



Established 1771

CHATHAM COUNTY COMMISSIONERS

Mike Dasher, Chair
Diana Hales, Vice Chair
Jim Crawford
Franklin Gomez Flores
Karen Howard

COUNTY MANAGER

Dan LaMontagne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

Resolution of the Chatham County Board of Commissioners

Resolution Amending the Chatham County Personnel Policy October 2021

WHEREAS, the Chatham County Personnel Policy, adopted March 11, 1996, establishes the general guidelines for employees conduct; and

WHEREAS, from time to time it is necessary to amend the Personnel Policy for clarification or to better meet the needs of the employees and the County; and

WHEREAS, internal and external review of the policy identified needed modifications to the policy, and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Chatham County, that Personnel Policy be amended as follows:

Article I-Article X, All Sections:

By changing:

Change all references to State Personnel Act (SPA) to State Human Resources Act (SHRA).

Change all references to Office of State Personnel (OSP) to Office of State Human Resources (OSHR).

Change all references to State Personnel Commission to State Human Resources Commission.

Amend Article V, Section 7 B(1)

Section 7: Nepotism Policy (Limitation on Employment of Relatives)

A. Immediate family, as referred to below, is defined in Article I, Section 3.

B. Restrictions on the Employment of Relatives

- 1.** The employment of immediate family members of the designated Appointing Authorities, County Manager, Assistant County Manager(s), Human Resources and Risk Management Director, or the Assistant Human Resources Director is prohibited.

Amend Article VI, Section 20

Section 20: Paid Family Leave

A. Scope

1. The County will grant 120 hours of family leave, or pro-rated portion thereof for part-time employees, for those employees that meet eligibility requirements.
- B. Eligibility
1. Employee must be employed for a period of one (1) year; **AND**
 2. Employee must be on approved Family Medical Leave or other leave without pay for qualifying parental reason (birth, adoption, license foster care placement) or qualifying care of a spouse, parent or child in accordance with the provisions set forth in Article VI, Section 7 of this policy.
- C. Procedures
1. This family leave will account for the first 120 hours of leave, or pro-rated portion thereof, of leave taken following the birth, adoption or licensed foster care placement of a child or qualified caregiving leave.
 2. In accordance with the Family and Medical Leave Act, this leave may be taken over a one (1) year period from the date of birth, adoption or placement of a child.
 3. Leave that is not taken will be forfeited at the conclusion of each incident year and will not be carried over into the next year.
 4. Employee will not be paid for unused leave upon separation from employment.

Add Article VI, Section 21

Section 21: Special Leave Transfer

- A. Once annually, an employee may voluntarily elect to transfer up to one hundred (100) hours of accrued vacation or compensatory time to their sick leave accrual.
- B. This transfer is binding and may not be transferred back to vacation or compensatory balances.
- C. Leave transfer window is determined by human resources and shall occur only once per calendar year.
- D. This transferred leave is non-compensable upon separation from employment.

Amend Article VIII, Section 6

Section 6: Just Cause for Disciplinary Action

Any employee, regardless of occupation, position, or profession may be warned, demoted, suspended or dismissed by the appointing authority When just cause exists the only disciplinary actions provided for under this Section are:

- A. Letter of reprimand: This letter will be placed in the employee's personnel file. The letter may be used for future personnel decisions by the county, such as decisions involving performance evaluations, pay increases, and promotions. The letter may also be used to support future decisions regarding disciplinary action against the employee.
- B. Written warning: This warning will be placed in the employee's personnel file and can be considered as part of progressive discipline. The warning may be used for future personnel decisions by the county.
- C. Disciplinary suspension without pay:
 1. FLSA non-exempt employees: The suspension may not be less than one (1) full workday or more than two (2) full workweeks.

2. FLSA exempt employees: The suspension may not be less than one (1) full workweek or more than two (2) full workweeks.
- D. Involuntary transfer: The reassignment of an employee from one position or department to another position or department, without his/her agreement in which the employee's former position and his/her new position are classed similarly and the salary range for the two positions is the same.
- E. Demotion: The reassignment of an employee to a position or classification with a lower salary range than the position or classification that the employee was in.
- F. Dismissal: The removal of an employee from his/her position of service.

Amend Article VIII, Section 7

Section 7: Unsatisfactory Performance of Duties

Change all references to failure in performance of duties to unsatisfactory performance of duties.

Amend Article VIII, Section 8

Section 8: Unacceptable Personal Conduct

Change all references to failure in personal conduct to unacceptable personal conduct.

Add Article VIII, Section 9 and renumber subsequent sections

Section 9: Grossly Inefficient Job Performance

- A. Disciplinary actions for grossly inefficient job performance may be taken without prior warnings.
- B. Causes related to grossly inefficient job performance includes, but are not limited to:
 1. The creation of the potential for death or serious harm to a client(s), an employee(s), members of the public or to a person(s) over whom the employee has responsibility; or
 2. The loss of or damage to county property or funds that result in a serious impact on the county or work unit.

Amend Article IX, Section 6 B (2)

Section 6 B (2): Final Decision on the Grievance

- B (2). An employee subject to the provisions of the State Human Resources Act with career status as defined in G.S. 126-1.1 who has been demoted, suspended, or dismissed shall have 15 calendar days from the date of his or her receipt of written notice of the action to file an appeal pursuant to his or her county grievance procedure. If an employee does not appeal his or her demotion, suspension, or dismissal through the county grievance procedure within 15 calendar days, then the employee shall have no right to file a contested case with the Office of Administrative Hearings under G.S. 126-35. If an employee appeals his or her demotion, suspension, or dismissal through the county grievance procedure, then the written notice of the action shall not constitute the final county decision, but the final county decision shall be the decision made at the conclusion of the employee's appeal through the county grievance

procedure. Grievances that allege discrimination, harassment, or retaliation shall follow the county grievance procedure. Employees who do not follow the county grievance procedure shall have no right to file a contested case with the Office of Administrative Hearings. If the employee has completed the county grievance process and is not satisfied with the final county decision, or is unable to obtain a final county decision within 90 days from the date the grievance was filed, the employee may file a petition for contested case hearing in the Office of Administrative Hearings. A petition for contested case hearing must be filed within 30 calendar days after the grievant receives the final county decision.

Adopted, this the 18th day of October, 2021.

Mike Dasher, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners