

## ORDINANCE AMENDING THE MERIT SYSTEM PORTION OF THE DOUGLAS COUNTY CODE OF ORDINANCES

WHEREAS, the Douglas County Board of Commissioners, upon receiving recommendations from the Personnel Review Board, has determined that certain amendments to the Merit System portion of the Douglas County Code of Ordinances are needed.

NOW THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that the following amendments to Chapter 13 of the Douglas County Code relating to the merit system be enacted:

### Section 1.

**Section 13-7 (a) Safety Board-Created; Composition** is amended by deleting subsection (a) and inserting in lieu thereof the following:

(a) There is hereby created a board to be known as the Safety Board. This board shall be composed of three (3) individuals selected in the following manner; One (1) member shall be elected by the elected officials who shall have one (1) vote each, except the Board of Commissioners, which shall have only one (1) vote among them and it shall be cast by a majority of the Board. The person selected shall be an elected official eligible to vote and the person so selected shall be appointed to the Safety Board by the county governing authority.

~~The second member shall be a full time employee of the county and that person shall be elected by the full-time employees of the county (other than the aforesaid elected officials) by a majority vote with each department having a vote. The election shall be held under the direction and control of the Chairman of the Board of Commissioners and the person so selected shall be appointed to the Board by the county governing authority. The third member of the Board shall be selected by the (2) members selected by the elected officials and the full-time county employees. This person shall be a citizen of the county, not an employee of any government, shall not be delinquent, at the time of selection, in payment of ad valorem taxes and shall have been a resident to the county for at least two (2) years prior to selection. The second and third members of the Safety Board shall be full-time employees of the county and shall be elected by the full-time employees of the county (other than the aforesaid elected officials) by a majority vote with each department having one vote. The full-time employee members must be employed by separate departments. The election shall be held under the direction and control of the Chairman of the Board of Commissioners and the person so selected shall be appointed to the Board by the county governing authority.~~

## Section 2.

**Sec. 13-56. Employment of relatives** is amended by deleting in its entirety and in lieu thereof insert the following:

It is the policy of the county not to employ in the same department of the county government any member of an employee's immediate family. For purposes of definition, "immediate family" includes husband, wife, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, step-father, step-mother and step-children, spouses' grandparents, grandchildren, formal legal guardian (with proof).

The term "department" includes the permit and inspection department, road department, fire and EMS department, planning and zoning department, sheriff's department, jail department, library department, appraisal department, accounting and purchasing department, magistrates department, engineering department, extension service department, landfill department, development department, printing department, district attorney department, clerk of superior court department, vehicle maintenance department, board of commissioners department, safety department, human resources department, custodial department, probate court department, tax commissioners department, parks and recreation department, voters registration department, data processing department and all other departments recognized in the organizational structure of the county.

If two (2) employees marry while working in the same department, the party with the least seniority in the department must transfer to another department if both are to continue in the employment of the county.

This section shall not apply to any county employee who is employed as of the date of the enactment of this provision.

Notwithstanding all of the foregoing terms and conditions, a department head or an elected official who has people working for him who are employed by Douglas County, may authorize related persons to work provided they work under the following specified conditions:

- (a) No employee shall work directly for another relative.
- (b) No employee shall be under the supervision of a relative.
- (c) Persons who are related as heretofore described shall not work together in the same shift; unless requirements of the department are such that the department supervisor of elected officials feels that it is absolutely necessary for the protection of the county and citizens of the county, in which case those relatives who are certified to be required to work on the same shift shall not be working together in the same vehicle, office, or on the same project or work.

### Section 3.

**Section 13-128 – Funeral Leave** is amended by deleting in its entirety and in lieu thereof insert the following:

“Immediate Family” for the purpose of this section means husband, wife, father, mother, daughter, son, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandmother, grandfather, stepfather, stepmother and step-children, spouse’s grandparents, grandchildren, formal legal guardian (with proof).

### Section 4.

**Section 13-122 (b) Holidays** is amended by deleting subsection (b) and inserting in lieu thereof the following:

- (b) All county employees shall be allowed one (1) personal leave day in lieu of the national celebration of President's Day. ~~This personal leave day will become effective six (6) months after becoming a full-time, permanent employee or six (6) months after a new employee's probationary period ends, whichever comes first. The personal leave day will be credited to the employee the first pay period of the month following the criteria listed above. The personal leave day can not be carried forward to a new year.~~ The personal leave day will be credited to the employee during the pay period of the employee’s anniversary date. The personal leave day must be used by the employee’s next anniversary date or the employee will lose it. This personal leave may be taken at the employee's discretion, subject to the approval of the department head.

### Section 5.

**Section 13-134 Retirement Benefits** is amended by deleting in its entirety and in lieu thereof insert the following:

#### Section 13-134 Retirement Benefits

Retirement will be in accordance with the AGE DISCRIMINATION IN EMPLOYMENT ACT. (ADEA) Anyone wishing to retire must chose **one** of the following retirement options:

- (a) In the event an employee wishes to retire and is (1) at least sixty-two (62) years of age and (2) has fifteen (15) years of consecutive service as a Douglas County employee, Douglas County will provide an insurance package that includes life insurance in the amount of half their annual salary, medical and dental coverage cost-free to the employee. This option is only available to those hired as full-time employees on or before January 1, 2001, and had continuous full-time employment through December 31, 2005.

- (b) In the event an employee reaches fifty-five (55) years of age and has twenty-five (25) years of consecutive service as a county employee, the county will provide an insurance package that includes life insurance in the amount of half their annual salary and medical/dental coverage according to the progression schedule listed below:

<u>Age</u>	<u>County Participation (percent)</u>	<u>Employee Participation (percent)</u>
55-57	50	50
58-59	70	30
60-61	80	20
62	100	0

This option is only available to those hired as full-time employees on or before January 1, 2001, and having continuous full-time employment through December 31, 2005.

- (c) In the event an employee reaches fifty-five (55) years of age and has thirty (30) years or greater of consecutive service as a county employee, the county will provide an insurance package that includes life insurance in the amount of half their annual salary and medical/dental coverage according to the progression schedule listed below:

<u>Age</u>	<u>County Participation (percent)</u>	<u>Employee Participation (percent)</u>
55-57	70	30
58-59½	80	20
59½	100	0

This option is only available to those hired as full-time employees on or before January 1, 2001, and having continuous full-time employment through December 31, 2005.

- (d) Using the Rule of 80 (which is a combination of age and years of service), employees will be allowed to purchase pre-Medicare and lifetime medical coverage for themselves and their families at reasonable group rates. This rate will be adjusted annually depending upon the negotiated county group rate.

Life Insurance – Those employees hired after January 1, 2001, will have the option to purchase up to \$20,000 of life insurance at the county’s voluntary group rate.

All previous policies, procedures, and agreements are null and void and superseded by paragraphs (a), (b), (c) and (d) above, with the exception of

previously retired employees authorized to pay \$100.00 per month for retired health insurance, which will be “grand-fathered”.

**Section 6.**

**Section 13-58 (a) – Employee Rehire Policy** is amended by deleting subsection (a) and inserting in lieu thereof the following:

- (a) If an employee voluntarily resigns their position with the county (see section 13-88, Resignation) and has correctly completed all necessary exit interview information with his/her supervisor or department head, the county may consider this previous employee eligible for rehire with all benefits reinstated if the subject employee reapplies for employment with the county within no more than sixty (60) days from the date last worked with the county. No benefits will be accrued during the period of unemployment with the county. The only authorized benefit not immediately restored is insurance which takes effect ~~approximately thirty (30) days after rehire~~ on the first day of the next month after rehire.

**Section 7.**

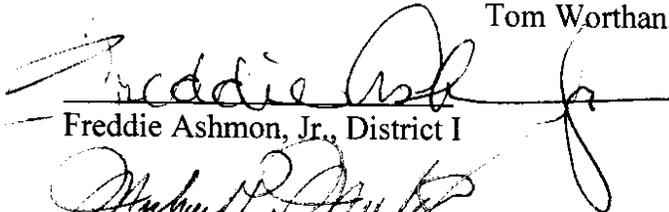
All ordinances in conflict are hereby repealed.

**Section 8.**

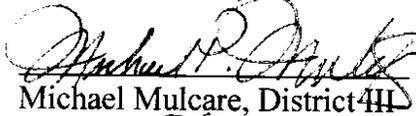
This ordinance shall become effective on June 15, 2010.



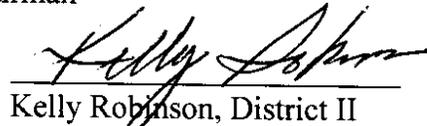
Tom Worthan, Chairman



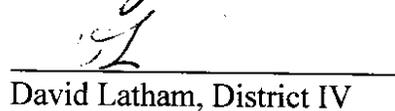
Freddie Ashmon, Jr., District I



Michael Mulcare, District III



Kelly Robinson, District II



David Latham, District IV

Attest: 

Lisa Watson, County Clerk