

MURRELLS INLET – GARDEN CITY FIRE DISTRICT

Employee Handbook

THIS EMPLOYEE HANDBOOK TERMINATES AND REPLACES THE PRIOR EMPLOYMENT AGREEMENT BETWEEN MURRELLS INLET – GARDEN CITY FIRE DISTRICT (THE “DISTRICT”) AND ITS EMPLOYEES. THIS TERMINATION AND NEW HANDBOOK TAKE EFFECT 15 DAYS AFTER EMPLOYEE’S SIGNATURE AND ACKNOWLEDGMENT BELOW. UPON THE EFFECTIVE DATE, THE EMPLOYMENT RELATIONSHIP IS AT-WILL, MEANING THAT EITHER THE DISTRICT OR THE EMPLOYEE CAN TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITHOUT NOTICE AND WITHOUT CAUSE.

THE CONTENTS OF THIS EMPLOYEE HANDBOOK ARE PRESENTED AS GUIDELINES FOR SOME OF THE DISTRICT’S CURRENT POLICIES, PRACTICES, RULES, BENEFITS, AND PROCEDURES. THIS HANDBOOK AND ITS CONTENTS SUPERSEDE, REPLACE, AND MAKE NULL AND VOID THE PRIOR EMPLOYMENT AGREEMENT AND ALL PREVIOUSLY ISSUED, COMMUNICATED OR DISTRIBUTED HANDBOOKS, MANUALS, POLICIES, RULES, PRACTICES, BENEFITS OR PROCEDURES. THESE POLICIES, RULES, BENEFITS, PRACTICES OR PROCEDURES MAY BE CHANGED, AMENDED, MODIFIED OR DISCONTINUED BY THE DISTRICT WHEN IT, IN ITS DISCRETION, DEEMS IT NECESSARY, WITH OR WITHOUT NOTICE. THIS HANDBOOK DOES NOT CREATE NOR SHALL IT BE DEEMED TO CREATE A CONTRACT EITHER EXPRESSED OR IMPLIED, BETWEEN THE DISTRICT AND ANY EMPLOYEE. NOTHING IN THIS HANDBOOK BINDS THE DISTRICT OR ANY EMPLOYEE TO A SPECIFIC OR DEFINITE PERIOD OF EMPLOYMENT OR TERMS OF EMPLOYMENT.

NO SUPERVISOR OR MEMBER OF MANAGEMENT, EXCEPT THE FIRE CHIEF HAS THE AUTHORITY TO BIND THE DISTRICT TO ANY EMPLOYMENT CONTRACT FOR ANY SPECIFIED PERIOD OF TIME WITH ANY EMPLOYEE, EITHER VERBALLY OR IN WRITING. THE ONLY VALID CONTRACT FOR EMPLOYMENT BETWEEN THE DISTRICT AND ANY EMPLOYEE MUST BE IN WRITING AND SIGNED BY THE FIRE CHIEF AFTER THE EFFECTIVE DATE OF THIS HANDBOOK.

I HEREBY ACKNOWLEDGE THAT I RECEIVED A COPY OF THIS HANDBOOK; THAT I HAVE READ AND UNDERSTAND THIS DISCLAIMER; AND THAT THIS DISCLAIMER APPEARS ON THE FIRST PAGE OF THIS HANDBOOK.

Employee Name: _____

Date: _____
(Effective 15 days after this date)

Employee Signature: _____

[Original to be maintained in Personnel File and copy to be given to the employee]

**Murrells Inlet – Garden City Fire District
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BASIC POLICIES

A. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

The District does not discriminate against a person because of his/her race, color, age, religion, sex, pregnancy, disability, national origin, citizenship, genetic information, veteran status or any other characteristic protected by law. Any employee that believes he or she has been discriminated against should immediately report such discrimination to the Assistant Chief or the Fire Chief.

B. HARASSMENT POLICY

The workplace is for work. Harassment disrupts the work environment. The District is committed to maintaining a work environment which is free from harassment. The District does not approve of harassment of any type within the workplace and will not tolerate the harassment of its employees by anyone, including managers, supervisors, co-employees, the public or vendors. Harassment consists of unwelcome conduct which is based upon an individual's protected status such as sex, pregnancy, color, race, religion, national origin, age or disability. While all forms of unlawful harassment are prohibited, sexual harassment deserves special mention.

1. Definition of Sexual Harassment:

The Equal Employment Opportunity Commission (EEOC) has issued guidelines regarding sexual harassment in the workplace. Under these guidelines, sexual harassment will be treated as unlawful sex discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended.

"Sexual Harassment" is defined by the EEOC guidelines as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment includes threats or insinuations, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other conditions of employment.

Sexually harassing conduct in the workplace, whether committed by managers, supervisors, co-employees, the public or vendors, is also prohibited. Such conduct may include, but is not limited to, unwanted sexual flirtations, advances, or propositions; verbal abuse of a sexual nature; unwanted graphic verbal comments about an individual's body; the display in the workplace of inappropriate and sexually suggestive objects, pictures, writing, language or drawings; or unwelcome touching or physical contact. Such conduct, whether committed by persons of the same or opposite sex, is prohibited whether or not it rises to a level that might legally constitute unlawful harassment.

2. Definition of Non-Sexual Harassment:

Harassment for purposes of this policy is verbal or physical conduct that is derogatory or that shows hostility toward an individual because of his or her race, color, religion, sex, pregnancy, national origin, age or disability, and that creates an intimidating, hostile, or offensive working environment. Harassment may include, but is not limited to, epithets, abusive language, slurs, jokes, or other verbal or physical conduct relating to an individual's race, color, religion, sex, pregnancy, national origin, age or disability.

3. Responsibility and Complaint Procedure:

Each manager and supervisor should maintain his or her workplace free from harassment, sexual harassment, and intimidation. In addition, managers and supervisors should discuss this policy with their employees, and assure them that they are not required to endure insulting, degrading or exploitive sexual treatment, or unlawful harassment of any type. Managers and supervisors must immediately report to the Fire Chief any complaints received from their employees concerning harassment, including, but not limited to, sexual harassment. Managers and supervisors must also report to the Fire Chief any other potentially harassing conduct or incidents of which they might see, hear or otherwise become aware.

Any employee affected by any type of visual, verbal or physical harassing conduct, whether from managers, supervisors, co-employees, the public or vendors has an obligation to report the matter. Below are an employee's reporting options:

- a. Speak with the offending individual directly. Although an employee is not required to do so, he or she can directly inform the offending individual that the behavior in question is unwelcome and must be stopped. Please understand this is not a requirement and an employee should only take this step if he or she feels comfortable in doing so.
- b. Report the behavior to the employee's supervisor. If the employee prefers not to first discuss the matter with the offending individual, or if the employee has attempted such a discussion but it has not solved the problem, the employee should immediately report the behavior in question to his or her supervisor.
- c. Report the behavior to the Fire Chief. The employee must report to the Fire Chief if: (1) the behavior involves a supervisor, (2) the employee does not feel comfortable reporting the behavior to his or her supervisor, (3) the employee is not satisfied with the response from his or her supervisor, or (4) the employee does not receive a response from his or her supervisor.
- d. Report the behavior to the Board of Directors. The employee must report to the Board of Directors if: (1) the behavior involves the Fire Chief, (2) the employee does not feel comfortable reporting the behavior to the Fire Chief, (3) the employee is not satisfied with the response from the Fire Chief, or (4) the employee does not receive a response from the Fire Chief.

It is your responsibility as an employee without fear of reprisal, to bring any form of harassment, including but not limited to sexual harassment, to the attention of management. An

investigation of the complaint will be handled with confidentiality to the fullest extent possible. Any employee who subjects another to harassment or to other inappropriate conduct will be subject to disciplinary action up to and including termination. It is the responsibility of the District to make the intensely fact-specific determination of whether harassment actually has occurred, and to help determine what, if any, disciplinary or corrective action will be taken.

4. *Prohibition against Retaliation*

The District also prohibits retaliation against person(s) who, in good faith, bring a complaint of harassment to management's attention. If you believe you have been retaliated against for reporting discrimination or harassment, or for making such a complaint, or for participating in an investigation related to discrimination or harassment, you should follow the same reporting procedures outlined above or immediately report the alleged retaliatory action to the Fire Chief.

C. OPEN DOOR POLICY

All employees are encouraged to bring problems to the attention of management. If you should have a problem at the District or questions about the District's policies, procedures, wages, benefits, etc., please feel free to discuss these issues with your supervisor, the Assistant Chief or the Fire Chief.

II. PAY POLICIES

A. PAY PERIOD

Employees of the District will be paid on a bi-weekly (14-day) schedule. The year will consist of 26 pay periods. The pay period begins on Saturday and ends on Friday of the following week (14 days later). Pay day is the following Wednesday after 12:00 PM noon.

B. SALARY AND OVERTIME

The District maintains two categories of regular, full-time employees. The first applies to administrative, supervisory and others as designated by the Fire Chief. Normally, these employees are scheduled to work 80 hours in a regular pay period and are classified as 80-hour employees. The second applies to shift employees who are scheduled 24 hours on duty and 48 hours off duty. These employees can work up to 106 hours in a regular pay period at their regular rate of pay. Any hours or parts of hours worked over 106 hours are overtime. These employees are classified as 106-hour employees. 106-hour employees or shift employees will be compensated for each hour or part of hour of their work shift.

All shift employees of the District will receive compensation in accordance with the policies of the Board of Directors and the employee's position and responsibilities. An employee's pay will be based on hours worked that pay period times their hourly rate of pay approved by the Board of Directors.

Regularly scheduled work hours of 80 and 106 are not guaranteed.

C. OVERTIME

Overtime consists of any compensable time worked in excess of 40 hours in a workweek for 80-hour employees or 106 hours in a pay period for 106-hour employees. In calculating whether an employee is eligible for overtime, only hours actually worked will be considered. All other paid time off will not be considered when calculating eligibility for overtime.

All employees entitled to overtime may receive compensatory time off instead of overtime pay. Compensatory time will be accrued at time and one-half for every overtime hour. The total accrued time cannot exceed 480 hours per the Fair Labor Standards Act. The workweek for 80-hour employees begins on the first day of a pay period and will end seven days later. The next workweek begins at that time and will end at the end of the pay period. The work period for 106-hour employees coincides with the pay period.

Certain designated 80-hour District employees may be eligible for overtime. Overtime shall be compensated for at one and one-half hours for every hour or part of hour worked above 40 hours in a work week.

Shift employees receive one and one-half hours pay for all hours or part of hour worked above 106 hours per pay period. This will be normal during pay periods in which the employee works a five-day schedule. This should occur in two out of three pay periods.

Example: 5 shifts times 24 hours per shift = 120 hours
106 hours will be compensated at the regular hourly rate
14 hours will be compensated at one and one-half regular hourly rate.

Compensatory time off may be taken in place of regularly scheduled work time. The requirements for requesting compensatory time off are the same as for requesting annual leave and those requirements are located in the annual leave section of this Employment Agreement. **Compensatory time off hours will be kept separate from accrued leave time and cannot be sold back.**

All overtime work must be approved prior to working overtime hours. Employees who fail to seek and receive prior approval from their supervisor, the Assistant Chief or the Chief may be disciplined up to and including termination of employment.

D. TIME CARDS

Time cards will be completed by all District employees and must be initialed by the Captain, then submitted to the Assistant Chief or the Administrative Assistant by 10:00 AM on Monday following the end of the pay period.

Items to be listed on all time cards:

NAME
CURRENT POSITION OR RANK
BEGINNING AND ENDING DATE OF PAY PERIOD

Employees are responsible for listing any time that is being asked to be compensated for that is not appearing on the time card.

Shift or 106-hour employees should report any annual leave time used during that pay period for which compensation is being requested. Call Back Time and Bereavement Leave taken should be reported.

80-hour employees should report vacation days taken, sick leave taken, holiday days taken, compensatory days taken and any bereavement leave taken.

All employees will sign time cards after verifying that all information is correct. Hours worked each shift should be totaled in the left hand column and each day initialed. It is not necessary to total the entire pay period amount. Vacation days taken should be noted in the proper sequence on the time card. This may be penciled in but must be initialed also by the Chief.

When responding to callbacks (10-78) directly to the scene, it is permissible to pencil in the initial response time after the call and clock out as usual. The Chief will determine the correct time to be entered for the response based on Central's tone out time.

When clocking in and out, basic parameters need to be followed. Clocking in is permitted between 06:50 and 07:00. Clocking out is permitted from 06:50 and 07:00 if the oncoming relief person has clocked in. Otherwise, clock out between 07:00 and 07:10. Times other than the above mentioned should have approval from the Chief.

NO EMPLOYEE SHALL TAMPER WITH, MAKE CHANGES TO OR ALTER IN A WAY ANY OTHER EMPLOYEE'S TIME CARD.

E. TRAINING TIME

To provide for better working conditions it is mandatory for the District's employees to train as a group, along with the volunteer firefighters. This shall be regular, scheduled training sessions.

Each employee shall be responsible for reporting training hours on their time card. The Chief or Assistant Chief shall be responsible for checking the logging of training session hours each pay period.

No training time will be paid if you are on duty at the time of the training session.

TRAINING TIME SHALL BE PAID AT A RATE OF ONE AND ONE-HALF THE REGULAR RATE OF PAY FOR EACH EMPLOYEE ATTENDING WHILE NOT ON DUTY.

F. CALL BACK TIME

Call backs occur when an employee works unscheduled approved work time. Employees who respond to structure fires, vehicle extrication or technical rescue calls shall be paid at a rate of twice the regular rate of pay. A minimum of two (2) hours will be paid for this type of call back. This is a request to return to work to provide for the safety of the people in the fire district. It is not a demand to return. All other call backs will be paid at a rate of one and one-half the regular rate of pay.

The Chief or Assistant Chief shall be responsible for logging Call Back Time at the fire location. This time shall start at the tone out time with a reasonable drive time, and shall end with the Chief's or Assistant Chief's dismissal from duty.

G. SHIFT SWITCHING OR SWAPPING

106-hour shift employees may request permission to switch or swap shifts with other 106-hour employees. Any request must be made in advance to the Chief or Assistant Chief. Switching or swapping shifts will only be allowed when it does not result in any increase in the total hours worked in the pay period by the switching employees. Shift swapping must not result in overtime pay. For example, assume Employee A is scheduled to work five shifts in a pay period. Also assume Employee B is scheduled to work five shifts in a pay period. Employee A and Employee B may switch or swap shifts, after getting permission, only if Employee A and Employee B will have worked a total of five shifts each at the end of the pay period.

In extreme situations, the Chief may allow an exception to the shift switching guidelines.

H. PAYROLL DEDUCTIONS

The District will make payroll deductions and withholding as mandated by law. Employees may request additional voluntary deductions to be made but approval will be at the District's discretion. Any amounts owed by an employee to the District, at any time prior to or at the time his or her employment ends, will be deducted from remaining sums otherwise due to the employee in accordance with state and federal law.

I. PROHIBITION AGAINST IMPROPER DEDUCTIONS

The District has a clearly communicated and district-wide policy that prohibits improper pay deductions. In general, salaries of exempt employees are not subject to reduction because of variations in the quality of work performed or the quantity of work performed. While seven exceptions to this rule exist under federal law (see the District's Administrative Assistant should you have any questions about the general rule or the exceptions to the general rule), in general, an exempt employee will receive his or her full salary for any week in which the employee performs any work. Of course, exempt employees need not be paid for any work week in which they perform no work. Subject to the provisions set forth above, deductions from an exempt employee's salary will not be made for time when work is not available if the employee is ready, willing, and able to work. As a general rule, if an employee who performs work for the District during the course of a week is absent at other times during the week, when such absences are occasioned by the District or by the operating requirements of the business, the employee will be paid his or her full salary. The District will make good-faith efforts to ensure compliance with the rules concerning deductions from the salaries of exempt employees. Employees who believe that such efforts are not being made are urged to contact the Fire Chief.

III. LEAVES AND BENEFITS

A. ANNUAL LEAVE FOR 106-HOUR EMPLOYEES

It is the policy of the District to provide paid time off to all regular, full-time District employees affording opportunity for healthful rest and relaxation, or for medical reasons that you may need to take

off of your work schedule. The rate that time off is accumulated for 106-hour shift employees shall be based on length of employment.

0 months to 3 years	11.08 hours per pay period	288 hours maximum in a year = 12 shifts
3-5 years employed	14.77 hours per pay period	384 hours maximum in a year = 16 shifts
5-8 years employed	16.62 hours per pay period	432 hours maximum in a year = 18 shifts
8+ years employed	19.39 hours per pay period	504 hours maximum in a year = 21 shifts

TIME OFF IS EARNED DURING AN EMPLOYEE'S FIRST SIX MONTHS OF EMPLOYMENT BUT CANNOT BE TAKEN DURING THAT TIME.

A MAXIMUM OF 600 HOURS MAY BE CARRIED FORWARD FROM ONE CALENDAR YEAR TO THE NEXT. EMPLOYEES MAY REQUEST PAYMENT FOR ANY UNUSED LEAVE IN EXCESS OF 240 HOURS IN DECEMBER OF EACH YEAR.

RETIRING 106-HOUR SHIFT EMPLOYEES WILL BE PERMITTED TO ACCUMULATE UP TO 720 HOURS OF ANNUAL LEAVE IN THE YEAR OF THEIR RETIREMENT.

The minimum amount of annual leave that an employee shall be granted will be one full scheduled work day (24 hours), unless approved by the Fire Chief in extenuating circumstances. Annual leave hours do not count as hours worked for overtime calculations.

All requests for leave shall be submitted for approval as soon as possible but no later than by 4:00PM of the employee's regularly scheduled prior shift. All requests for leave must be submitted directly to the Assistant Chief or Chief. No requests will be taken on Saturday or Sunday. If more than two shifts off are requested, the request must be made at least two weeks in advance.

Requests for annual leave may be denied because the District must maintain adequate staffing at all times.

B. VACATION FOR 80-HOUR EMPLOYEES

All 80-hour employees are entitled to paid vacation time after the completion of one continuous year of employment. Vacation time is awarded as follows:

After the 1 st year of employment	40 hours = 1 week
After the 2 nd through the 10 year	80 hours per year = 2 weeks
After the 11 th through the 20 th year	120 hours per year = 3 weeks
After 20 years	160 hours per year = 4 weeks

Vacation time earned during any year may be carried over to the next year. A maximum of twice the annual rate earned in a given year may be carried over. Each employee must arrange the vacation period with the Chief, and vacation may be taken only when the work schedule permits, and at the discretion of the Chief. Written approval from the Chief must be obtained two weeks prior to the vacation.

C. PAYOUT AND FORFEITURE OF ANNUAL LEAVE & VACATION

Employees will be paid for accrued but unused annual leave or vacation upon voluntary resignation only if they give at least 15 days prior written notice of the voluntary resignation or are

dismissed for other than disciplinary reasons, to be determined at the discretion of the District. Employees who resign without such notice or are terminated for disciplinary reasons forfeit all accrued Annual Leave and Vacation.

D. USE AND APPROVAL OF ANNUAL LEAVE AND VACATION

Whenever possible, employees will be allowed to take paid time off at times most convenient for them. However, in order to ensure continued smooth operation and to maintain a high level of quality in the delivery of services to the citizens of the Fire District, the District reserves the right to limit the number of employees that may be absent from the District at any one time. When there is a conflict in the leave choices of two or more employees who cannot be spared at the same time, preference normally will be given to the employee with the longest continuous service to the District.

E. SICK DAYS FOR 80-HOUR EMPLOYEES

80-hour employees accumulate sick time at the rate of 1.25 hours (or 1 hour and 15 minutes) per pay period completed. A maximum of 160 hours may be carried in the employee's sick leave bank. Any amounts accumulated in excess of 160 hours shall be paid in well pay at one-half of the employee's regular rate of pay at the time payment is made.

Once a resignation has been submitted, no sick leave shall be paid. The time card for an employee who has submitted his or her notice of resignation and requests sick leave shall show annual leave, vacation or leave without pay on the day(s) the employee reports being out sick.

Sick leave shall not be paid at termination and is forfeited for any termination reason, unless an exception is granted by the District. In some circumstances an exception may be granted if the separation is related to retirement.

When requesting sick leave, an employee is required to:

1. Report the reason to the Chief within two hours of the scheduled starting time and receive the Chief's approval.
2. Keep the Chief informed of the anticipated return date.
3. Acquire a medical excuse of requested by the Chief.

F. MILITARY LEAVE

Full-time employees who are members of the South Carolina National Guard or any of the reserve components of the United States Armed Services shall be entitled to military leave without loss of pay for 15 days per year. This policy is in compliance with section 8-7-90 of the South Carolina Code of Laws. A copy of official orders should be provided to the Chief within 30 days of leave taken. If travel time is not included in the official military orders, an employee may request annual leave, or leave without pay for travel time to get to the assignment outside of the dates on the orders. Any changes in scheduled dates should be submitted in writing to the Chief as soon as possible.

G. JURY DUTY

All regular, full-time District employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required, but not to exceed five days per calendar year. Such leave shall not be charged to annual leave. On any day, however, that the employee is excused from service on a jury, he or she is expected to promptly report to his or her job with the District if within reasonable commuting distance, or be charged annual leave for time excused from jury duty. Any period of time for which an 80-hour employee is excused from jury duty because of illness shall be charged to sick leave.

H. BEREAVEMENT LEAVE

In the event of the death of a parent, brother/sister, grandparent, grandchild, son or daughter-in-law or mother or father-in-law, 80-hour employees may be granted up to three working days of bereavement leave. 106-hour employees may be given up to one shift off. This leave will be with pay, without the loss of annual leave time. In the case of the death of an employee's spouse or child, this leave will double.

I. HOLIDAYS

Due to the nature of the services provided by the District and the need for adequate staffing of emergency personnel at all times, 106-hour employees are not eligible for holiday off or for holiday pay. 106-hour employees will be required to work on a scheduled work day when the holiday falls on their scheduled day.

80-hour employees shall be allowed leave with pay for all District holidays. Holiday pay will be at the employee's existing hourly rate times the employee's normally scheduled hours worked per day. Holiday hours will not count as hours worked for overtime calculations.

The Murrells Inlet – Garden City Fire District has designated the following as District holidays:

New Year's Day	January 1
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day & Friday	Last Thursday in November and the following Friday
Christmas Eve	December 24
Christmas Day	December 25
Day After Christmas	December 26

Holiday pay will be paid to 80-hour employees who terminate employment only if the holiday has occurred prior to such termination.

When a paid holiday is observed by the District during the period an 80-hour employee is on paid vacation, the employee shall receive only his regular holiday pay and that day shall not be charged against the employee's vacation earnings.

J. FAMILY AND MEDICAL LEAVE ACT

In accordance with the Family and Medical Leave Act (FMLA), The District offers FMLA leave to its eligible employees. The District will utilize the following method to measure the 12-month FMLA measuring period: *Rolling 12 month period*.

1. Eligibility

Employees who meet each of the following conditions are eligible for unpaid FMLA leave:

- a. have worked 12 months of prior service;
- b. have worked at least 1,250 hours during the 12 months immediately preceding the date on which FMLA would commence; and
- c. work at a location where at least 50 employees are employed (or where at least 50 employees are employed within a 75-mile radius).

2. Circumstance of Family and Medical Leave

- a. Parental Leave - Leave needed by the employee to care for or bond with the employee's child (or a child to whom the employee will stand in loco parentis) within 12 months of the birth or placement for adoption or foster care of the child.
- b. Serious Family Illness Leave - Leave needed by the employee in order to care for a spouse, child or parent who has a serious health condition (as defined below and/or by law).
- c. Serious Personal Illness Leave - Leave needed by the employee because of a serious health condition which renders the employee unable to perform the essential functions of his job.
- d. Qualifying Military Exigency Leave – Leave needed by the employee because of a qualifying military exigency related to covered active duty, or a call to active duty status, of the employee's spouse, child or parent. This leave applies to family members of regular Armed Forces service members, reservists or National Guard members called into federal service, and retired members of the regular Armed Forces.
- e. Servicemember Family Leave – Leave needed by the employee to care for a spouse, child, parent or next-of-kin (nearest blood relative of the service member) who is a member of the Armed Forces (including a member of the National Guard or Reserves and those on the temporary disability retired list) who has a serious injury or illness (1) incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; (2) otherwise in outpatient status; or (3) otherwise on the temporary disability retired list.

3. Definitions

- a. Serious health condition: A serious health condition is an illness, injury, impairment or physical or mental condition which involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition which either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of serious health condition.
An employee's on-the-job injury will usually also qualify as a serious health condition. In this instance, The District will designate the leave of absence due to an on-the-job injury as FMLA. The leave of absence will begin to run from the beginning of the absence caused by the on-the-job injury and will run simultaneously with any worker's compensation benefits that also may be provided the employee. Employees may also qualify for Short-Term Disability benefits while on FMLA. Although an employee may receive Short-Term Disability benefits, the leave is still considered and counted as FMLA.
- b. Qualifying Exigencies: Qualifying exigencies which may qualify for FMLA include: (1) short-notice deployment; (2) military events and related activities; (3) non-routine childcare and school activities; (4) non-routine financial and legal arrangements; (5) related counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional qualifying activities.
- c. Covered service member: A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty which may render the service member medically unfit to perform his duties for which he is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list.

4. **Duration Of Leave**

- a. In General – Except in cases of Service member Family Leave, eligible employees are entitled to a total of 12 weeks of FMLA during any “rolling backward” 12-month period (measured backward from the date the FMLA sought by the employee would begin).
- b. Servicemember Family Leave - Eligible employees are entitled to a total of 26 weeks of leave in a single 12-month period. This 12-month period begins on the first day an eligible employee takes FMLA to care for a covered service member and ends 12 months after that date. No more than a total of 26 weeks of all FMLA types of leave may be taken in a single 12-month period.
- c. Married Employee Couples - In cases where both husband and wife work for the District, they will be eligible for a combined total of 12 weeks of FMLA for the birth or placement of a child, or to care for a parent with a serious health

condition (not parent-in-law). Similarly, if both husband and wife work for the District, they will be eligible for a combined total of 26 weeks of leave for Servicemember Family Leave or for Servicemember Family Leave combined with any other type of FMLA.

- d. Intermittent Leave or Reduced Work Schedule Leave – Qualifying Military Exigency Leave may be taken intermittently, in separate blocks of time (no less than one hour), or on the basis of a reduced leave schedule under which an employee's usual working hours each day or each week are reduced. When medically necessary, other types of FMLA may also be taken intermittently, in separate blocks of time (no less than one hour), or on the basis of a reduced leave schedule under which an employee's usual working hours each day or each week are reduced. The District does not grant intermittent or reduced leave schedule FMLA for the birth or placement of a child.

5. **Requests For And Approval Of Leave**

- a. Notice and Scheduling of Leave - Employees must provide the Administrative Assistant with at least thirty (30) days notice whenever the need for the leave is foreseeable (such as when the leave is for an expected birth or placement for adoption or for planned medical treatment). For planned medical treatment, employees must consult with the Administrative Assistant and make reasonable efforts to schedule the treatment so as to minimize the impact of the employee's absence on the operations of the District and their fellow employees. In cases where the need for leave cannot be anticipated thirty (30) days in advance, the employee must give notice of the need for leave as soon as practicable (meaning the same or next business day). Failure to give proper notice of the need for FMLA may result in delay of the commencement of leave, and may result in the absences counting against the employee for attendance and/or disciplinary action purposes.

Employees are also expected to comply with the District's or his/her department's normal call-in procedures when reporting absences, including, but not limited to, absences which are covered by the FMLA.

Employees must contact the Administrative Assistant every Friday during FMLA. Employees also must inform the District if the requested leave is for a reason for which FMLA leave was previously taken or certified.

FMLA leave will not be granted so that an employee can work or seek employment with any other entity including self-employment. In addition, it is the District's policy that employees are prohibited from working any supplemental/secondary job, including a second job within the District, during any type of leave, including, but not limited to, FMLA leave, intermittent FMLA leave and non-FMLA medical leave.

- b. Documentation – The District requires that employees provide documentation to support the need for FMLA leave. Employees must pick up these documents from the Administrative Assistant. FMLA for a serious health condition will require the employee to submit a completed health care provider certification

within 15 calendar days. For Servicemember Family Leave requests, we will also accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued by the Department of Defense.

Failure to provide the required medical certifications may result in denial of FMLA or other leave, automatic redesignation of the leave as other than FMLA, or treatment of the absence in accordance with the attendance/disciplinary policy.

In the case of Qualifying Military Exigency Leave, a copy of your family member's active duty orders and documentation of the qualifying exigency will be required.

- c. Eligibility Notice – We will generally notify you of your eligibility to take FMLA Leave. If you are not eligible, we will tell you why.
- d. Designation Notice – Once we have determined whether your leave qualifies as FMLA, we will notify you of our determination with a Designation Notice.
- e. Recertification – The District will request medical recertification of the serious health condition in accordance with the FMLA statute or regulations. We may also provide your health care provider with information about your attendance and ask the provider to evaluate whether your attendance pattern is consistent with the need to be absent for the condition in question.
- f. Second and Third Opinions - The District may also require the employee to obtain a second opinion and third opinion as to the medical condition. We will let you know if such is required.
- g. Employee Notices During Leave – During FMLA leave employees must contact the Human Resources Department every other Friday to discuss the employee's leave status and intent to return to work.

6. Benefit Participation While on Leave

An employee on approved Family and Medical Leave may continue group health insurance coverage during the leave by paying the employee's normal share of the cost of such coverage during the leave on or before the date when payroll deductions for such costs would normally be made. Failure to pay the employee's share of the premium when due will result in elimination of coverage after thirty (30) days. In addition, should the District make any premium payments on your behalf, you must reimburse the District for the entire amount.

7. Use of Available Annual Leave/Vacation

An employee must use any available annual leave, sick time, or personal time off, as a part of any unpaid qualified FMLA. Employees are only required to use available paid time off if the employee's absence would otherwise qualify for benefits pursuant to the terms of the applicable policies.

8. **Crediting of Benefits While on Leave**

Benefits such as sick pay and annual leave do not accrue for employees who are out on unpaid leave. Similarly, employees do not receive holiday pay for holidays that occur while the employee is on unpaid leave.

9. **Reinstatement Following Leave**

- a. *Request for Reinstatement* - An employee returning from FMLA for his/her own serious health condition should notify his/her supervisor of availability immediately upon being released to return to work by the employee's health care provider. Failure to do so within two (2) working days of release to work may subject an employee to disciplinary action. The employee should also provide the District with a certification from the health care provider confirming the employee's fitness to return to his/her normal duties or identify any specific limitations placed on the employee as to performing his/her job duties. Failure to provide a requested fitness-for-duty certification may result in denial of reinstatement until this certification is provided. An employee desiring to return from FMLA leave prior to the date the leave was due to expire, must also give written notice to his/her supervisor of the desire to return to work at least two (2) working days, prior to the desired return date.
- b. *Reinstatement* - An employee returning from FMLA will normally be reinstated to the position held by the employee at the time the leave commenced or to an equivalent position. However, an employee returning from FMLA leave will have no greater right to employment or reinstatement to a specific position than an employee who had been continuously employed.

Questions and Forms: Should you have any questions about the FMLA, please see the Administrative Assistant or Assistant Chief. You may be required to complete forms other than those described above to be eligible to take FMLA leave; therefore, see the Administrative Assistant or Assistant Chief as soon as you are aware FMLA leave will be needed.

K. **PERSONAL LEAVE**

Employees may request leave without pay from the Chief when they have exhausted leave outlined herein or are not eligible for leave outlined herein. Approval of such leave is in the sole discretion of the Chief. Personal leave is without pay and reinstatement to the same or similar job is not guaranteed or required.

L. **HEALTH INSURANCE**

Currently, regular full-time employees may elect to be covered by the department's comprehensive group medical insurance plan. The District pays 99% of the premium for the employee's individual coverage and the employee pays 1% should he or she choose the medical insurance coverage. Dependent coverage is available at the employee's expense. The District may also make available supplemental insurance policies which are paid for by the employees who elect the coverage.

The District reserves the right in its sole discretion to change, alter, amend or terminate any health insurance policy or any other insurance or other benefit at any time.

IV. SAFETY AND RULES

A. DRUG AND ALCOHOL POLICY

The purpose of this policy is to provide firefighters with a safe and productive work environment and to ensure the safety and well-being of the general public. The illegal use, sale or possession of narcotics, drugs or controlled substances while on the job or on District property will result in discharge. The illegal sale of narcotics, drugs or controlled substances off duty and off District premises will also result in discharge. Illegal use of drugs off duty and off District premises is not acceptable because it can affect on-the-job performance and the confidence of our community in the District's ability to meet its responsibilities; such use may result in discharge. Alcohol is prohibited from District property and use of alcohol that adversely affects an employee's job performance is not acceptable. For the purpose of this policy, an employee will be irrebuttably presumed to have engaged in the unacceptable use of drugs and alcohol if urinalysis, breath testing, blood testing or other accepted testing procedures show a forensically acceptable positive quantum of proof of drug or alcohol use. The legal use of controlled substances prescribed by a licensed physician is not prohibited, but employees are required to make such known to the Fire Chief or the Assistant Fire Chief if such use might have an adverse effect on employee safety, health or work performance. Violation of this policy may result, in the District's sole discretion, in disciplinary action up to and including termination. Law enforcement officials will be notified whenever illegal drugs are found on District property. To ensure that such drugs and alcohol do not enter or affect the workplace, the District may take any steps it deems to be appropriate while employees are on District property or during working time including, but not limited to:

- Observe actions of employees.
- Counsel employees.
- Chemical screening (e.g., urinalysis, blood test, etc.).

Employees refusing to cooperate with the District's administration of this policy may be disciplined, up to and including discharge. The District may conduct the following types of drug and alcohol testing:

1. Pre-employment Testing.
2. Reasonable Suspicion. Reasonable suspicion testing may be required when the District receives specific and articulated facts which, taken together with rational references from those facts, reasonably warrant testing for drugs or alcohol. Reasonable suspicion requires a particularized and objective basis that would lead one to suspect another of being under the influence of drugs or alcohol. Reasonable suspicion entails some minimal level of objective justification for testing, something more than an inchoate and unparticularized suspicion or hunch, but less than the level of suspicion for probable cause.
3. Random Testing. Due to the safety-sensitive nature of a firefighter's duties, random testing of firefighters may be conducted at the District's discretion.
4. Post Accident. Post accident testing will be performed on firefighters after any workplace accident resulting in personal injury during the performance of job duties.
5. Return to Duty Testing. Return to duty testing may be performed prior to a firefighter being reinstated when the firefighter was removed from duty under this policy or has been absent from work for a period exceeding three (3) weeks due to either illness, injury or administrative suspension.
6. Annual Testing. In addition to the above types of testing, employees are subject to being tested once annually on an unscheduled date selected by management in its sole discretion.

Employees who refuse to allow a chemical screening, or who attempt to alter or invalidate the test, will be discharged. Applicants who attempt to alter or invalidate the test will not be considered for hire.

The District, in its sole discretion, may assist employees in overcoming drug, alcohol or other problems which may adversely affect employee job performance. Employees who voluntarily come forward to request help with an alcohol or drug problem will be allowed one leave of absence, without pay, to participate in a substance abuse program. The District may allow, in its sole discretion, employees who test positive for the presence of alcohol or drugs to participate in a substance abuse program. These employees must satisfactorily complete the program and comply with all program directives. Employees who have tested positive may be offered, at most, one chance to obtain a leave of absence to participate in a substance abuse program.

B. SAFETY POLICY

Safe working conditions are of primary importance for all District employees and the goal of all departments. It shall be the responsibility of every employee to observe safe practices in all daily activities. When a safety hazard is detected, it shall be immediately reported to the shift supervisor or Fire Chief.

C. ACCIDENTS

1. Accidents occurring on the job must be reported immediately to the shift supervisor. The Chief or Assistant Chief will then notify the Administration Office.
2. As soon as possible, the employee shall contact or come into the Administration Office in order to complete the required forms and documentation.
3. If an accident results in an employee seeking medical treatment, then the injured employee shall contact the shift supervisor immediately to inform him of the doctor's diagnosis and recommended treatment. Failure to contact the shift supervisor within 24 hours after obtaining medical treatment shall be grounds for disciplinary action up to and including termination.

NOTE: Medical treatment must be provided by the District's authorized doctor when possible.

4. An injured employee must notify the shift supervisor each time medical care is provided subject to the same time restrictions in paragraph 3 above.
5. Each day an injured employee is required to miss work due to injury, that employee must contact the shift supervisor and inform him of the reason for the absence.
6. Written medical excuses from the District's authorized medical provider are required for all absences due to work injury.

D. WORKERS' COMPENSATION (STATE ACCIDENT FUND)

The South Carolina Workers' Compensation Act covers all District employees who suffer on-the-job injuries. Pursuant to this Act, an injured employee is entitled to receive necessary medical treatment from the District's authorized medical provider. If an injured employee obtains treatment from a medical care provider other than the one authorized by the District, then that employee will be personally responsible for payment of all medical expenses. As the District may change its authorized medical provider from time to time, an injured employee should verify that a specific doctor is authorized prior to obtaining treatment.

E. DISCIPLINARY RULES AND REGULATIONS

The District expects its employees to observe "common sense" rules of honesty, good conduct, general job interest, safe practices and to adhere to generally accepted customs of good taste. In our District, as in any group with a common purpose, rules are necessary. These rules set forth certain practices which will not be tolerated. This list is not all inclusive. Any violator of any District rule may be disciplined, up to and including immediate termination.

1. Falsifying time cards, personnel, production or other District records.
2. Refusal to carry out assignments relating to the work of the District.
3. Theft, misappropriation or concealment of property from fellow employees, the District or citizens of the District, or theft of government property.
4. Deliberate waste of, damage to or attempted damage to materials, supplies, products, property, equipment of the District or of a fellow employee.
5. Fighting.
6. Violation of safety practices which could cause serious injury or death to self or fellow workers.
7. Being absent from work without proper notification to the District.
8. Reporting for work or working under the influence of alcohol or drugs, possessing, selling or consuming any alcoholic beverages, or possessing, selling or using drugs of any kind (except prescription drugs, where the prescription has been specifically reviewed and approved by management).
9. Immoral, indecent or illegal conduct.
10. Giving or taking a bribe of any nature as an inducement to obtain or retain a position.
11. Leaving District premises during working hours without permission from a supervisor or authorized District representative.
12. Willful acts or gross negligence resulting in actual or risk of serious injury to another employee or resulting in actual or risk of serious damage to District property.
13. Entering working areas of the District's premises when placed on disciplinary suspension or requested to leave by an authorized District representative.
14. Defacing District bulletin boards or the material posted on them, or posting or removing notices of any kind on the bulletin boards or District property without approval of the District.
15. Failure to properly report an accident.
16. Deliberate misrepresentation of facts to a supervisor or any other District representative concerning any work-related matters.
17. Coercing, bribing, inciting or otherwise inducing employees to engage in any practice in violation of District rules.
18. Possession of weapons, ammunition, firearms, firecrackers or other similar items on District premises.
19. Insubordination (willful, deliberate refusal to follow direction, order or assignment by District official) or using abusive language to District supervisors.
20. Sleeping when not scheduled to sleep.
21. Using abusive language or threats to fellow employees.
22. Leaving work area without supervisor's permission.
23. Handling personal affairs during working time without receiving permission from a supervisor.
24. Unnecessary waste of materials or supplies.
25. Inefficiency, lack of initiative on the job or unsatisfactory work performance.
26. Loitering.
27. Unreported absence.
28. Tardiness.
29. Speeding or reckless driving on or of District property or in the community.
30. Creating or contributing to unsanitary conditions.
31. Attempting to perform electrical or other repairs unless authorized by the District to do so.
32. Engaging in horseplay or any physical activity that would cause inattention to duties.

33. Operating machines, tools or equipment by anyone who has not been specifically assigned to these by a supervisor.
34. Stopping work or preparing to leave work before the specified time for breaks, lunch or quitting time, or returning late from lunch or breaks.
35. Smoking in prohibited areas.
36. Misuse of District property.
37. Gambling in any form on District property.
38. Committing any act that has been brought to the employee's attention by a supervisor as being contrary to the District's standards of conduct.
39. Refusal to wear hard hats, safety shoes, safety glasses or other required personal protective safety equipment.
40. Performing personal work at the District.
41. Obtaining materials or tools under fraudulent orders or misrepresentations.
42. Violation of safety and health rules or other policies.
43. Violation of no solicitation/distribution policy.
44. Violation of harassment policy.
45. Using profanity or bad language at fires, wrecks, etc. or on Fire Department property.
46. Any conduct or behavior at the District's discretion.

If an exempt employee has been found to have violated any of the rules listed above, the employee may be suspended without pay, in whole day increments, for a length of time to be determined by the District.

F. PROBLEM-SOLVING PROCEDURE

Except in circumstances involving alleged harassment or discrimination (which procedures are outlined in the Harassment Policy), employees wishing to address the Board of Directors about a problem or concern of the Fire Department should use the following procedure:

1. Schedule a meeting with the Fire Chief.
2. Explain the nature of the problem to the Chief and try to resolve the matter. If for any reason you are not satisfied with the explanation or still feel that it needs to be brought before the Board, then a form will be provided for that purpose. The form should be completed and returned to the Chief. He will see that it is delivered to the Board Chairman. The Chairman will determine if the Chief has answered the request or if it needs to be brought to the Board.
3. If it is determined that the request needs to be brought to the Board, then it will be placed on the agenda and the employee will be notified of the date and time.
4. By following this procedure, problems and concerns can be addressed in a timely manner and a better system utilizing the chain of command is provided. The Board of Directors will also be better prepared to effectively answer questions.

G. PROBATIONARY PERIOD

New employees are considered to be probationary for 180 days after their date of hire. Employees will not be considered regular employees until the probationary period of active employment has been completed. The purpose of this period is to provide the new employee with a

learning period, and to give the District an opportunity to become familiar with the employee to determine whether the employee is a "good match" with the District.

All present employees transferred or promoted to a new job are also considered to be probationary employees for 180 days after taking their new position. Transferred or promoted employees who are unable to perform satisfactorily on their new jobs during or at the end of the introductory period may, at the discretion of management, be returned to their original jobs or terminated.

H. ATTENDANCE AND PUNCTUALITY

Good attendance and punctuality on the part of employees is required. Unauthorized or excessive absences or tardiness will not be tolerated and may result in disciplinary action, up to and including termination.

Employees are expected to report for work whenever scheduled.

Employees should notify their supervisor at least one hour prior to the scheduled starting time whenever they are unavailable to report to work. Such notification should include the reason for the absence or lateness and an indication of when the employee can be expected to report for work. Once an employee reports to work, the employee must report to his supervisor and give the supervisor an explanation of the circumstances surrounding his tardiness or absence.

When an 80 hour employee is out of work for three consecutive days or longer, the employee will be expected to bring a physician's note explaining the reason for the absence.

When a 106 hour employee is out of work for two consecutive shifts or longer, the employee will be expected to bring a physician's note explaining the reason for the absence.

If an employee is over fifteen minutes late for work, his/her supervisor should record the information for the employee's file and forward a copy to the Assistant Chief or Chief.

Employees must obtain permission from their supervisor in order to leave the District premises during work hours.

80 hour employees who are absent from work for one (1) day without giving proper notice may be subject to termination.

106 hour employees who are absent from work for one (1) shift without giving proper notice may be subject to termination.

Failure to comply with this policy may lead to disciplinary action, up to and including termination.

I. WORKPLACE VIOLENCE PREVENTION

The District is committed to preventing violence and to maintaining a safe work environment. The District has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors, part-time employees and volunteers, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of the District without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work station, do not try to intercede or see what is happening.

The District will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the District may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The District encourages employees to bring their disputes or differences with other employees to the attention of their supervisor or Assistant Chief or Fire Chief before the situation escalates into potential violence.

J. COMPUTER AND E-MAIL USAGE

Computers, computer files, the email system, and software furnished to employees are property of the District intended for business use. Any information you place on a District computer is the property of the District. Employees are not allowed to delete or destroy files upon the separation of their employment. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

The District is committed to maintaining a workplace free of illegal harassment and discrimination. Therefore, the District prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color

jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

The District purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the District does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The District prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

K. INTERNET USAGE

Internet access to global electronic information resources on the World Wide Web is provided by the District to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, personal use may be permitted with prior authorization.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the District and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the District. As such, the District reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, age, sex (including pregnancy), religion, national origin, disability or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material

over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the District in violation of law or the District's policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- *Sending or posting discriminatory, harassing, or threatening messages or images
- *Using the organization's time and resources for personal gain
- *Stealing, using, or disclosing someone else's code or password without authorization
- *Copying, pirating, or downloading software and electronic files without permission
- *Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- *Violating copyright law
- *Failing to observe licensing agreements
- *Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- *Sending or posting messages or material that could damage the organization's image or reputation
- *Participating in the viewing or exchange of pornography or obscene materials
- *Sending or posting messages that defame or slander other individuals
- *Attempting to break into the computer system of another organization or person
- *Refusing to cooperate with a security investigation
- *Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- *Using the Internet for political causes or activities, religious activities, or any sort of gambling
- *Jeopardizing the security of the organization's electronic communications systems
- *Sending or posting messages that disparage another organization's products or services
- *Passing off personal views as representing those of the organization
- *Sending anonymous email messages
- *Engaging in any other illegal activities

L. SOCIAL MEDIA

Employees are expected to abide by the following guidelines when communicating with or about the District or its employees, customers, potential customers or products of the District when using social media, including but not limited to Twitter, Facebook, MySpace, blogs and other social networking sites:

1. Employees must abide by all District policies and applicable laws related to the confidentiality of the District, employee, and customer information;
2. Employees may not use social media/networking sites during working time which is the time an employee is supposed to be actively working (before work, after work, breaks and or meal periods are not working time even if the employee is being compensated for the time);
3. Employees using social media/networking sites should ensure that opinions they express or relay are not capable of being seen as opinions of the District or its officials unless expressly authorized;
4. Employees using social media/networking sites should not assume that anonymous use or use conducted under a pseudonym protects their identity from disclosure;
5. Employees should avoid making comments that appear to be on behalf of the District or with the consent of the District.
6. Employees are prohibited from making defamatory, libelous or slanderous comments when discussing the District, the services it provides, and it's employees; and
7. Employees must comply with the District's policies against discrimination, harassment or retaliation on account of race, color, religion, sex, national origin, age, citizenship, disability or other protected class, status or characteristic.

Any employee who is found to have violated any of the provisions of this policy may be subject to disciplinary action up to and including termination. This policy will not be construed or applied in a way that interferes with employees' rights under federal labor law, including the right to discuss their employment or other protected activity. In the event of a perceived or actual conflict between any applicable law and a provision of this policy, the applicable law shall control in every instance and the District will not interpret or enforce this policy in a manner that violates the applicable law.