

SCHUYLER COUNTY

MANAGEMENT/CONFIDENTIAL

HANDBOOK

ADOPTED BY RESOLUTION NO. 169-16

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SECTION I

DEFINITION OF MANAGEMENT HANDBOOK

This Management/Confidential Handbook, in its entirety, is intended to cover and have application to all those employees designated as management/confidential titled in Section V. For the purpose of this Plan, positions included shall be those that meet all requirements of the Fair Labor Standards. They are designated as Management/Confidential and having policy, managerial, administrative or professional duties which require the performance of independent judgment in program planning, personnel administration, confidentiality, resource allocation or scheduling and supervising the work of others.

Elected Officials are exempt from this handbook, with the exception of direct deposit requirements and being eligible for Health Insurance.

COMPENSATION

This Handbook shall be reviewed periodically to determine its appropriateness in relation to other counties and the labor market. The Personnel Officer shall be designated to perform the review with a committee of four other management employees, and make recommendations for adjustments to the handbook to the County Administrator and County Legislature to keep pace with the labor market as appropriate. In order to determine raises for management each year, the Personnel Officer and County Administrator will make a recommendation to the Legislature based upon a review of the CPI, an average of the union increases for the upcoming year, and additional factors such as the average of increases for M/C staff in comparable counties. This adjustment shall be subject to approval by the Legislature. M/C staff hired prior to August 1st of current year will be entitled to an approved salary increase for the following year.

Elected officials shall be compensated according to the market conditions and set by Local Law for each four-year term by the Legislature.

When filling vacancies, salaries will be set by averaging the salary for the same or similar position from eight other counties by doing a survey and/or using the NYSAC Salary Survey. This process will also consider years of service in that position.

The Eight Counties are as follows: Tioga, Chemung, Seneca, Yates, Steuben, Delaware, Chenango and Cayuga.

SECTION II

WORKWEEK

Benefits and accruals for all Management/Confidential employees will be based on a 35 hour work week. Management/Confidential employees are expected to have the flexibility to work from 35 to 40 hours a week, to get their work done. All Management/Confidential employees will maintain a timecard for tracking purposes. All timecards must be completed by 10am on "payroll Monday."

Payday will be one week after the end of each pay period. The Employer will deposit an employee's pay as direct deposit in any banks or financial institution chosen by the employee. All employees (full or part time) covered under this contract must have entire payroll check direct deposited into a bank account(s). Those employees who currently do not utilize direct deposit will have one month from adoption of the revised handbook (*adopted 9/11/17*) to set up direct deposit with the Human Resources Department.

EXEMPT EMPLOYEE DISCRETIONARY TIME (EEDT)

Management/Confidential employees are those non-union employees who are exempt from the overtime provisions of the Fair Labor Standards Act.

EEDT will be granted to those employees who are required to work in excess of 40 hours per week for special projects or during weekends or any normally scheduled time off.

The County shall allow these exempt employees to exercise professional discretion in using EEDT in increments of no more than one full work day per week upon approval. This work day may be used in conjunction with other leave time such as vacation, personal or holiday, however, only one day of EEDT per week shall be allowed. EEDT taken in segments of less than 4 hours does not need to be reported to the County Administrator's Office. Requests for EEDT Time in segments greater than 4 hours are to be submitted to Department Head or County Administrator for review and approval.

SICK BANK POLICY (RESOLUTION NO. 324-07 & RESOLUTION NO. 62-19)

Purpose

The Non-Union Sick Leave Bank is a voluntary program provided to non-union employees for continued income due to absences resulting from serious illness or injury. It allows participating employees to donate accumulated sick leave for use by other non-union employees whose sick leave, personal leave and floating holiday, have been exhausted.

Administration

The Non-Union Sick Leave Bank shall be administered by a joint committee of three consisting of a representative from the Human Resources Department and two non-union employees elected by their peers. A copy of the policy and forms for participation in the Sick Leave Bank are attached hereto and shall be issued to each newly qualified employee (defined as an employee who has completed one (1) year of continuous service).

The Non-Union Sick Leave Bank requires at least fifteen (15) days to remain active. In an emergency when the bank falls below approximately 420 hours, the committee will send out a notice to solicit additional days, up to three (3) per member. The bank will accrue no more than approximately 4,200 hours total. When the hours reach a maximum total of 4200, all annual one (1) day donations of current members will stop. Only those of new enrollees in the current open enrollment will still be mandated to give their 2 days donation to join.

Membership

To become an active member of the Non-Union Sick Leave Bank, non-union employees must initially donate two (2) days and complete a Membership Application form with the Human Resources Department. Thereafter, in order to maintain membership, non-union employees must donate one (1) day per year. Donations to the Non-Union Sick Leave Bank will be accounted for on the basis of days. There will be two open enrollment periods, one in January and one in June, at which time new members may join. Should the Sick Bank Committee feel a need to solicit additional days, this may occur during the open enrollment periods. A member may donate up to three additional days per open enrollment. Under no circumstances will any employee be permitted to donate time above and beyond the limits set forth above.

Participating members will forfeit any contributed days to the bank upon termination of employment or termination from the bank. Voluntary termination from the bank will require the completion of a Membership Cancellation form with the Human Resources Department

Granting of Leave Bank Days / Eligibility

Employees may apply for sick bank hours for a serious illness or injury when all of their available sick leave, personal leave and floating holiday are exhausted, and they qualify under the Family Medical Leave Act

(FMLA) Basic Leave Entitlement or Military Family Leave Entitlement. Said serious illness or injury must impact the employee for at least twenty (20) work days in duration, per Certification of Health Care Provider (same as FMLA regulations). Eligibility may also include a qualifying disability as defined in the Americans with Disabilities Act (ADA).

The Non-Union Sick Leave Bank Committee will review all requests. The participating member must submit a Request to Borrow from Bank Application to the Non-Union Sick Leave Bank to request days from the bank. Requests for donated leave must include the reason for the request and the anticipated leave time. Appropriate documentation from a licensed health care provider is to be submitted with the application and will be confidentially retained in the employee's medical file in the Human Resources Department.

Each request for use of donated leave will be evaluated. These various factors will be considered:

- Whether the individual has enrolled in the leave bank
- The availability of leave within the Sick Leave Bank
- Whether the reason for the leave is covered by the policy

Coverage by the bank will not exceed twelve (12) weeks per illness, per sick bank year. The twelve (12) weeks starts upon activation of the sick bank, and the employee will not qualify for another twelve (12) weeks again until it has been a year from activation, from the date of the first sick bank hour used.

Events Not Covered by the Sick Leave Bank

The following events are generally not covered by the leave bank:

- Elective procedures (Unless of medical necessity)
- An illness or injury incurred while committing an illegal act
- Treatment required to avoid incarceration
- Illness or injury resulting from uniformed service
- Maternity leave beyond 6 or 8 weeks dependent on type of delivery.
- Other procedures not covered under the health care plan (whether or not the individual is enrolled in that plan)

Accountability of the Bank

The employee must report sick bank hours to be used to the Human Resources Department in each pay period. The Human Resources Department shall keep a record of active participants, days used and balance of unused days in the bank. The Human Resources Department will report this information to the Non-Union Sick Leave Bank Committee and County Administrator during the open enrollment periods, January and June of each year.

Per Policy and Procedures, if an employee is approved for telecommuting from home by their Supervisor, their sick bank time will be tracked each pay period by the Human Resources Department. This will be done after the time card has been approved and submitted each pay period, by the Supervisor, for the work performed at home and payment received for same.

Repayment

Participating members shall pay back days withdrawn from the bank at half the amount borrowed. Repayment shall commence upon return to employment. Disability insurance reimbursement will reimburse the employee's sick time and the Sick Leave Bank equally as the time was used, if eligible. If approved telecommuting, and remaining on the County payroll for time worked at home, the employee is not eligible for Disability. In the event a member resigns from County employment while maintaining a due balance to the sick bank, reimbursement to the sick bank will be taken from any final accrual pay out that the employee is entitled to.

PAID TIME OFF VACATION TIME

All employees covered by this handbook shall be granted a paid vacation according to the following schedule:

1. After the successful completion of six (6) months of service, excluding absence from work for any reason, an employee shall be credited with three (3) vacation days.
2. After the successful completion of six (6) months of service, employees will accrue vacation time according to the following schedule: (*Effective June 1, 2016 changes to this benefit plan are in no way meant to diminish the current level of benefits or accruals for existing employees.)

After six (6) months of employment through the fifth (5) year of continuous employment, one (1) day per month. After five (5) years continuous employment, one and a half (1-1/2) days per month. (Calculations for less than full time staff will be prorated.)

3. The maximum accumulation of vacation time shall be fifty (50) days.
4. An employee, to be eligible for vacation accruals, must have worked ninety (90%) percent of his scheduled hours during the preceding month.
5. All paid time will be considered as time worked for the purpose of calculating vacation time.
6. Vacation time must be taken with the prior approval of the employee's department head or County Administrator. Vacation leave may be used in half day segments or an entire day. Anything else is considered flex time.
7. The value of accumulated and unused vacation time of an employee shall be paid upon his death, retirement or termination of services, to a maximum of forty (40) days

SICK TIME

All employees covered by this handbook shall be granted a paid sick time according to the following schedule:

1. During a probationary period, an employee shall be credited with one-half day of sick leave during each month of employment. This accrued leave time may be used during the probationary period if needed. After the successful completion of six (6) months of service, excluding absence from work for any reason, an employee shall be credited with sick leave provided in the paragraph below, and shall be permitted to accumulate up to one hundred sixty-five (165) working days.
2. Each employee will be credited with one day of sick leave during each month his/her total credited sick leave is less than one hundred sixty-five (165) days and during which he/she is actively at work for at least fifty percent (50%) of the regularly scheduled work days, exclusive of vacations.
3. Employees may in no event accumulate more than one hundred sixty-five (165) working days of sick leave. (*Effective June 1, 2016 changes to this benefit plan are in no way meant to diminish the current level of benefits or accruals for existing employees.)
4. Sick leave benefits provided may be used in cases involving the illness or injury of the employee's child or children, spouse and or parents and spouse's parents, and for medical/dental appointments. Sick leave may be used in half day segments or an entire day. Anything else is considered flex time.
5. When continuous sick leave exceeds five (5) days, the Employer may require as a condition of payment a statement from the employee's physician certifying the nature of the illness and the probable period of disability. An employee must notify the department head or the County Administrator within 24 hours of his/her reason for sick leave. When continuous sick leave exceeds thirty (30) calendar days, the Employer may require a physical examination by a physician selected by the Employer in order to verify a necessity for the leave. Where the Employer selects a physician for the examination of an employee, such examination will be paid for by the Employer. Any false representation made by an employee in connection with a claim for sick leave benefits shall be deemed just cause for discipline.
6. Accumulated sick leave shall not be payable at the time of termination of employment, whatever, the reason, except in accordance with Paragraph eight (8) of this Article, and/or unless a physician selected by the

Employer certifies that the termination of the employment was necessitated by illness or injury and then only so long as such illness continues and the employee permits physical examination at reasonable intervals.

Payment of Paid Time Off

Vacation

Any employee with the equivalent of five (5) or more years of service with the Employer who retires from employment, or receives a disability retirement for an injury or illness sustained in the performance of duty, shall have the option to be paid or be credited with the dollar amount computed by multiplying his/her number of unused accumulated vacation by his/her then current daily rate of pay, up to the maximum accumulation as set forth above, to be retained by the Employer and utilized for the purpose of paying the employee's health insurance, dental insurance and vision plan coverage premiums not paid for by the Employer as set in Section III until such time as the dollar amount is exhausted.

Sick

Any employee with the equivalent of five (5) or more years of cumulative service with the Employer and who retires from such employment shall, at the time of retirement, be credited with an amount computed by multiplying his number of accumulated, unused sick leave by his/her then current daily rate and then multiplying that amount by twenty-five percent (25%), and such amount shall be retained by the Employer and utilized for the purpose of paying the retiree's health insurance premiums until such time as the monies are exhausted.

The health insurance plan, dental insurance plan and vision plan coverage premiums, individual or family, shall be the same that is provided to active employees. An employee may opt to change from the family to individual coverage, but not from individual to family. Upon exhaustion of the value of the dollar amount of all unused vacation and sick time accumulation, the employee shall be responsible for the health insurance, dental insurance and vision plan coverage premiums not paid for by the Employer as set forth in Section III. The implementation of this section shall in no way diminish the percentage of retiree health insurance, dental insurance or vision plan coverage premiums paid by the Employer as forth in Section III. Unused sick accruals cannot be donated to the sick leave bank upon termination of employment.

BEREAVEMENT LEAVE

In the event of death of one of the following members of an employee's family or domestic partner's family: parents, including foster or step-parents, spouse, domestic partner*, children or step-children, brother or sister or step-brother and sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent or grandchild, the employee shall receive leave with pay, for a maximum of three (3) days.

*Domestic Partner shall be defined per the federal/state regulations.

In the event of death of the employee's aunt or uncle, the employee shall receive leave with pay, for a maximum of one (1) day.

If the employee needs to take additional time for bereavement he or she may do so with the prior approval of the employee's Department Head or County Administrator, and may use other accumulated leave time or take unpaid leave for the additional time approved.

MILITARY LEAVE

Military Leave and training shall be provided as covered by all applicable laws for all management employees.

PERSONAL LEAVE

1. After the successful completion of six (6) months of service, excluding absence from work for any reason, each employee shall be entitled to take up to three (3) paid personal leave days each of the twelve (12) month periods beginning January 1st of each year; personal leave not used in a calendar year shall be added to accumulated sick leave, subject to the provisions of Section II. Cash will not be paid in lieu of personal leave use during, or at termination of employment.

2. Personal leave may be taken in half day segments or an entire day. Anything else is considered flex time.

SECTION III

HEALTH INSURANCE CONTRIBUTIONS

HEALTH INSURANCE

The Employer shall pay the premium or premium equivalent of the Chemung County Excellus Blue PPO-2 Plan, which shall include the dental and vision plans provided as part of the Chemung County Excellus Blue PPO-2 Plan for all full time employees and eligible dependents as follows:

- Employees hired prior to January 1, 2012 will pay a 15% premium contribution, Employer will pay 85%.
- Employees hired after January 1, 2012 will pay a 20% premium contribution, Employer will pay 80%.

Additionally, Management Confidential non-elected employees enrolled in the health insurance program will receive a one-time payment added to their base pay effective January 1, 2018 in recognition of the increased health insurance out of pocket cost. All non-elected Employees carrying family coverage will receive a \$1,000 increase to their base pay and all non-elected employees with individual coverage will receive an \$500 increase to their base pay.

The Employer has instituted a Flexible Spending Program, which will be in effect during the life of this Agreement, which includes provisions for health premium conversion, non-covered health expenses and dependent care expenses coverage. Once established, participation in the premium conversion portion of the program shall be automatic unless an employee chooses not to participate. All elections to decline coverage for the premium conversion shall also be filed in writing with the County Human Resources Department. Participation in the dependent care and non-covered health expense portion of the program shall be voluntary. No employee is covered under a hospital-surgical plan of equal benefits at no cost to himself or primary insured shall be eligible for this insurance. If an employee and the employee's spouse both work for the Employer, then such employee and his or her spouse shall only be eligible to receive benefits from one family health and dental insurance plan.

The Employer may elect to provide health, dental and vision coverage through a different insurance carrier (or self-funding) as long as the benefits provided are equal to the benefits currently provided. If the Employer elects to use a different insurance carrier, then the new coverage shall not impose limitations based on pre-existing conditions for current employees, their dependents or retirees.

An eligible employee may decline the health, dental and vision coverage provided, and instead elect to receive payment of One Thousand Five Hundred Dollars (\$1,500) for each full calendar year that he or she declines family coverage, or Eight Hundred Fifty Dollars (\$850) for each full calendar year that he or she declines individual coverage. Less Than Full-Time employees shall also be entitled to this option to be calculated on a pro-rata basis. Upon satisfaction of the conditions set forth below, payment will be made at the end of the

calendar year. In order to receive the full payment set forth above, the employee must: (i) be actively employed by the Employer for the entire calendar year; and (ii) provide satisfactory documentation establishing that the employee was covered under a health insurance plan for the entire calendar year. Such documentation must be provided prior to payment at the end of the year.

An eligible employee who currently participates in the Employer's Plan may decline health, dental and vision coverage (to be effective on January 1 of the following year) only between November 1 and November 15 of any calendar year. The Employer may, in its sole discretion, grant a request to decline coverage that is made before November 1 or after November 15. After an employee declines such health, dental and vision coverage, the employee will not be eligible to enroll in the Employer's Plan unless the employee provides satisfactory documentation that the employee no longer has alternate coverage. Under such circumstances, the employee shall be allowed to re-enroll in the Employer's Plan, subject to the Plan's enrollment procedures and requirements. When an employee re-enrolls in the Employer's Plan during the Plan year, the employee shall be eligible to receive (at the end of the calendar year) a pro-rated payment based upon the number of months during the year for which the employee did not receive coverage under the Plan.

In addition to the pro-rated payment described above, the Employer shall provide an eligible employee (at the end of the calendar year) with a pro-rated payment for a partial year of declined coverage when such coverage is declined during the employee's initial and terminal years of employment. In order to receive the pro-rated payment described in this Section, the employee must: (i) be actively employed by the Employer for the entire period for which the employee declined coverage; and (ii) provide satisfactory documentation establishing that the employee was covered under a health insurance plan for the entire period that coverage was declined. Such documentation must be provided at the end of the year. All Elected Officials are considered full time and eligible for the health insurance as stated above.

Although Legislators are eligible for health insurance as stated above, they will not be eligible for Retiree Health Insurance as described below.

RETIREE HEALTH INSURANCE (RESOLUTION NO. 259-09)

For all non-union employees only, the following eligibility and contribution levels will apply. The Employer shall pay the premium costs as follows for continuous years of service with the County:

- Employees with 5-9 years of service Employee 55%, Spouse 35%
- Employees with 10-14 years of service Employee 60%, Spouse 35%
- Employees with 15-19 years of service Employee 65%, Spouse 35%
- Employees with 20-24 years of service Employee 70%, Spouse 35%
- Employees with 25+ years of service Employee 75%, Spouse 35%

In addition, the Employer will discontinue its practice of paying the Medicare Part B monthly premium for both the employee and spouse, and pay one (1) monthly premium only. In the case of an employee or spouse becoming deceased, the Employer will continue to pay one (1) Medicare Part B monthly premium, not to exceed \$125.00.

Full-Time Elected officials' eligibility requirements will remain the same as outlined under County Policy No. 6.4. which states, "Elected officials, who may or may not exercise their option to participate in the retirement system shall be required to have ten years of service with Schuyler County and to have attained age 55 to qualify for retiree health insurance benefits."

PAID HOLIDAYS

The following days shall be designated paid holidays:

- | | |
|------------------------|-----------------|
| New Year's Day | Columbus Day |
| Martin Luther King Day | President's Day |
| Veterans' Day | Good Friday |

Thanksgiving Day
Day After Thanksgiving Day
Christmas Day
Floating Holiday*

Memorial Day
Fourth of July
Labor Day

***Floating Holiday is to be used as an entire day off, not in segments.**

LEAVE OF ABSENCE

A request for a leave of absence shall be made in writing to the employee's department head, and to the County Administrator, at least thirty (30) days prior to the effective date thereof, except in the case of medical emergency or change/transfer in job position. In the case of an employee seeking a leave of absence due to change or transfer in job position, only two (2) weeks' notice is required. The request must contain the reason for the leave. Said leave of absence request may be granted without pay for a period of up to four months to one year. Upon written application by any employee on leave of absence, the Department Head may, in his discretion, renew such leave for a further period of time. An employee granted a leave will be allowed to use his accrued vacation and EEDT time during any non-disability period of leave.

The Employer and the Employee agree to abide by the provisions and regulations of the Federal Family and Medical Leave Act (FMLA), however the Employer shall permit employees to utilize accrued, paid time off before any non-paid time off shall be granted. If leave time is requested that may not fall under the definition of FMLA, the Employer may require other leaves to be utilized first before the onset of unpaid leave.

Adoption Leave: Where the employer is satisfied that the Agency involved properly requires it, an employee who is adopting a child five (5) years of age or younger will be granted a leave of absence for a period not to exceed six (6) months.

SECTION IV

Upon successful completion of one year of employment, all management employees listed in SECTION V shall be compensated up to half the cost for renewal of a professional license or certification required for employment, and necessary to perform the duties of the position. Such employee shall submit a receipt, to be verified by the Personnel Officer, and the Employer shall reimburse the employee within thirty (30) days of submission of verification through the Audit Process.

Effective January 1, 2020, upon successful completion of six months of service thereafter, a Psychiatric Prescribers (MD, NP or PA) will become eligible for a tuition reimbursement plan wherein the Prescriber will receive a maximum of \$12,000 per year, payable in 6-month installments (up to \$6,000 each payment). Each payment will be paid upon completion of 6 months of continuous employment. Such employee shall submit appropriate documentation, to be verified by the Personnel Officer, and the Employer shall reimburse the employee

SECTION V

TITLES COVERED IN THIS HANDBOOK

DEPARTMENT HEADS

Building Maintenance Supervisor
Clerk of the Legislature
Commissioner of Social Services
County Administrator
County Attorney
Director of Community Services
Director of Office for the Aging
Director of Veterans Service Agency
Director of Weights and Measurers A
Elections Commissioners
Emergency Management Coordinator
Highway Superintendent
Information Technology Director
Personnel Officer
Planning Director
Probation Director I
Public Defender
Public Health Director
Purchasing Director
Real Property Tax Director

DEPUTIES/SUPERVISORS

Assistant County Attorney
Assistant Deputy County Clerk
Assistant District Attorney
Assistant Public Defender
Chief Assistant District Attorney
Coordinator of Fiscal Operations and Computer Services
Deputy Building Maintenance Supervisor
Deputy Clerk of the Legislature
Deputy Commissioner of Social Services
Deputy County Administrator
Deputy County Clerk
Deputy County Treasurer
Deputy Director of Community Services
Deputy Election Commissioners
Deputy Emergency Management Coordinator
Deputy Highway Superintendent
Deputy Public Health Director
Undersheriff
Watershed Inspector

CONFIDENTIAL/SUPPORT STAFF

Confidential Secretary to the County Administrator
Confidential Secretary to the County Attorney
Confidential Secretary to the Public Defender

Confidential Secretary to the Sheriff

CONFIDENTIAL/SUPPORT STAFF (Cont.)

Legal Secretary

Secretary to the District Attorney

OTHER MANAGEMENT

Assessor

Civil Service Administrator

Clinic Director

Compliance Officer

Coordinator of Fiscal Operations and Budgetary Planning

Human Resources Assistant- Payroll Coordinator

Human Resources Administrator-Benefits Manager

Nurse Practitioner

Staff Psychiatrist

ELECTED OFFICIALS

County Clerk

District Attorney

Legislators

Sheriff

Treasurer