



## LEWIS AND CLARK COUNTY POLICY

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| <b>Subject:</b> Employee Benefits – General | <b>Policy No:</b> 1.2.7                                              |
| <b>Approved:</b>                            | <b>Effective Date:</b> Aug. 1, 2015<br><b>Revised Date:</b> 05/31/17 |

### I. Policy Statement

Lewis and Clark County strives to provide employee benefits that enhance productivity, insure health and safety, promote personal and professional growth and create a family supportive work environment. It is the intent of Lewis and Clark County to provide the same benefit levels for unrepresented County employees as those enjoyed by represented employees. In general, benefits are directly tied to the employee's employment and active pay status in a given pay period.

### II. Applicability

All Lewis and Clark County employees.

### III. Definitions

None.

### IV. Directives

#### A. Health, Dental, Vision and Life Insurance Plans

1. The Health Benefit Plan (hereafter referred to as the Plan) consists of a health plan, prescription drug benefit, a dental plan, a vision benefit and life insurance. Participation in the Plan is open to enrollment by Regular full-time and Regular part-time employees working more than twenty (20) hours per week, and variable hour employees, together with their dependents, according to the terms and conditions outlined in the plan documents and summary plan description. Seasonal and Temporary employees who are scheduled to work more than six (6) months a year or who work for a continuous period of more than 6 months a

year must be provided with the opportunity to enroll in the health benefit plan. Seasonal and Temporary employees must work twenty (20) hours or more per week in order to be eligible for health benefit plan coverage.

- a. The Human Resource Department has copies of the plans and policies on file. Employees enrolled in the health plan will be furnished a copy of the Summary Plan Description or Plan Document and all subsequent amendments as they are adopted. It is the employee's responsibility to seek assistance in interpreting the Summary Plan Description or Plan Document.
- b. The County will contribute to the cost of the Plan coverage for employees who are enrolled in the Plan. County contributions begin on the first day of the month following the starting date of employment, subject to provisions and conditions stipulated in the Plan. County contributions to the plan will be based on the number of hours worked by the employee and will be prorated. The Board of County Commissioners will set the County plan contribution for employees as part of the annual budgeting process.
- c. The Board of County Commissioners will determine and set the cost of dependent coverage as part of the annual budget process.

## **B. Employee Assistance Program**

1. Lewis and Clark County provides a confidential system for employees to resolve personal, financial and legal problems via an employee assistance program. Employee assistance programs are designed to facilitate early intervention in the treatment of an employee's problems before those problems begin affecting job performance. The County's program provides short-term counseling for employees and family members to receive professional counseling and assistance identifying and evaluating a wide range of problems. Services provided by the employee assistance program are voluntary, confidential and free of charge.
2. Eligibility
  - a. Active Regular, Temporary and Seasonal status employees and their family members are eligible for the employee assistance program services.
3. General Information
  - a. The employee assistance program provides short-term assessment and counseling at no charge to employees or family members. All services are voluntary and will be strictly confidential.
  - b. The employee assistance program counselor may make a referral to outside agencies or resources. Services provided by an outside agency or resource are not part of the program and the employee may be charged for these services.
  - c. Additional information regarding the employee assistance program may be obtained from the Human Resource Department

### **C. Workers' Compensation Insurance**

1. Workers' Compensation Insurance is provided for all County employees to cover injuries arising out of and in the course of their employment.
2. **Claims Generally**
  - a. The County adheres to the State of Montana Workers' Compensation and Occupational Disease Laws outlined in Titles 7 and 39 of the Montana Code Annotated and other applicable State codes and statutes.
3. **First Report of Occupational Injury or Disease**
  - a. This form, which is the initial report made on a possible workers' compensation (or occupational disease) claim, must be completed and submitted to the County Human Resource Department immediately, and always within 24 hours of the work-related injury-causing incident.
    - i. Employees are responsible for reporting all work-related injuries to their immediate supervisor within twenty-four (24) hours of the injury.
    - ii. Elected officials/department directors will maintain a file containing the rules and procedures to be followed by employees claiming Workers' Compensation benefits.
    - iii. Elected officials/Department directors (or designee) will be responsible for immediately reporting employee injuries on the job that result in medical treatment or loss of work time to the Human Resource Department. Reports must be made within forty-eight (48) hours of the injury or within twenty-four (24) hours of notification of an injury.
    - iv. Departments will report accidents and injuries using forms designated for accident reporting by the Human Resource Director.
    - v. The elected official/department director or employee will notify the Human Resource Department within three (3) working days to coordinate the wage loss benefit.

### **D. Coordination of Benefits and Claims**

1. The Workers' Compensation benefit consists of two parts: wage loss benefits and medical benefits. The wage loss benefit begins after the injured employee has been unable to work for thirty-two (32) scheduled work hours. The medical benefits cover allowable medical costs associated with the work injury. After the first thirty two (32) scheduled work hours, employees may not use accrued sick or vacation leave while also receiving wage loss benefits through Workers' Compensation.
2. County employees who miss work due to on-the-job injury can be compensated by the following:
  - a. Receiving partial reimbursement for lost earnings from the County's Workers' Compensation Claims Administrator (not to exceed the state

average weekly rate). An employee qualifies for workers' compensation wage-loss benefits if he/she misses more than 32 hours or four (4) days of scheduled work.

- b. Using their holiday, vacation leave, and compensatory time credits so that they can receive their full wage or salary. *An employee must choose whether to receive workers' compensation wage loss benefits or to use sick accruals while away from the job due to a workplace injury: if an employee chooses to receive wage loss benefits, sick leave accruals may not be used to supplement wage loss benefits after the initial 32 hour qualifying period.*
3. The County does **NOT** reimburse employees for the difference between the wage loss benefit and their actual wages except as provided by state law.
4. Each department will work with the Human Resource Department to coordinate the benefits for employees subject to an on-the-job injury, (i.e. holiday/vacation leave vs. workers' compensation wage-loss benefits).
5. Employees will not accrue vacation or sick leave credits while receiving Workers' Compensation wage loss benefits. Employees using sick, vacation or compensatory time while they are injured will accrue vacation and sick leave credits
6. Each employee claiming Workers' Compensation will be reviewed on a case-by-case basis by the department, the Workers' Compensation carrier, and the Human Resource Director.

#### **E. Early Return to Work**

1. Every effort will be made to return the employee to the position they held when they sustained the injury. The employee will be responsible for remaining in close contact with their supervisor and will be expected to furnish the supervisor with current medical provider's reports on his/her physical condition.
2. Whenever possible, light duty will be made available to the employee, upon authorization of and release by the medical provider.
3. If the employee's medical provider does not release the employee to return to his/her former position within a reasonable period of time, the County may terminate the employee.
4. An injured worker who is terminated from employment and who is capable of returning to work within two (2) years from the date of injury and has received a medical release to return to work, will be given a preference over other applicants for a comparable position that becomes vacant when the vacant position is consistent with the worker's physical condition and vocational abilities.

## **F. Pay Periods and Pay Day**

1. The County has bi-weekly pay periods based on a Sunday through Saturday workweek. Any change in status, including all pay requests, should be filed with the Human Resource Department as soon as possible, but **no later than noon on Monday following the close of each pay period**. Employees will be paid every other Friday. Pay is subject to withholdings required by state and federal laws, wage contributions to pension and health benefit plans authorized by the employee and court-ordered withholdings such as child support, wage garnishments, et cetera.
2. Employees are responsible for completing and submitting their own personal time sheets. Time sheets will accurately record hours worked, use of leave and use of compensatory time in a given pay period. Employees will submit time sheets to elected official/department directors. Elected official/Department directors (or designee) will sign time sheets after completing a review for inconsistencies and errors. The Human Resource Director (or designee) may make modifications to time sheets as submitted. The Human Resource Director (or designee) will notify the affected employee and elected official/department director any time a time sheet is modified.

## **G. County's Pay Matrix**

1. The County's pay matrix is based on a comparison of positions within the organization and the collection of wage survey information from comparable institutions. The annual implementation of the pay plan is subject to approval by the Board of County Commissioners.

## **H. Unemployment Insurance**

1. Unemployment insurance coverage is provided for all eligible employees. Unemployment insurance claims are administered through the Montana Department of Labor and Industry.

## **I. Pension and Retirement**

1. Membership in the Public Employees' Retirement System (PERS), the Sheriff's Retirement System (SRS) or the Teachers' Retirement System (TRS) is mandatory for all County employees who work more than 960 hours in a fiscal year. PERS is optional for the following employees:
  - a. the Chief Administrative Officer of any city or county;
  - b. employees scheduled to work less than 960 hours in one fiscal year (upon completion of 960 hours, membership is required);

- c. new employees of a County hospital or rest home; and
  - d. elected officials.
- 2. Employee and Employer Contribution
  - a. Contributions to appropriate retirement funds are made by both the County and the employee. State law establishes contribution rates.
- 3. Retirement
  - a. Terms and conditions of vesting and retirement are established by each individual retirement system. The Montana State Public Employees' Retirement Division and state law determine retirement age, length of service and other criteria used to establish eligibility for retirement and the benefit levels that pertain to length of service.
- 4. Termination Prior to Retirement
  - a. Pursuant to the regulations in effect for the particular retirement system, a terminated employee may request a refund of employee contributions to the retirement plan plus any accrued interest unless the employee is moving to another agency covered by the same retirement system.
- 5. Credit for Past Service
  - a. If a new County employee had previously worked for the County or another agency subject to the regulations of the Public Employees' Retirement System, Sheriff's Retirement System or Teachers' Retirement System, credit for past service may be purchased through payment of the amount of contribution plus imputed interest.
  - b. Effective July 1, 1994, the County will not contribute to or make payments for any employee who waives retirement system membership during their employment with Lewis and Clark County. If an individual waives retirement system membership while employed with the County and decides to buy back service time at a later date, the employee will be required to contribute both their own portion and the employer's contribution in order to purchase credit for the service time.
  - c. State law makes an exception to this policy for elected officials. If an elected official waived coverage and later elects coverage, the County is required to make the employer's contribution.
- 6. Retirement Health Plan Benefit
  - a. In recognition of service to Lewis and Clark County at the time of retirement, the County provides an additional health plan benefit. The County will continue to pay the employer's portion of health plan coverage for the first six (6) months following the effective date of retirement. This benefit is offered, subject to the following conditions:
    - i. The retiring employee has twenty years or more of continuous service with Lewis and Clark County; and

- ii. The retiring employee must qualify and retire in accordance with PERS, SRS or TRS rules.

#### **J. Honoraria**

1. Any County employee who receives monetary honoraria and reimbursements for lodging, meals and/or travel from an entity other than the County when participating as a speaker, seminar leader, trainer or panel member at a workshop or seminar may keep the monies received and does not need to report the monies collected to the Finance Director if one (1) of the following conditions is met:
  - a. the employee accounts for the time spent as speaker, seminar leader, trainer or panel member with accrued vacation leave credits; or
  - b. the employee participates as speaker, seminar leader, trainer or panel member at a workshop or seminar held outside their regular working hours.
2. In the event that the employee accounts for time as speaker, seminar leader, trainer or panel member as regular work hours, all honoraria must be deposited with the County Finance Director.
3. Any additional non-monetary expenses provided to County employee conference, seminar or training participants (such as meals, lodging or travel costs) are not reimbursable through the County's Travel and Per Diem Policy.

#### **K. Jury Duty/Serve as a Witness**

1. The County will compensate an employee at his/her regular wage when the employee takes time off to comply with a proper summons or subpoena for jury duty or service as a witness. The employee will collect all fees and allowances payable as a result of the service and forward the fees to the Finance Director. The fees will be applied against the amount due the employee from the County for the time off with pay.
2. Expenses or mileage allowance paid by the court will not be collected.
3. If an employee elects to charge the time off against accrued vacation credits or compensatory time, no fees and allowances paid need be reported to the Finance Director and will not be deducted from the employee's wage for the period of time charged to vacation credits or compensatory time.

#### **L. Employee Recognition Program**

1. The County encourages departments to establish recognition programs for employees who improve personal interactions with citizens, contribute to program efficiencies or otherwise enhance department operations and functions. Departments may design recognition programs appropriate to the work unit. Departments will submit program design and implementation guidelines to the Human Resource Department staff for review and approval. Departments are encouraged to submit funding requests for recognition programs as part of the annual budget process.

## **V. Closing**

Provisions of this policy will be followed unless they conflict with negotiated labor contracts which will take precedence to the extent applicable.

Questions concerning this policy should be directed to the Human Resource Department.

## **VI. References**

None

## **VII. Attachments**

None