

**CURRY COUNTY
RESOLUTION 2016-60**

**MODIFYING THE CURRY COUNTY
PERSONNEL POLICY ORDINANCE NUMBER 16-02**

WHEREAS, the Board of County Commissioners of Curry County have previously adopted a Personnel Policy on the 5th day of April, 2016 by means of Ordinance 16-02; and,

WHEREAS, it has been brought to the attention of the Board of County Commissioners of Curry County that there are several changes that need to be made to Ordinance 16-02 to clarify and/or alleviate issues that have been discovered.

NOW, THEREFORE, Curry County Personnel Policy, Ordinance No. 16-02 be and in the same hereby is modified as follows:

1. A new definition for "grant employee" will be added to the Personnel Policy in Section 2 Definitions on page 6 of Ordinance 16-02. Said definition shall be as follows:

GRANT EMPLOYEE. An unclassified, terminable at-will employee who is paid from available grant funds pursuant to a grant agreement(s).

2. The existing definition of **UNCLASSIFIED POSITIONS** in Section 3A (2) of Ordinance 16-02 is cancelled and deleted in its entirety and a new definition of **UNCLASSIFIED POSITIONS** shall be adopted and shall read as follows:

2 UNCLASSIFIED POSITIONS. The county manager, department heads, grant employees, appointees, chief deputies, student employees, temporary employees, probationary employees, the executive secretary to the Sheriff and the Under-Sheriff are unclassified positions. Unclassified employees are terminable-at-will, are not entitled to the rights and benefits of Section 8 of this Policy and cannot grieve disciplinary actions. Unclassified employees are entitled to the benefits under Sections 9 and 10 of this Policy, only to the extent of available funding within the grant agreements and line item budgets. Sections 9 and 10 of this Policy are specifically limited by the terms of the grant agreement and the amount of grant funds allocated for

said employee expenditures. Unclassified employees are subject to all other provisions contained herein, unless specifically excluded or unless the employee has a contract with the County.

3. Current **SECTION 8D PROCEDURE FOR GRIEVING WORKING CONDITIONS AND OTHER WORK RELATED PROBLEMS** shall be deleted from **SECTION 8 GRIEVANCE PROCEDURES** and shall be transferred to **SECTION 7** and will be inserted as a new **SECTION 7 EMPLOYEE DISCIPLINE (a)(2)**.

Thereafter, **SECTION 8 GRIEVANCE PROCEDURES** will then be relettered so Section A. will remain **INITIAL STEPS AND FORMAL GRIEVANCE PROCEDURE**, Section B. will be **POST-DISCIPLINARY HEARINGS** and Section C. will be **POST-DISCIPLINARY HEARING PROCEDURES**.

SECTION 7 EMPLOYEE DISCIPLINE will then be relettered so that Section A. will be **BASIS FOR EMPLOYEE DISCIPLINE** with subsections 1 through 6, and Section B. **PROGRESSIVE DISCIPLINE** with subsections 1 through 7.

4. A new Section 9H **PERSONAL CELLPHONES AND ELECTRONIC DEVICES** is added to the Policy which will read as follows:

PERSONAL CELLPHONES AND ELECTRONIC DEVICES.

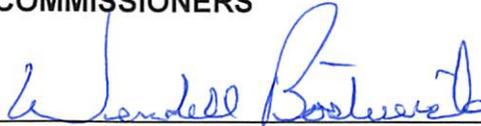
Employees who have County e-mail accounts tied to their personal cell phones or other electronic devices and/or whom access their County e-mail accounts after hours are not to check e-mails or respond to County related electronic notifications after normal business hours unless an emergency or an emergency situation requires otherwise. All County Employees recognize and acknowledge that they will not be compensated for reviewing or responding to e-mails or other electronic notifications on their personal cell phones or electronic devices outside of their normal work schedule unless it is authorized in writing by the County Manager. The County understands that with technology and communications the way it is, that e-mails and other electronic communications are being received 24 hours a day, 7 days a week. Unless any said communication is authorized in writing by the County Manager or is an emergency, the employee shall respond, if a response is necessary, to any such communication, during normal established work hours.

4. Existing Sections 9H, I, J, K, and L are re-lettered and will become Sections 9I, J, K, L, and M.

All other provisions within Curry County Personnel Policy Ordinance 16-02, unless otherwise specifically changed, altered or modified herein, shall remain in full force and effect.

DONE THIS 21st DAY OF DECEMBER, 2016.

**CURRY COUNTY BOARD OF
COMMISSIONERS**



Wendell Bostwick, Chairman

ATTEST:

(SEAL)



Rosalie Riley, County Clerk