in executive session unless the grieving employee requests at the beginning of the hearing that it be held in open session. The official tape recording and the official minutes of all hearings will be subject to the control and disposition of County Council.

Neither the grieving employee nor the department may be assisted by advisors or by attorneys during the hearing itself. The Committee may, in its discretion, request the assistance of counsel to advise the committee in dealing with any legal issues that arise in the course of considering a grievance. HRD will provide assistance in reading written materials to the committee at the request of a grieving employee.

When a grievance involves disciplinary action, the employee must receive a reasonably specific and detailed written notice of the nature of the acts or omissions that are the basis for the disciplinary action. This notice may be amended at any time twenty-four (24) hours or more before the commencement of the hearing. The department will make the first presentation.

In grievances not involving disciplinary actions, the employee must establish to the Grievance Committee that a right existed and that it was denied him/her unfairly, illegally or in violation of a County policy. The employee will make the first presentation.

In all grievances, the grieving employee and the department will each be limited to one (1) hour of initial presentation. The party required to make the first presentation will be entitled to a ten (10) minute rebuttal of the other party's presentation. The chair will appoint someone on the committee as timekeeper.

In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or unsworn signed statements from witnesses, by records, other documentary evidence, photographs and other physical evidence. Presentations will be made by the grieving employee (with reading assistance from HRD, if the employee desires) and by a managerial employee of the affected department. Neither party may call witnesses or question the other party, or question any witness called by the Committee. While either party may request that the Committee ask certain questions of witnesses or address parties, the Committee is not required to do so.

Except as provided below, within twenty (20) days after hearing an appeal, the Committee will make its findings and recommendation and report such findings and recommendation in writing to the County Administrator. After considering the Committee's findings and recommendations, the County Administrator will forward to the County Council both the Committee's findings and

recommendations and his evaluation and recommendation. If the Council approves the findings and the recommendation of the Committee, a copy of the decision will be transmitted to the employee and to the head of the particular department involved along with notice that Council approved the decision. If, however, the Council disagrees in any respect with the findings a recommendation, the Council will make its own decision without further hearing, and that decision will be final. Copies of the Council decision will be transmitted to the employee and to the head of the particular department involved.

If the Administrator, in his/her sole discretion, believes that s/he is unable to give Council an objective recommendation and evaluation of the grievance, s/he will forward the Committee's findings and recommendations without adding his/her own evaluation and recommendation.

In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside County government, the Committee will, within twenty (20) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to such official. If the official approves, the recommendation of the Committee will be his/her decision and a copy of the decision will be communicated by the Committee to the employee. If, however, the official rejects the decision of the Committee, the official will make his/her own decision without further hearing, and that decision will be final. A copy of the Official's decision should be communicated to the employee.

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 or appointed official considers such action to be necessary for the good of the County.

<b>Richland county human resources guidelines</b>	
<b>TITLE:</b> Inclement Weather and Emergency Conditions Preparedness	<b>Number:</b> 9.01
<b>EFFECTIVE DATE:</b> 1/2/2007	<b>Page:</b> 76 of 99
<b>REVISION DATE:</b> 1/2/2007	<b>REVISION #:</b>
<b>PREPARED BY:</b> Human Resources Department	<b>AUTHORIZED BY:</b> HRD

**PURPOSE:**

These guidelines provide direction to the employees of Richland County during inclement weather or emergency conditions. Richland County is mandated to continue providing some essential services to citizens of the County during inclement weather or emergency conditions in accordance with the SC Code of Laws or at the direction of the County Administrator. The County does not have the luxury of ceasing all County services during inclement weather or emergency conditions.

**DEFINITIONS:**

- A. Emergency – Actual or threatened enemy attack, sabotage, conflagration, flood, storm, epidemic, earthquake, riot, public calamity or any other situation designated or declared by the Governor.
- B. Inclement Weather or Emergency Conditions Personnel – Includes designated employees in the following departments: Emergency Services, Coroner, Sheriff, Alvin S. Glenn Detention Center, Public Works and any other County personnel service, function and/or job designated as such by the County Administrator or other official who is legally authorized to make such a determination.
- C. Modified Work Schedule (MWS) – Officially closing early, not opening or delaying the opening of County offices.
- D. Public Safety Services: includes but not limited to emergency services (i.e., Emergency Services Department (ESD), law enforcement (i.e., Richland County Sheriff’s Department (RCSD), Alvin S. Glenn Detention Center (ASGDC), and Public Works (DPW), and any other County service, function, and/or job designated and approved as such.

**PROCEDURES:**

1. All employees are subject to being summoned for off-duty work in cases of emergency.
2. The County Administrator has the sole authority to officially close County offices early, delay opening and/or excuse employees of the County from reporting to work during inclement weather or emergency conditions. This can be decided County-wide or on an office-by-office basis by the County Administrator based on what s/he believes to be in the best interest of the County, employees and the public.

3. Because the County provides emergency, roads, drainage and protective services to citizens, some departments must remain staffed and cannot excuse all employees from work following a declaration of inclement weather or emergency conditions.
4. If the County Administrator determines it is necessary to officially modify work schedules of County offices, the news media will be promptly notified in order that employees and the public may be informed.
5. Employees whose departments are not closed due to inclement weather or whose jobs require that they report are expected to report to work. Those who fail to report, arrive late or leave early shall not be paid for the time off work without proper approval, may be considered unexcused.
6. If hazardous weather conditions develop during a workday, employees may leave early when authorized by their Department Head which shall be so notified by the County Administrator. Compensation for such time shall be determined by the guidelines below.
7. Employees may be compensated for time not worked due to inclement weather or emergency conditions only with the use of their personal accrued annual leave or by arrangement with the Department Head to make up the time lost from work.
  - 7.1. At the discretion of the Department Head, a non-exempt employee may be permitted to make up the time within the next thirty (30) calendar days. Such make up time must be at the regular hourly rate only (therefore, the employee may not work more than forty (40) hours per week) and the time will be paid on the normal pay day after the work is complete.
  - 7.2. At the discretion of the Department Head, exempt employees who do not work may either take accrued annual leave, leave without pay, or administrative leave with pay (for up to seven and one-half (7.5) hours per pay period) in accordance with County guidelines..
8. If weather conditions as determined by the employee make it impossible for the employee to get to his/her place of work, the employee shall be allowed to:
  - 8.1. Make up the time lost from work within the week in which the time was lost;
  - 8.2. Use accrued annual leave
  - 8.3. Take leave without pay.
9. If an employee is not called in to work, does not have accrued annual leave or administrative leave time, and/or is not authorized to make up the lost work time by his/her respective Department Head, the employee will be on leave without pay status for the normal work time County offices are officially closed.

10. It is the responsibility of each Department Head to identify in writing in advance those employees whose presence is required during inclement weather or emergency conditions and notify those employees of their respective responsibilities prior to the onset of such conditions.
11. Employees who have been designated to report to work during inclement weather or emergency conditions shall come prepared to stay for an extended period of time (i.e., more than one (1) day) at the appointed worksite, if necessary.
12. Employees already at work during inclement weather or emergency conditions may be required to stay at the worksite until other staff can be called in to provide relief.
13. Employees must provide Supervisors with current contact information (i.e. telephone, cell phone, pager, etc.) so they may be contacted directly during inclement weather or emergency conditions.
14. Non-exempt employees who work overtime as a result of inclement weather or emergency conditions will receive compensatory time or overtime pay as outlined in the County's Non-Exempt Status Guidelines.
15. In the absence of a MWS designation by the County Administrator, all employees are expected to be at work during their normal schedule.
16. If scheduled, but unable to report to work due to inclement weather or emergency conditions, employees shall notify their Supervisor prior to the start of the work shift.
17. A Department Head may request an employee not designated as "Inclement Weather or Emergency Condition Personnel" to remain at work and/or to come in to work, if s/he deems necessary in inclement weather or emergency conditions.
18. Employees called in to work in an inclement weather or emergency condition capacity will be compensated according to their FLSA status and/or work hours performed.
  - 18.1. Compensation for non-exempt employees shall commence when the employee goes on duty status and continue until such time that the employee's work ends, as determined by the proper authority.
  - 18.2. When an exempt employee is requested or designated to work during inclement weather or emergency conditions, s/he shall be compensated at his/her regular rate of pay for the workweek. No overtime pay is due to any exempt employee.

## RESPONSIBILITIES:

### 1. Employee

- 1.1. Check with Supervisor, the news media, the County's website and/or call the designated number for the Ombudsman's office for information regarding possible official MWS during inclement weather or emergency conditions.
- 1.2. Come prepared to stay at the appointed worksite for an extended period of time (i.e., more than one (1) day), if designated to report to work during inclement weather or emergency conditions.
- 1.3. Stay at the worksite until other staff can arrive to provide relief when conditions warrant.
- 1.4. Provide Supervisors with current contact information (i.e. telephone, cell phone, pager, etc.) so direct contact may be made during inclement weather or emergency conditions.
- 1.5. Determine safety of personal travel arrangements to and from work.
- 1.6. Notify Supervisor prior to the start of the work shift if scheduled and unable to report to work due to inclement weather or emergency conditions.
- 1.7. Request use of personal accrued annual leave and/or compensatory time (if permitted) to make up time lost because of official closing of County offices during regular office hours.
- 1.8. Record work and leave time accurately and promptly on the appropriate time sheet.
- 1.9. Respond appropriately to announcements of MWS of County offices consistent with County Guidelines.

## 2. Supervisor / Department Head

- 2.1. If necessary, develop and publish administratively approved internal departmental procedures for inclement weather or emergency conditions.
- 2.2. Identify and notify in advance those employees whose presence may be required during inclement weather or emergency conditions.
- 2.3. Compile and maintain a listing of employees' current contact information (i.e. telephone, cell phone, pager, etc.), so they may be directly contacted as needed during inclement weather or emergency conditions.
- 2.4. Develop and publish inclement weather and emergency condition personnel roster for the department.
- 2.5. Inform new personnel of inclement weather and emergency conditions responsibilities during new employee orientation of the department.
- 2.6. Submit to HRD and maintain on file a copy of currently approved (by County Administrator) inclement weather and emergency conditions departmental procedures and personnel roster.
- 2.7. Properly report work and leave time for employees.

## 3. Finance Department

- 3.1. Make appropriate data entries to reflect the correct compensation amount for employees that are released from duty or called to duty due to inclement weather or emergency conditions.

## 4. Human Resources Department

- 4.1. Immediately inform Department Heads via email upon notification by the County Administrator of official MWS of County offices.

## 5. Public Information Officer

- 5.1. Promptly notify appropriate media outlets upon receiving notification from County Administrator concerning official MWS of County offices.
- 5.2. Promptly place MWS information on the County website and on RCTV Channel 2 for employees and the public.



6. Ombudsman

6.1. Set up and publish a designated phone number for employees and the public to call to get information about official MWS of County offices.

6.2. Record official MWS of County offices as decided by the County Administrator.

7. County Administrator

7.1. Make determination regarding MWS of County offices based on relevant information from sources such as ESD, law enforcement, national and local weather services.

7.2. Inform Public Information Officer, Ombudsman, County Council and HRD of MWS of County offices as soon as practical.

<b>Richland county human resources guidelines</b>	
<b>TITLE:</b> LEAVE POOL PROGRAM	<b>Number:</b> 2.13
EFFECTIVE DATE: 01/02/07	<b>Page:</b> 82 of 99
REVISION DATE: 01/02/07	<b>REVISION #:</b>
PREPARED BY: Human Resources Department	<b>AUTHORIZED BY:</b> HRD

**PURPOSE:**

**The Leave Pool Program is a voluntary program that allows eligible employees to donate a portion of their accrued annual leave and sick leave to assist other eligible employees who are experiencing a Leave Pool Program and/or injury. The Leave Pool Program provides eligible Regular, full-time employees the opportunity to receive 67% of their gross pay and continue in pay status for up to thirty (30) days (150 hours for 37.5 hours –7 day period employees and 170 hours for 85 hour-14 day period employees) once in a rolling twelve-month period.**

**DEFINITIONS:**

- A. Illness or Injury – A serious or debilitating illness or injury which incapacitates the employee, or a member of the employee’s immediate family, and which creates a financial hardship because the employee has exhausted all annual and sick leave hours. To qualify, the situation must require the employee to be away from work for at least twenty (20) workdays.
- B. Eligible Employee – Regular, full-time employees who have been employed with the County for at least twenty-four (24) consecutive months in a Regular, full-time position.
- C. Leave donor – An employee whose voluntary written request for transfer of annual or sick leave from their personal accrued leave to the leave pool is granted.
- D. Leave recipient – An employee who has a Leave Pool illness or injury and is selected and approved to receive sick leave from the leave pool.

**PROCEDURE:**

- 1. Submission and processing of requests for participation in the program:
  - 1.1. Participation in the Leave Pool Program is entirely voluntary for both the donor and recipient, subject to approval where required.
  - 1.2. Donations may be made and received January 2 through November 30 annually.
  - 1.3. Donor and recipient requests are submitted to HRD, upon signed recommendation of the Department Head using the Leave Pool Program Donation/Request Form(s).
  - 1.4. Donation or recipient requests of less than 37.5 hours will not be considered.

1.5. Donations and Requests will be processed in the order in which they are received.

1.5.1. If CLP time is available within ninety (90) days, it will be allocated accordingly.

1.5.2. If time is not available, requests will be kept for ninety (90) days. During that time frame, if time becomes available and if the employee still qualifies, time will be distributed. If time does not become available, requests will be considered void and requesting employee and Department Head notified.

2. Donation Guidelines and Requirements:

2.1. Donors may not donate directly to an individual employee.

2.2. Donations must be made in hour increments after an initial 37.5 hour donation.

2.3. Donations are not tax-deductible.

2.4. An employee may donate his/her accrued annual or sick leave to the Leave Pool Program only if the employee has at least seventy-five (75) total hours of accrued sick and/or accrued annual leave remaining after the donation.

2.5. A donor may not donate accrued leave that exceeds the maximum annual carry over limitation for the respective type of leave (leave that would be lost due to maximum accrual limitations) and may not donate at the time of termination any leave that would be lost due to termination.

2.6. Once the donation is approved, the donor may not revoke the donation.

3. Recipient Guidelines and Requirements:

3.1. A leave recipient may not have any disciplinary actions relating to attendance on file in HRD in the past two (2) years.

3.2. Recipients must exhaust all annual and sick leave, and request, be approved for, and use advanced sick leave before participating in the Leave Pool Program.

3.3. The recipient employee may not compensate the donor employee for time donated.

3.4. The maximum request for leave from the Leave Pool Program may not be more than thirty (30) days requested in a rolling twelve-month period.

3.5. A request to receive donated leave must be accompanied by the Medical Certification Statement, completed and signed by physician to include a written verification from the attending physician of the illness or injury and include the estimated amount of time the employee will be out of work.

- 3.5.1. The County reserves the right to obtain an independent or second opinion regarding the employee's condition.
- 3.6. In any pay period, recipients may use donated hours only up to 67% of their normal scheduled work hours to included Observed Holiday pay.
- 3.7. All time used under the Leave Pool Program will run concurrently with FMLA guidelines until the employee's FMLA time expires.
- 3.8. An employee's accruing annual and sick time will be deducted concurrently with his/her use of Leave Pool Program pool time while participating in the Leave Pool Program.
- 3.9. The personal emergency affecting a leave recipient terminates when the Department Head and HRD determine that the Leave Pool Program condition no longer exists or the recipient's employment terminates.
  - 3.9.1. The employing department shall continuously monitor the status of the Leave Pool Program or injury affecting the leave recipient and establish procedures to ensure that the leave recipient is not permitted to receive or use transferred annual or sick leave from a pool account after the Leave Pool Program or injury ceases to exist. When the Leave Pool Program or injury terminates, the employing department may not grant further requests for transfer of leave to the leave recipient's leave account unless there is a separate and Leave Pool Program emergency situation.
  - 3.9.2. When the Leave Pool Program condition affecting a leave recipient terminates, any transferred annual or sick leave remaining to the credit of the leave recipient must be restored to the pool.
- 3.10. Leave transferred from a pool account will not be transferred to another employee, included in a lump-sum payment for accrued leave, or included in the leave recipient's total service for retirement computation purposes.
4. The following employees are excluded from participating in the Leave Pool Program:
  - 4.1. Employees on workers' compensation leave.
  - 4.2. Employees who have already received the maximum allowance of Leave Pool Program provided by the program in a rolling twelve-month period, based on the employee's rolling twelve (12) month FMLA year.

#### RESPONSIBILITIES:

##### 1. Employee

- 1.1. Notify Supervisor, as soon as possible, of request and reason for use of the program.

- 1.2. Obtain statement from physician indicating inability to work and expected duration.
- 1.3. Submit all requests for Leave Pool Program using the designated forms.
- 1.4. If absence was due to illness or injury, prior to returning to work, submit the Physician's Return-to-Work Authorization.

2. Supervisor / Department Head

- 2.1. Analyze employee attendance and punctuality record and disciplinary record on attendance for the past two (2) years, excluding FMLA absences.
- 2.2. Document when and why the requesting employee's leave is exhausted.
- 2.3. Promptly submit Leave Pool Program Request Forms to HRD.

3. Finance Department

- 2.4. Notify HRD of the balance in the Leave Pool Program on a monthly basis, or as requested.
- 2.5. Track and record leave donations and receipts on a first-come, first-serve basis. Keep requests on file for ninety (90) days, and then purge them from the system.
- 2.6. Process approved leave donations and receipts and make appropriate data entries to delete leave from donors and credit leave to recipients.
- 2.7. Accept and make eligible payments from and donations to the Leave Pool Program.

3. Human Resources Department

- 3.1. Authorize only eligible donations to, and payments from, the program.
- 3.2. Notify employees and Department Heads on status of request and/or time expirations.

<b>Richland county human resources guidelines</b>	
<b>TITLE:</b> Tuition Assistance Pay Reimbursement / Pay Advance (TAP)	<b>Number:</b> 7.03
EFFECTIVE DATE: 1/2/2007	<b>Page:</b> 86 of 99
REVISION DATE: 1/2/2007	<b>REVISION #:</b>
PREPARED BY: <b>Human Resources Department</b>	<b>AUTHORIZED BY:</b> HRD

**PURPOSE:**

Richland County encourages all employees to take advantage of educational opportunities that will help them in professional development and help position them to take advantage of promotional opportunities with the County.

Richland County recognizes and supports the importance of learning and development. At the same time, the County must balance financial responsibility and develop guidelines to ensure mutual benefit for both the employee and the County. Therefore, the purpose of these guidelines is to guide employees and management on the procedures related to the Tuition Assistance Plan (TAP).

Any TAP monies paid by the County to or on behalf of an employee will represent a pay advance to the employee. Each TAP recipient authorizes the County to deduct from his/her final paycheck any such balance remaining if the employee has not successfully fulfilled his/her service time obligations to the County under the TAP Procedure.

**DEFINITIONS:**

- A. Course – A program that is offered for credit or certification by an accredited educational institution.
- B. Department–Required Training – Training which is paid for by the County through the department’s budget, including that which is required or mandated by law, certification agencies or County policy.
- C. Directly Job-Related – Directly job-related means a course or seminar that is the same or closely related to the employee’s profession, technical skills or position. The course must maintain or improve skills required to meet the requirements found in his/her job description or for advancement to a higher level position, any applicable law or regulation, or any express requirements imposed by the County for bona fide business reasons.
- D. Eligible Expenses – Out-of-pocket tuition, fees, and book costs for which employees are not already receiving funds (through another source, e.g. Veterans Affairs Benefits, scholarship funds, grants, departmental tuition reimbursement or educational incentive programs). Such costs shall not exceed the in-state tuition rate of the South Carolina University system, the South Carolina Technical College system, or South Carolina Community College system (as applicable).

**E. Tuition** – A fee for instruction at an accredited or County-approved institution of learning.

PROCEDURE:

1. Only Regular, full-time employees are eligible to apply for participation in the TAP program.
2. To receive TAP reimbursement:
  - 2.1. An employee must obtain written recommendation from the Department Head, review by HRD and approval by the County Administrator prior to starting a course, training or seminar.
  - 2.2. The course must be directly job-related as determined by the Director of HRD and the County Administrator.
3. Budget permitting, reimbursement is made at the following schedule with grading as established by the respective educational institution:

Grade	Undergraduate	Graduate
A	90%	90%
H. B	80%	80%
C	70%	0%
Pass/ (in Pass/Fail rated Courses only)	90%	90%
There shall be no reimbursement for courses for a grade of less than C.		

4. If funding is approved, the TAP will be funded through a centralized account managed by HRD.
5. The employee is expected to satisfactorily fulfill his/her work obligations and generally work his/her normal full schedule. Courses may be taken during working hours only upon the written approval of the Department Head. If such approval is obtained, the Department Head may decide if the employee must take annual leave or make up the appropriate work time in another manner. The employee must complete all assignments on time.
6. The employee must remain employed by the County for two (2) years from the date of the completion of the approved TAP course. If the employee leaves employment with the County prior to the expiration of the two (2) year period (for whatever reasons, including involuntary termination) the employee must repay all TAP monies received during the preceding two (2) years. Prior to receiving TAP funds, the employee must authorize (in writing) the County to deduct any TAP monies from his/her compensation (paycheck) and (if applicable) provide the County with additional funds owed at the time of termination.
7. All TAP requests must be submitted and approved in accordance with this procedure regardless of the source of County funds and even if the employee is to receive reimbursement from department funds.
8. An employee is eligible to receive TAP monies for up to five (5) courses a calendar year.



9. There is a limited amount of TAP funding allocated each fiscal year. Therefore, funds will be distributed on a “first-come, first-serve” basis, based on the date the completed request is received by HRD and approved by the County Administrator.
10. The County will not reimburse an employee for any course paid by another source (e.g., grants, scholarships, veterans benefits, etc.).
11. “Skill Gaps” and other deficiencies must be funded by the department and not the TAP fund.
12. The County has no financial responsibility for any tuition, books fees or costs incurred by a County employees unless, prior to incurring such expenses, the employees has been approved for TAP by HRD and the County Administrator.
13. TAP reimbursement requests must be received by HRD within ninety (90) days of the completion of the class to be eligible for reimbursement.

Footnote: EMPLOYEE TAX LIABILITY: \*This is not tax advice\*

1. The County complies with the Internal Revenue Code Provision and the U.S. Internal Revenue Service (IRS) Regulations relating to employer-reimbursed educational assistance withholding taxes.
2. Under current tax law and regulation, tax liability determination is made based on several factors, such as but not limited to: minimum educational requirements for the job; whether the course is graduate or undergraduate; whether the course improves current job skills or complies with a law/ regulation/ rule of the County; and whether completion of the course will qualify the employee for a new position or make the employee eligible to take an examination which would qualify him/her for a new position. A “course by course” analysis applies to non-taxable tuition.
3. The County shall not be responsible for any personal tax liability for any employee as a result of the TAP benefit.

## RESPONSIBILITIES:

### 1. Employee

- 1.1. Inform his/her Supervisor, prior to the budget process, of any planned requests for TAP courses which s/he may take during the upcoming fiscal year.
- 1.2. Complete the appropriate paperwork, which includes the course name, institution offering the course and location, class schedule, course description, cost of book(s), date(s) and time(s) of class(es) and cost of tuition for the course(s).
- 1.3. Include a justification statement to indicate the course's direct relevance to the employee's position and how it will be helpful to the employee. The statement must be submitted to the Supervisor and Department Head prior to forwarding to HRD.
- 1.4. Receive written approval by the County Administrator prior to enrollment in the course.
- 1.5. If applicable, request and require approval of the Department Head prior to taking a course during working hours.
- 1.6. After approval and class completion, submit appropriate paperwork for reimbursement with a certified copy of the final grade (transcript or grade report) and receipts for eligible expenses to HRD within ninety (90) days of course completion.
- 1.7. Complete all work assignments promptly and to the satisfaction of the respective Department Head.
- 1.8. Not request TAP for a course, if receiving payment from another source. Inform Supervisor of any other funding received for courses requested using TAP funds.
- 1.9. Authorize, as a condition to tuition reimbursement under TAP, deduction of monies owed to County from final paycheck agree to pay County any additional monies owed if final paycheck is insufficient to repay County.

### 2. Supervisor / Department Head

- 2.1. Submit department's request for TAP funds needed to HRD during the budget process, along with a list of employees requesting TAP funds.
- 2.2. Inform employees of the availability of the TAP program and procedures.
- 2.3. Review and make a written recommendation on each employee TAP request and include a specific list of how the employee anticipates using the knowledge and skills from the course on the job. The recommendation must specify whether the course is deemed to be directly job related.

- 2.4. Ensure compliance with TAP procedures by submission of appropriate forms, employee requests and supporting documentation to HRD with copy to the employee.
- 2.5. Give first priority to applications that were included in the budget preparation process. Other requests will be considered as (and if) funds are available.
- 2.6. Notify HRD of outstanding TAP obligations of employees upon termination.

3. Finance Department

- 3.1. Withhold pay advances due to the County relating to TAP obligations from paychecks of employees and collect any other monies due to the County for TAP obligations.

4. Human Resources Department

- 4.1. Use information provided from departments during the budget process to make recommendations on funding the TAP to the County Administrator.
- 4.2. Include funding requests for the TAP in the annual budget request for HRD annually.
- 4.3. Utilize data for departments in TAP review process.
- 4.4. Consider requests for TAP from Department Heads and make recommendations to the County Administrator within five (5) working days of receipt of complete TAP applications and all supporting documentation needed.
- 4.5. Alert Finance Department of TAP obligations of employees upon termination.

## Richland County Council Request of Action

**Subject:** Ordinance Repealing Business Licenses

### A. Purpose

Councilmember Jackson requested this item be brought to Council for their consideration.

### B. Background / Discussion

At the Special Called Council Meeting on Thursday, January 22, Councilmember Jackson made a motion to repeal the business license as it hurts recruiting business to Richland County.

Currently, seven out of forty-six counties and 96% of municipalities in SC impose a business license fee.

### C. Financial Impact

Repealing the business license fee would reduce the County's revenues by an estimated **\$7 million annually**.

### D. Alternatives

1. Repeal the business license ordinance.
2. Keep the business license ordinance in place as it exists today. Per ordinance, Council will review the business license rate schedule each year during the budget process, and make modifications as necessary.

### E. Recommendation

This is a policy question best left to Council's discretion.

**Recommended by:** Norman Jackson      **Department:** Council Motion      **Date:**  
1/22/2009

### F. Reviews

#### Finance

Reviewed by: Daniel Driggers

Date: 2/12/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: Business License revenue appropriated in the FY09 budget was \$9.4 million. Approval would require the identification of an alternative funding source or a reduction in general fund expenditures of a similar amount for future budget years.

**Legal**

Reviewed by: Larry Smith

Date: 2/18/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council discretion.

**Business Service Center**

Reviewed by: Pam Davis

Date: 2/19/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: The business license, a significant source of revenue for the County, serves two other critical purposes as well.

A business license represents the County’s “seal of approval” to operate within Richland County. It requires that all County regulations are met – and all fees and taxes are paid – prior to obtaining a business license. The business license is used as an important leverage tool to obtain business compliance with the County’s various requirements, including:

- Business Personal Property Taxes
- Hazardous Material Permits
- Hospitality Taxes
- Precious Metals Permits requirements
- Pyrotechnic Licenses
- DHEC requirements
- Fire Marshal requirements
- Planning & Develop. Dept. requirements
- Building Permits/Inspections
- Zoning requirements

The business license requirement also provides data on the County’s businesses. This valuable data is requested by many County departments. The departments which often use this information include:

- the Building Permits and Inspections Dept.
- the Planning & Development Services Dept.
- the Public Information Office,
- the Sheriff’s Dept., and
- the Treasurer’s Office.
- SC Dept. of Consumer Affairs
- SC Dept. of Health/Env. Control
- SC Dept. of Revenue

Maintaining the business license requirement will accomplish several critical County priorities.

- (1) It will preserve the County's revenue diversification and avoid an increase in the tax burden on residential property taxpayers and/or a decrease in the services that can be provided to the County's residents at a critical time.
- (2) It will preserve an important tool for enhancing the compliance with various other County revenue streams.
- (3) It will preserve the collection and provision of business data to other County and State departments to assist them conduct their operations more effectively and cost-efficiently.

### **Administration**

Reviewed by: Roxanne Matthews

Date: February 19, 2009

Recommend Approval

Recommend Denial

No Recommendation

Comments: Recommend denial based on previous comments made by the Finance Director and Business Service Center Director, but ultimately, this is a policy decision of Council. In October 2008, Council enacted ordinances that reduced the impact on businesses by granting a rate decrease for landfills, and providing for a declining rate schedule for interstate commerce. Since then, Council has also enacted ordinances granting a 20% reduction in business license rates across the board. These cumulative amendments to the business license ordinance have resulted in over \$1,500,000 in savings for businesses. Currently before Council are ordinance revisions that will allow the waiver of penalties for certain circumstances; grant a lengthier time limit for appeals to be submitted; amend the definition of "gross income" to provide relief to car dealerships, heavy equipment dealers, and others who accept trade-ins; and cap interstate commerce at a certain amount, allowing further relief to businesses. Also, Council passed an ordinance stating that the business license rates must be reviewed during each year's budget process. The FY10 budget process is currently underway, and this issue will be discussed with Council in the coming months, in addition to the pending ordinance revisions, as well as this request.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-09HR**

**AN ORDINANCE REPEALING SECTIONS OF THE RICHLAND COUNTY CODE OF ORDINANCES, SPECIFICALLY THE PROVISIONS OF CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE 1, IN GENERAL.**

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; is hereby repealed in its entirety, and is reserved for future use.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST this the \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

First Reading:  
Public Hearing:  
Second Reading:  
Third Reading:



## MEMORANDUM

DATE: February 19, 2009  
TO: Joyce Dickerson, Chair, Administration and Finance Committee  
FROM: Joseph M. Cronin, Research Manager  
RE: Pioneer Bowl / Harambee Festival Funding Request

On January 9, 2009, the Clerk of Council received a letter from Mr. Willie Washington, Athletics Director from Benedict College, in regards to the 2008 Pioneer Bowl. In the letter (see attachment), Mr. Washington stated that the 2008 Pioneer Bowl, which had received funding from the Richland County Hospitality Tax Fund in FY 2009, did not take place as originally anticipated. Mr. Washington further requested that council instead allocate these funds to the Harambee Festival, to be held at Benedict College from February 27<sup>th</sup> through March 1<sup>st</sup>, 2009. During the council meeting on January 22, 2009, this item was referred to the A&F Committee for consideration.

During the budget process, council voted to allocate \$10,000 from the Hospitality Tax Fund to support the Pioneer Bowl. During a Special Called Meeting on October 28, 2008, council voted to give an additional \$10,000 to the Pioneer Bowl, making the county's total contribution \$20,000. Three days later, on October 31, 2008, the 2008 Pioneer Bowl was cancelled. The game was scheduled to take place in Columbia on December 6, 2008 at Charlie W. Johnson stadium.

While Mr. Washington of Benedict College informed the county that the 2008 game did not take place as originally anticipated, the county never received an official notice from the Southern Intercollegiate Athletic Conference (SIAC). The SIAC was both the applicant and designated recipient of the county's Hospitality Tax Funding.

Immediately following the council meeting on January 22, 2009, I spoke to a representative from Benedict College and informed him that an official letter would be required from the applicant (SIAC) in order to unallocate funding from the 2008 Pioneer Bowl. Upon receipt of this letter, council, in its discretion, could vote to unallocate funding from SIAC and in turn, dedicate those funds to Benedict College for the 2009 Harambee Festival, or any other eligible organization.

To date, no letter has been received from the original applicant, SIAC. In addition, the 2009 Harambee Festival is scheduled to take place from February 27<sup>th</sup> through March 1<sup>st</sup>, 2009, which is before council would vote on whether or not to provide funding for the festival.

In addition, staff from Benedict College has been informed that the county is currently accepting applications for FY 2010 Hospitality Tax grants through February 27, 2009.



January 9, 2009

Ms. Michelle Cannon Finch  
Richland County Administrator  
Columbia, South Carolina

Dear Ms. Finch:

Thank you for your generous support of the Pioneer Bowl. As you know, the Pioneer Bowl was not held at the Benedict College this year. As a result, we request that the amount of \$10,000.00 originally allocated to the Pioneer Bowl be assigned to the Benedict College Harambee Festival. In 2009, the Harambee festival will celebrate its twentieth anniversary of providing service to the midlands and the state of South Carolina. If approved, these funds will be used to advertise the festival on a much larger scale and to secure a headline performer.

The Harambee Festival is one of the many success stories at Benedict College. The College developed the concept of sponsoring a festival to culminate the commemoration of Black History Month. This event, open and free to the public, would unite or “pull together” the greater community as all segments would have an opportunity to enjoy exhibits, displays, performances, and cultural enhancements.

The Harambee Festival has a financial impact on the greater Columbia community in the amount of nearly \$100,000.00 for the one-day event. The financial impact in February 2009 is expected to be even greater because the twentieth anniversary celebration will last for three days, instead of the traditional one day. Nearly forty percent (40%) of attendees are tourists. The projected schedule is as follows:

Friday, February 27, 2009  
Harambee Festival Twentieth Anniversary Appreciation Reception  
Charlie W. Johnson Stadium (President’s Box)  
5:00 p.m. – 7:00 p.m.

Saturday, February 28, 2009  
Harambee Festival: A Festival of Arts, Culture and History for the Entire Family  
Mays Human Resources Center Arena  
9:30 a.m. -5:30 p.m.

Sunday, March 1, 2008  
Harambee Festival Gospel Sing-Out  
Mays Human Resources Center Arena  
4:00 p.m.

An overview of the Harambee Festival is printed below. After many growing problems and low attendance in the early years, in 1992, finally the sun did shine and has shown brightly on the festival since that time. Significantly, full-color brochures publicized all events in

commemoration of African American History Month with special attention given to the Harambee Festival. There were 33 vendors, 41 exhibitors and over 1,000 persons attended this event. This was the same year that **live entertainment** was added featuring the Benedict College Gospel Choir and the C.B. Jackson Singers of the Brookland Baptist Church. The Bake Contest, which paid cooks for their best desserts, was also incorporated into the festival.

The bazaar continued to grow between 1993 and 1995 with the total number of participants in those years being 94, 104, and 92 respectively. The attendance was 1500, 2500 and 3000 respectively. In 1993, Armani Productions brought the festival its first fashion show and patrons enjoyed the music of the C and C Connection. In 1996, there were over 138 participants and the attendance was near 4000. The widely acclaimed Jarvis Brothers were our special guests. In 1997, there were 150 participants and the attendance was over 4000. Southeast Entertainment Production brought us an entertaining show.

The 1998 Bazaar had more than 250 participants, including a 100-member children's choir from Augusta, Georgia. More than 5,000 persons attended. The Tenth Anniversary of the Harambee Festival was celebrated in 1999. Many of the previous vendors, exhibitors, performers, and other participants returned for the festivities. They were greeted by 34 exhibitors, 10 food vendors, 6 bake contestants, and 70 vendors. Between 5000-6000 persons attended the event.

Benedict College celebrated its Eleventh Anniversary in 2000. We hosted 26 exhibitors, 11 food vendors, 7 bake contestants, 16 performances, and a record number, 85 vendors. More than 5,000 persons visited the Bazaar. The 2001-2003 festivals were successful. There was plenty of merchandise, fun, music, food and good family entertainment. All available spaces were reserved in all categories (performances, exhibits/displays, merchandise vendors, and bake contest). Between 5,000 and 6,000 persons attend annually. Miss Colombia paid a special visit in 2002. National recording star Ms. Angie Stone headlined a stellar group of performers at the Harambee Festival on February 28, 2004. Other performers include: the nationally acclaimed Benedict College Gospel Choir, the C. B. Jackson Singers of Brookland Baptist Church, First Nazareth Baptist Church, the Harold Odom Dance Theater and the Jazz Band of Benedict College, the Antioch AME Zion Church of Eastover, a magic show, the more than 100 voices of the Beulah Grove Baptist Church Children's Choir of Augusta, Georgia, and the Kemet School for Afro-Centric Education.

Merchandise vendors comprise one of the main features of the festival. More than 90 vendors sold those hard-to-find items such as handmade jewelry, accessories, books, African art, clothing, music, and much, much more. The foods include barbeque, fish, chicken, ribs, turkey legs, rice, sausage, hot dogs, and much, much more.

Activities included a "jump castle" for the children, face painting, a bake contest in which the top three recipients are paid, and free health screenings for prostate cancer, diabetes, and mammograms. The jump castle for children is an inflatable unit that allows children to run and play inside it.) The 2004 festival also featured The Magic Show by Houdini, one of the best African American magicians in the nation, and a graduate of Benedict College.

The 2005 Harambee Festival was very successful. In addition to the national award-winning Benedict College Gospel Choir, recording artist Twan Blaze will appeared in addition to Miss Capital City Classic Zandra Newton and recording artist Regina Skeeters. (Both of these performers served as Miss Benedict College during their enrollment in the college). There were outstanding gospel choirs from area churches: First Calvary and First Nazareth Baptist Churches, and Christ-N-U- Community Choir. The Benedict College Jazz Band, Harold Odom Dance Theater, and BCARTI (poetry) also performed.

February 2006 and 2007 brought successful festivals to the campus. UNISOGHN, performers who are former Benedict College students, were the headliners who brought a tremendous performance. More than 7,000 patrons attended the event. Additionally, there was screening for prostate cancer as well as other health conditions.

The two major goals of the Harambee Festival are to:

1. become a regional festival; and
2. to endow a scholarship for deserving students.

In order to accomplish these goals and to enhance the festival significantly, the Committee is actively seeking support. With adequate support, the College can advertise this event properly, bring nationally known gospel, hip-hop and R and B artists to the festival, and increase revenue streams beyond operating expenses in order to endow a scholarship.

Again, we respectfully request transfer of the amount of \$10,000.00 from funds originally allotted to the Pioneer Bowl to the Benedict College Harambee Festival. If there are questions please call Willie Washington at 803.705. 4734 or George Devlin at 705.4417.

Thank you very much.

Sincerely,

Willie Washington  
Athletics Director

George A. Devlin  
Chair, Harambee Festival Committee