County of Frederick



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Director of Human Resources

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TO: Human Resources Committee and Board of Supervisors

FROM: Michael J. Marciano

DATE: June 10, 2019

SUBJECT: HR Committee Agenda

The HR Committee will meet in the First Floor Executive Committee Room at 107 North Kent Street on **Monday, June 17, 2019** at 9:00 a.m.

The agenda for the meeting is as follows:

- Fiscal Year 2019-2020 Request for New Position Presentation by Department Representative
 - a. Old Dominion Court Services Pretrial Services & Local Probation
 - i. Seek Approval to Create "Case Officer" Position

2. Human Resource Policies Recommended Revisions

- a. Administrative Leave & Unsafe Conditions Policies
- b. Anti-Discrimination and Anti-Harassment Policy

3. Employee Recognition

a. Employee Nomination

Old Dominion Court Services Pretrial Services & Local Probation "Case Officer" Position Request

OLD DOMINION COURT SERVICES PRETRIAL SERVICES & LOCAL PROBATION

S. K. Chmura, CC Chief

Serving City of Winchester and Counties of Clarke, Frederick, Page, Shenandoah and Warren

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June 7, 2018

To:

Frederick Co. Human Resource Committee

From: S. Kimberly Chmura, Chief

Re:

New Case Officer Position

Overview:

Frederick County is the administrative and fiscal agent for Old Dominion Court Services (ODCS). ODCS is supervised by the Northwestern Regional Adult Detention Center. ODCS provides community-based local probation to 18 courts in the City of Winchester and the Counties of Clarke, Frederick, Page, Shenandoah and Warren. It provides pretrial investigations to 6 courts in Winchester, Clarke and Frederick General District Courts and Juvenile Domestic Relations Courts and provides pretrial supervision to 9 courts in Winchester, Clarke and Frederick Circuit Courts, General District Courts and Juvenile Domestic Relations Courts.

Please note that ODCS is a separate agency from Old Dominion Alcohol Safety Action Program (ASAP). The director of ODCS is Kim Chmura, Community Corrections Chief, and the director of ASAP is Andrea Cosans, Director of Court Services.

Pretrial/Probation Officers, Grade 5 with a salary range of \$39,014-\$62,337, currently complete all intakes of pretrial defendants and probationers. After completing the intakes, the officers begin supervising the ODCS clients and addressing any stabilization needs, such as, connecting to local services for housing, employment services, etc., as well as, addressing risks to public safety. In pretrial supervision, the Officers are responsible for monitoring compliance of the court-ordered bail conditions, and to provide referrals to social services to promote the mission of pretrial services; increase the likeness of court appearance and promote public safety. In probation supervision, the Officers are responsible for monitoring compliance of court-ordered obligations, as well as, directing clients to appropriate interventions, such as substance use disorder counseling, mental health counseling, batterer's intervention programming, shoplifting intervention e-learning, and alcohol/marijuana use education programming. The function of probation is to address criminogenic needs that will increase probation compliance and, in the long term, reduce recidivism.

Due to increased referrals over the past few years, completing intakes in a timely fashion has become very difficult. At this time, an intake for pretrial defendant is completed within 30 days of receipt of the referral, and a probation intake may take more than 45 days due to case load size and multiple sub-offices. The Department of Criminal Justices Services (DCJS) mandates that pretrial intakes should occur within 5 business days of receipt of the order and probation intakes should occur within 10 business days of receipt of the order. ODCS continued failure in these standards will negatively impact any forthcoming compliance monitoring/audit. At which time, an action plan will be required to ensure compliance. Prior to the auditing process being implemented, it is desirable to address any deficits and resolve any identified concerns.

It is being requested that a Case Officer title be created at the Grade 4 salary range of \$34,243-\$54,810. The primary function of this position will be to complete intakes within the mandated DCJS time frames. This position will have client contact, but will only see the clients one time for intake and will not address any

underlying issues related to substance use disorder or criminal thinking. Additionally, this position will be the primary back-up for the secretary. As this position does not have the same duties and responsibilities as the supervision officers, it is not appropriate to compensate this position at the same rate as the Grade 5 Pretrial/Probation Officers.

Rationale for Position:

In the FY 20 ODCS Pretrial budget, a new FTE position was added as a Grade 4 with a salary of \$34,243-\$54,810. At this time, the position has been approved via the budget process and if approved by the HR Committee and Board of Supervisors (BOS), will be funded by grant funds received from the Department of Criminal Justice Services (DCJS). It is requested that this new position entitled, Case Officer, be approved.

This position is necessary due to several factors. Referrals to pretrial supervision and local probation have increased significantly in the past few years. Eight years ago, pretrial services and local probation were merged under NRADC and during this restructuring, one supervisor and one administrative staff position were left vacant. Due to this reduction, many additional administrative tasks were assigned to the Pretrial/Probation Officers to complete. Current staffing is 9 FTE - 1 supervisor, 1 administrative staff, 1 Pretrial/Probation Officer who works primarily at the jail completing investigations, 3 Pretrial/Probation Officers who work primarily supervising probationers, 2 Pretrial/Probation Officers who work primarily supervising defendants and 1 Pretrial Officer who works primarily supervising defendants. This staffing has remained consistent since 2010. Lastly, there are guidelines which ODCS has not been able to meet despite trying different solutions, and the final solution is to hire a FTE whose primary job it will be to comply with these DCJS standards.

The chart below shows that, while in FY 11, total placements for pretrial supervision were 443 with 170 misdemeanor charges and 264 felony charges, in FY 18, total placements were 533, with 195 misdemeanor charges and 338 felony charges.

	APR FY 19	FY 18	FY 17	FY 16	FY15	FY 14	FY 13	FY 12	FY 11
Misd	97	195	235	302	351	353	353	330	179
Felon	316	338	437	412	498	398	343	316	264
TOTAL	413	533	672	714	849	751	696	646	443

While the total number has increased, it is important to note that the ratio of misdemeanor charges to felony charges also has changed significantly. Defendants being supervised for felony charges often have more serious supervision issues, such as substance abuse and/or mental health issues. Additionally, the felony cases take longer to process through the court system than misdemeanor charges. In FY 11 there were 264 felony cases supervised by ODCS. In FY 19, it is forecasted this will increase to over 400 felony defendants. Therefore, ODCS staff have more needy defendants who are supervised longer. This is demonstrated by the average daily caseload for pretrial services:

	YTD 19	FY 18	FY 17	FY 16	FY15	FY 14	FY 13	FY 12	FY 11
TOTAL	324	331	282	316	277	257	260	204	153

Probation referrals have increased in the past several years as well:

	APR FY 19	FY 18	FY 17	FY 16	FY 15	FY 14
Misd	353	334	183	218	291	289
Felon	109	96	113	104	102	106
TOTAL	462	430	296	322	393	395

Similar to pretrial supervision, the average daily caseload has increased; in FY 14 there were on average 295 probationers being supervised on a daily basis. Today that average is 492, or 200 more probationers today than 6 years ago, with the same staffing.

Lastly, DCJS Minimum Standards for Pretrial Services §3.6 Letter B states, "Each local pretrial services agency shall develop and follow a policy and procedure for conducting an intake within five business days following notification of judicial officer action or release from confinement for all defendants placed on supervision." DCJS Minimum Standards for Local Community-Based Probation §3.2 Letter A states, "Each local communitybased probation agency shall develop and follow a policy and procedure for conducting an intake for each probationer placed on supervision within ten (10) business days of notification of a court action or release from confinement." Unfortunately, since the merge of pretrial services and local probation, these standards are rarely met. In the Case Officer's job description, this new position will complete the intakes of defendants as they report for initial contact. This will significantly improve the compliance with these standards. This is important as Pretrial Services are being closely scrutinized by the Crime Commission and under a 4-year study of pretrial investigations and placements. As a result of the Crime Commission recommendations, DCJS is in the process of developing compliance monitor or audits criteria. Adhering to minimum standards will be one aspect of this compliance monitoring. Additionally, this position will be able to complete case manager tasks, such as monitoring transferred, incarcerated or other inactive cases for the Probation Officers, close cases for Pretrial/Probation Officers, conduct drug testing for PO's, and perform other data entry functions. This will allow the PO's to spend more time with defendants and probationers, thus addressing client needs more effectively.

Rationale for the Grade:

In speaking with other localities, they do not have a Case Officer position, but some have Probation Officers in a tier system where Investigators who complete intakes are a lower grade than the supervision officers-specifically Loudoun and Prince William.

At this time at ODCS, the secretary is Grade 3. The Pretrial/Probation Officer is a Grade 5. With only one supervisor who has been here for 8 years, the only internal promotional opportunities have come from secretaries being promoted to PO, which has only happened twice in the past 15 years. Several Pretrial/Probation Officers have left ODCS to pursue similar careers in other localities or federal positions. This proposed position would be a Grade 4 with a salary of \$34,243 to \$54,810. The position would be a grade between secretary, Grade 3, and supervision officers, Grade 5, and thus would allow a promotional opportunity. More importantly, this position does not require the same skill sets as a supervision officer. While this position would have defendant/probationer contact, the incumbent would not be expected to build rapport or address non-compliant behavior with motivational interviewing skills. Per DCJS Minimum Standards, this position takes the Oath of Office and completes basic skills training, CORE. The educational and KSA for Pretrial/Probation

Officer are greater than this position. The Case Officer's position would require greater analytical skills than the secretary position.

Within the Frederick Co. SAP, it would be appropriate for the Case Officer whose duties are lesser than a Pretrial/Probation Officer to be compensated one grade lower. In regards to being competitive with other localities with similar positions, ODCS reached out to several localities to inquiry as to their positions.

Locality and Title of Position	Salary/Grade	Duties	Job description
Frederick	\$34,243-\$54,810		attached? Yes
Case Officer	Grade 4		
Albemarle Non-Profit PO and Sr. PO	Both positions are same grade	OAR has Local Probation Officer position; after 3 years, can be given Sr. Local Probation Officer Position based on merit. Duties are different and salary is enhanced.	Yes
Augusta None		Does not have this position – Blue Ridge Court Services is under Staunton	
Fauquier Court Services Officer	\$40,794-\$68,113 Grade 29	Supervision Officer – normal duties of pretrial/probation officers. PO's complete intakes.	Yes
Fauquier Part Time Court Services Officer	TBD – based on experience and budget	Per Director, when appropriate, they will hire part-time employee for special projects, one being completing intakes.	NA
H-Burg/R-ham Court Services Officer	\$36,292-\$58,074 R07	Supervision Officer – normal duties of pretrial/probation officers. This locality does not have Intake Officer.	Yes
Loudoun PO –Specialist III	\$48,653	Supervision Officer – normal duties of pretrial/probation officers.	Yes
Loudon Evaluator/Investigator Specialist I	\$35,939	Completes bail investigations and intakes.	Been Requested
Prince William PO III	\$62,029-\$105,300 Grad 16	Caseload size is half as large. Duties include case reviews, coaches PO I/II, lead major initiatives, such as, quality assurance.	Been R <mark>equested</mark>
Prince William PO II	\$55,828-\$94,770 Grade 15	Supervision Officer – normal duties of pretrial/probation officers and completes intakes.	Been Requested
Prince William PO I	\$50,485-\$85,683 Grade 14	Pretrial Investigator – primarily works at jail conducting bail hearings.	Been Requested
Roanoke Detention Review Specialist	\$39,718-\$63548	Juvenile PO in the Detention Center	Yes
Roanoke Youth Counselor I	\$30,113-\$48,182	Juvenile PO in the community	Yes

Spotsylvania			
Stafford Probation Field Officer	\$42,036-\$65,145	Juvenile PO in the community	Yes
Warren Intensive Supervision Officer	\$40,562-\$61,720 Grade 14	Juvenile PO in the community	Yes
Winchester Nothing similar			
York Nothing similar			

Northwestern Regional Adult Detention Center

Position Title:

Case Officer

Old Dominion Court Services - Pretrial Services and Local Probation

Department:

Northwestern Regional Adult Detention Center - ODCS

Exempt/Non-Exempt:

Non-Exempt

Reports To:

Community Corrections Chief

Purpose of Grade:

This is a specialized position which provides support to the ODCS by conducting intakes of pretrial defendants and probationers. This position will also assist in monitoring inactive or long-term pending cases. Incumbents coordinate directly with General District and Circuit Court Judges, their staffs, and other officers of the court. Case Officer is the

primary back up to the ODCS Secretary.

Date Prepared:

June 2019

Range:

4

G/L Line Item:

4-011-033010-1002-000-201

Examples of Tasks Performed Within Grade:

This position description may not include all of the tasks to be performed.

<u>Job Purpose:</u> Duties include managing cases, performing drug testing if ordered, reporting to Courts and other Officers of the Court either with verbal testimony or written reports, and strictly adhering to standard operating procedure and DCJS guidelines. Additionally, the incumbent maintains offender/defendant files and the computer database management system. Weekly and monthly statistic reporting is required. The incumbent must develop positive relationships with Court officials and other local resource agencies and must perform all other duties as assigned.

Essential Duties: The requirements for this position include, but are not limited to, those outlined below. All job functions, education and experience, general knowledge and abilities, and physical requirements are subject to possible modification to reasonably accommodate individuals with disabilities to enable them to perform the essential functions of the job. This document does not create an employment contract, implied or otherwise. It is the employer's discretion to add or change the duties or requirements of this position at any time.

- Completes intakes of defendants who report directly from the Magistrate or Courts.
- Runs a criminal history using VCIN, performing data entry of the placement.
- Interviews the defendant or probationer, conducting a drug analysis and completing a risk assessment.
- Documents all interactions in the case files and the PTCC case management system.
- Monitors compliance of inactive cases due to transfer out status and long-term pending cases due to incarceration.
- Schedules appointments and returning phone calls in a timely manner, and assisting Pretrial/Probation Officers with drug analysis and case filing.

Northwestern Regional Adult Detention Center

- Testifies in court.
- Completes data entry of placements -- including making copies, scanning files, assisting the Chief in data management and statistics.
- Assists in special projects or activities.

Equipment Operated: Routine office equipment, personal computer with DCJS software, NICC/VCIN Terminal, and motor vehicles.

<u>Working Conditions</u>: Work involves some degree of risk to personal safety in an inherently stressful environment.

Knowledge, Skills and Abilities: Knowledge of the criminal justice processes and the Department of Criminal Justice Service standards are preferred. The ability to write and prepare written reports is essential. Strong computer skills are required to include expert keyboarding and data entry. The position requires public speaking and oral communications skills. The ability to manage multiple tasks, analyze complex information, organize and prioritize work and meet deadlines is critical. Ability to apply screening criteria to individuals, their offenses, and their personal backgrounds for the purposes of program selection is required.

Preferred Knowledge, Skills and Abilities: Bilingual in Spanish and English and highly proficient at Microsoft Office software.

Experience/Education: Previous experience in office setting or customer service is required. Internship in criminal justice agency is preferred. Associate's Degree from an accredited college or university with major course emphasis in Criminology, Criminal Justice, Corrections, Sociology or related field is required or applicable experience in lieu of Associate's degree.

Special Requirements:

- Must maintain a telephone for emergency contact purposes.
- Must possess a valid driver's license.
- Must obtain and maintain all Criminal Justice Services mandated training as required by DCJS, Frederick County, NRADC and ODCS.
- Criminal history check and periodic drug testing required.
- No record of felony convictions and no record of misdemeanor convictions in the last 10 years.

<u>Physical Requirements</u>: This is operative work requiring the exertion of up to and exceeding 50 pounds of force occasionally and a negligible amount of force frequently or constantly to move objects. Regular required tasks include sitting, talking or hearing in person, in meetings and by telephone. The employee is frequently required to walk and stand, and occasionally required to climb, stoop, kneel, or crouch. Visual acuity is required for preparing and analyzing written or computer data, determining the accuracy and thoroughness of work, and observing general surrounding and activities.



Frederick County, VA Salary Administration Program

Title	Department	Range
ACCOUNT ANALYST	TREASURER'S OFFICE	6
ACCOUNT CLERK	FREDERICK COUNTY	3
ACCOUNTING SUPERVISOR	FINANCE	9
ACCOUNTING TECHNICIAN	NRADC	4
ADMINISTRATIVE ASSISTANT	FREDERICK COUNTY	6
AIRPORT EXECUTIVE DIRECTOR	WINCHESTER REGIONAL AIRPORT	NC
ANIMAL CARETAKER	PUBLIC WORKS/ANIMAL SHELTER	2
ANIMAL SHELTER MANAGER	PUBLIC WORKS/ANIMAL SHELTER	8
ASAP CASE MANAGER	NRADC/DCS	5
ASAP CASE MANAGER ASSISTANT	NRADC/DCS	4
ASSESSOR I	COMMISSIONER OF THE REVENUE	7
ASSESSOR II	COMMISSIONER OF THE REVENUE	8
ASSESSOR III	COMMISSIONER OF THE REVENUE	9
ASSISTANT CHIEF	FIRE & RESCUE	12
ASSISTANT COUNTY ADMINISTRATOR	COUNTY ADMINISTRATION	NC
ASSISTANT COUNTY ATTORNEY	COUNTY ATTORNEY'S OFFICE	10
ASSISTANT COURT SERVICES DIRECTOR	NRADC/DCS	9
ASSISTANT DIRECTOR	PLANNING & DEVELOPMENT	12
ASSISTANT DIRECTOR, TRANSPORTATION	PLANNING & DEVELOPMENT	12
ASSISTANT FINANCE DIRECTOR	FINANCE	12
ASSISTANT PUBLIC WORKS DIRECTOR	PUBLIC WORKS/ADMINISTRATION	11
ASSISTANT REGISTRAR	REGISTRAR'S OFFICE	4
ASSISTANT SUPERINTENDENT	NRADC	12
ASST ANIMAL SHELTER MANAGER	PUBLIC WORKS/ANIMAL SHELTER	6
ASST COMMONWEALTH ATTY	COMM ATTORNEY'S OFFICE	10
ASST CONVENIENCE SITE SUPERVISOR	PUBLIC WORKS/LANDFILL	4
ASST NURSING DIRECTOR	NRADC	8
AUDITOR	COMMISSIONER OF THE REVENUE	8
BASICREC MANAGER	PARKS & RECREATION	7
BENEFITS ADMINISTRATOR	HUMAN RESOURCES	6
BLDG OFFICIAL CODE ADMIN	PUBLIC WORKS/INSPECTIONS	10
BOOKING TECHNICIAN	NRADC	3
BUSINESS DIVISION/CHIEF ADMIN	COMMISSIONER OF THE REVENUE	8
BUSINESS MANAGER	NRADC	8
BUSINESS RETENTION MANAGER	EDA	9
CAPTAIN	SHERIFF'S OFFICE/NRADC	10
CASHIER	TREASURER'S OFFICE	3
CERTIFIED MEDICATION ASSISTANT	NRADC	2
CHIEF COMMUNITY CORRECTIONS	NRADC/DCS	10
CIRCUIT COURT CLERK	CLERK'S OFFICE	NC
CIVIL ENGINEER	PUBLIC WORKS/ADMINISTRATION	9
COLLECTOR	TREASURER'S OFFICE	8
COMMISSIONER OF THE REVENUE	COMMISSIONER OF THE REVENUE	NC
COMMONWEALTH'S ATTORNEY	COMM ATTORNEY'S OFFICE	NC
COMMUNICATION OFFC I	PUBLIC SAFETY COMMUNICATIONS	4
COMMUNICATION OFFC II	PUBLIC SAFETY COMMUNICATION	5
COMMUNICATION OFFC III	PUBLIC SAFETY COMMUNICATION	6
COMMUNICATIONS SHIFT SUPERVISOR	PUBLIC SAFETY COMMUNICATIONS	7
COMMUNITY OUTREACH COORDINATOR	SHERIFF'S OFFICE	5
CONVENIENCE SITE ATTENDANT	PUBLIC WORKS/LANDFILL	1
CONVENIENCE SITE SUPV	PUBLIC WORKS/LANDFILL	5
CORRECTIONAL INVESTIGATOR	NRADC	5
CORRECTIONAL NURSE I	NRADC	6
CORRECTIONAL NURSE II	NRADC	6.5

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Title	Department	Range
GIS ANALYST/PROGRAMMER	INFORMATION TECHNOLOGY	9
GIS MANAGER	INFORMATION TECHNOLOGY	10
GIS TECHNICIAN	INFORMATION TECHNOLOGY/PLANNING	6
HEAD CUSTODIAN	MAINTENANCE	2
HEAVY EQUIPMENT MECHANIC	PUBLIC WORKS/LANDFILL	8
HR ASSISTANT	HUMAN RESOURCES	3
HR DIRECTOR	HUMAN RESOURCES	NC
HR GENERALIST	HUMAN RESOURCES	6
HR MANAGER	HUMAN RESOURCES	10
HR SPECIALIST	HUMAN RESOURCES	4
INMATE PROGRAM SPECIALIST	NRADC	5
INMATE PROGRAMS COORD	NRADC	6
INSPECTOR	PUBLIC WORKS/INSPECTIONS	7
INVESTIGATOR	SHERIFF'S OFFICE	8
IT DIRECTOR	INFORMATION TECHNOLOGY	NC
LABORER	PUBLIC WORKS/LANDFILL SHAWNEELAND	2
LANDFILL MANAGER	PUBLIC WORKS/LANDFILL	10
LANDFILL OPERATIONS SUPERVISOR	PUBLIC WORKS/LANDFILL	7
LANDFILL OPERATIONS MANAGER	PUBLIC WORKS/LANDFILL	8
LANDFILL SPOTTER	PUBLIC WORKS/LANDFILL	3
LANDFILL TECHNICIAN	PUBLIC WORKS/LANDFILL	4
LEGAL SECRETARY	COMM ATTY/CNTY ATTORNEY'S OFFICE	4
LIDS TECH/RECORDS SUPV	NRADC	8
LIEUTENANT	NRADC/SHERIFF'S DEPT	9
LITIGATION SUPPORT MANAGER	COMM ATTORNEY'S OFFICE	9
MAINTENANCE MECHANIC ASST	WINCHESTER REGIONAL AIRPORT	4
MAINTENANCE SPECIALIST	PARKS & REC/MAINTENANCE	6
MAINTENANCE SUPERVISOR	MAINTENANCE/NRADC	8 7
MAINTENANCE SUPERVISOR ASSISTANT	MAINTENANCE	7
MAINTENANCE TECHNICIAN	AIRPORT/NRADC	4
MAINTENANCE WORKER	MAINTENANCE	3
MAJOR/CHIEF DEPUTY	SHERIFF'S OFFICE	11
MARKETING COORDINATOR	PARKS & RECREATION	6
MARKETING MANAGER	EDA	9
MENTAL HEALTH CONSULTANT	NRADC	7
MENTAL HEALTH DIRECTOR	NRADC	9
MIS DIRECTOR	INFORMATION TECHNOLOGY	NC
MIS PROGRAMMER	MIS DEPARTMENT	11
MORTGAGE SPECIALIST	TREASURER'S OFFICE	7
MOTOR EQUIP OPERATOR	PUBLIC WORKS/SHAWNEELAND	4
NETWORK ADMINISTRATOR	INFORMATION TECHNOLOGY	9
NETWORK OPERATIONS MANAGER	INFORMATION TECHNOLOGY	10
NURSING DIRECTOR	NRADC	9
OPERATIONS MANAGER	PARKS & RECREATION	8
OPERATONS SUPERINTENDENT	PARKS & RECREATION	9
OPERATIONS SUPERVISOR	AIRPORT/Public Safety Communications	9
P&R ASSISTANT DIRECTOR	PARKS & RECREATION	10
P&R DIRECTOR	PARKS & RECREATION	NC
P&R MARKETING MANAGER	PARKS & RECREATION	7
P&R PROGRAM COORDINATOR	PARKS & RECREATION	5
PARK & STEWARDSHIP PLANNER	PARKS & RECREATION	8
PARK CARETAKER	PARKS & RECREATION	2
PARK MANAGER	PARKS & RECREATION	8
PARK TECHNICIAN	PARKS & RECREATION	3
PARKS SUPERINTENDENT	PARKS & RECREATION	9
PAYROLL MANAGER	FINANCE	10
PC TECHNICIAN	INFORMATION TECHNOLOGY	4

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WORK RELEASE SPECIALIST NRADC	5

Frederick County Salary Administration Program - March 2019

Title	Department	Range
ZONING ADMINISTRATOR	PLANNING & DEVELOPMENT	8
ZONING INSPECTOR	PLANNING & DEVELOPMENT	5

		241	ADV DANGE		
			ARY RANGES lopted July 2018	•	
Range	Minimum	Progress	Midpoint	Advance	Maximum
13	\$101,988	\$117,254	\$132,520	\$147,787	\$163,053
12	\$90,750	\$104,426	\$117,996	\$131,566	\$145,242
11	\$81,420	\$93,612	\$105,804	\$117,996	\$130,188
10	\$69,759	\$80,254	\$90,750	\$101,245	\$111,741
9	\$60,323	\$69,441	\$78,452	\$87,463	\$96,581
8	\$53,114	\$61,065	\$69,017	\$76,968	\$84,919
7	\$47,919	\$55,128	\$62,337	\$69,547	\$76,756
6	\$42,831	\$49,191	\$55,658	\$62,125	\$68,486
5	\$39,014	\$44,845	\$50,676	\$56,507	\$62,337
4	\$34,243	\$39,438	\$44,527	\$49,616	\$54,810
3	\$31,275	\$35,939	\$40,604	\$45,269	\$49,934
2	\$27,352	\$31,487	\$35,621	\$39,756	\$43,891
1	\$23,536	\$27,140	\$30,639	\$34,137	\$37,742

HR Committee's Draft of Administrative Leave & Unsafe Conditions Policies

County of Frederick Proposed Policy Changes

1.6 Definitions

Administrative Closure shall be defined as work site closures authorized by the County Administrator due to unsafe conditions (e.g., inclement weather, hazardous circumstances, emergency situations, etc.).

VIII. WORK HOURS, HOLIDAYS, LEAVE

8.11 <u>Administrative Leave</u> shall be defined as leave of absence with or without pay for the purpose of investigating or resolving work-related complaints, allegations, offenses, and/or charges which may result in formal disciplinary actions. In cases where compensation is not approved, paid time off or compensatory time may not be used.

Administrative Leave may be used during an investigation when it is necessary to determine the validity of allegations against an employee for unacceptable job performance or conduct. If this action is exercised, written notice shall be given to the affected employee stating the grounds for the investigation, the date the Administrative Leave is to begin and, if possible, the date the investigation is to be concluded. After the investigation is concluded, the employee should be notified of the results and given written notice of return to work or disciplinary action to be taken.

XVII. UNSAFE CONDITIONS

Unsafe Conditions shall be defined as a situation whereby the health or safety of citizens, clients, or employees would be placed at risk or that conditions or events prevent performance of regular operations, services or responsibilities.

17.1 Administrative Closure Designation/Notification

Administrative Closure (as defined in this Policy) may be authorized by the County Administrator.

In the case of Administrative Closure or delayed opening, employees shall be sent an automated message to their contact information of record. Additionally, the information will be posted on the County web site, social media sites, and the cable channel (Comcast Channel 16). Notification will be sent to the local radio stations - WINC and Q102.

17.2 Unsafe Conditions Leave

In the event that an Administrative Closure has been authorized, this leave shall be recorded under the category of Unsafe Conditions Leave.

a. <u>Unsafe Conditions Leave for Non-Essential Employees</u>

Non-essential employees shall not be required to make up the time.

An employee who is on scheduled paid leave during an Administrative Closure may charge Unsafe Conditions Leave in place of the scheduled paid leave (i.e., PTO, IDA and Comp). However, an employee on a regular scheduled day off will not receive credit for the Administrative Closure.

b. <u>Unsafe Conditions for Essential Employees</u>

Essential employees are individuals whose duties must be performed regardless of Unsafe Conditions, and who must report to work despite an Administrative Closure.

All essential (non-exempt and full-time) employees required by their supervisors to work during an Administrative Closure shall be paid for all hours worked during the Administrative Closure. Additionally, essential employees shall be granted Unsafe Conditions Leave for the time worked, up to a maximum of eight (8) hours per day, not to exceed 32 hours per fiscal year. Unsafe Conditions Leave hours accrued must be used within sixty (60) days (or two timesheet periods) or it will be forfeited. Any unused accrued Unsafe Conditions Leave will not be paid out at the time of termination.

17.3 Liberal Leave

If there are Unsafe Conditions during normally scheduled work hours and there is no Administrative Closure, an employee shall be permitted, after appropriate contact with his/her Department Supervisor, to take Liberal Leave with the stipulation that the time must be made up within sixty (60) days. Liberal Leave make-up time shall be scheduled and approved by the Department Head. Should the time not be made up within sixty (60) days, the employee will be charged paid leave for time in arrears.

17.4 Timekeeping

Unsafe Conditions Leave and Liberal Leave must both be accounted for on the timesheet.

It shall be the Department Head's responsibility to oversee his/her employees' make-up time of Liberal Leave hours owed, and to reflect accurate balances in the appropriate column. When Liberal Leave make-up hours are applied to the regular working day(s) and the total amount then results in overtime, the excess hours are not eligible for overtime payment.

The timesheets for essential employees who work during a delayed opening or Administrative Closure should reflect both the hours worked and Unsafe Conditions Leave.

(Effective July 1, 2019)

"Track Changes" of Current vs. Proposed Anti-Discrimination and Anti-Harassment Policy

XX. $\frac{\text{HARASSMENT/SEXUAL HARASSMENTANTI-DISCRIMINATIONAND ANTI-}}{\text{HARASSMENT-POLICY}} \leftarrow$

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Frederick County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment.

Purpose:

To define Frederick County's position regarding harassment and/or sexual harassment, to maintain a working environment that is free of discriminatory harassment and/or sexual harassment in accordance with Title VII of the Civil Rights Act of 1964 and all other applicable laws, and to communicate Frederick County's actions to any such conduct.

Policy:

Frederick County is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, discrimination or harassment on the basis of sex (including pregnancy, childbirth, and related medical conditions, and sex stereotyping), sexual orientation, color, race, religion, national origin, age, disability, genetic information, marital status, military service or protected veteran status, or any other protected characteristic under applicable law is prohibited. Any employee found to have engaged in prohibited discrimination or harassment will be subject to discipline, up to and including termination.

For purposes of this policy, harassment includes verbal or physical conduct that denigrates or shows hostility toward an individual or conduct that creates an intimidating, hostile, or offensive working environment for an individual because of the individual's protected characteristic. Such conduct may include, but is not necessarily limited to, slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing, stereotyping, insulting or obscene comments or gestures, display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward the individual or group, or other verbal or physical actions relating to an individual's protected characteristic.

Because there is often confusion related to the meaning of sexual harassment, it deserves additional clarification. Sexual harassment includes any unwelcome sexual conduct (including sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature) when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can take many forms. The following is a partial list of the types of behavior that could constitute sexual harassment:

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- Unwanted or unwelcome physical contact or conduct of any kind, including, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact;
- Verbal abuse of a sexual nature, including sexual flirtations, advances, propositions, sexual innuendoes, sexually suggestive, insulting or graphic comments, noises, or sounds;
- Sexually explicit, suggestive or offensive jokes;
- Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress, body, appearance, or personal life;
- The display or distribution in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs, drawings, or magazine pictures; and
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded or electronically transmitted messages.

To violate the law, harassment must reach a certain level of seriousness in terms of its nature, repetition, and/or impact on employment. This policy, however, not only prohibits unlawful harassment, but also offensive conduct that is contrary to Frederick County's core values. Thus, Frederick County may take action to address offensive behavior or statements based on a person's protected characteristic even if such action(s) standing alone would not rise to the level of unlawful harassment.

It is the policy of Frederick County that discriminatory harassment and/or sexual harassment of applicants and employees on the basis of race, religion, gender, national origin age, marital status, veteran status and mental and physical handicap is unacceptable and will not be tolerated.

This policy exists to protect all County employees, applicants, customers, vendors, or other third parties with whom Frederick County has business dealings.

Harassment can occur as the result of a single incident or a pattern of behavior, including whenever:

- Submission to the harassing conduct is either an explicit or implicit term or condition of employment;
- An employee's reaction to the harassing conduct is used as a basis for employment decisions
 affecting that employee; or
- The harassing conduct has the purpose or effect of interfering with the employee's work
 performance or creating an intimidation, hostile or offensive working environment.

Harassment encompasses a broad range of physical or verbal behavior which can include, but is not limited to the following:

- physical or mental abuse;
- racial insults;

derogatory jokes; religious slurs; unwelcome sexual advances. Sexual harassment is defined generally as including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. No employee or applicant should be subjected to unsolicited and unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature. Sexual harassment includes behavior which is not welcome and which is personally intimidating, hostile or offensive including but not limited to physical acts, written acts, and electronic transmissions. . It also may include such actions as: sexually-oriented verbal teasing or jokes; repeated offensive sexual flirtations, advances, or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading comments about an individual or his or her appearance; the display of sexually suggestive objects or pictures; subtle pressure for sexual activity; and physical contact or blocking movement. Reporting Obligations

Any employee who feels he or she has been subjected to, or has witnessed, any kind of harassing behavior, as described in this policy, should immediately notify the Director of Human Resources. A supervisor who becomes aware of any harassment, or who receives allegations of harassment from any employee, must immediately advise the Director of Human Resources.

All complaints will be investigated in a timely manner and confidentiality will be maintained to the extent permitted by the circumstances consistent with the need to investigate and address the issue. Employees must cooperate fully and truthfully in any investigation relating to this policy. Depending on the results of the investigation, Frederick County may take corrective action, including such discipline as is appropriate, up to and including immediate termination of the employee.

No Retaliation

Frederick County forbids retaliation against any employee for making a good faithtemplaint or cooperating fully and truthfully in an investigation under this policy. Any employee who is found to have engaged in retaliation in violation of this policy will be

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subject to discipline, up to and including termination. If an employee believes he or she has been retaliated against in violation of this policy, the employee must report such violation in the same way other violations of this policy are reported.

Individuals and Conduct Covered

This policy prohibits harassment, discrimination and retaliation whether engaged in by, or directed at, employees, contractors, clients, vendors, or others an employee may come into contact with while working or representing the County. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Procedure:

Any employee who feels that he or she has been the subject of any form of harassment or who has reason to believe that someone else has been the subject of any form of harassment has the obligation to notify the HR Director, his or her supervisor, and Department Head. The employee is expected to provide information the County requests, including a detailed account of the incident(s) complained of, related facts, witnesses (if any), dates, etc. The Director of Human Resources will make a prompt investigation of the matter, and will document, as appropriate, the contents of meetings, interviews, and related matters. The employee will be entitled to learn the conclusions and recommendations of the investigation, upon its conclusion.

Any employee found to have violated the County's policy against sexual harassment will be immediately subject to appropriate disciplinary action, including possible termination, depending upon the severity of the offense.

It is the County's policy that no one will be retaliated against for making a complaint of harassment based upon an honest perception of the events or for participating in the investigation of a complaint. No one will be presumed to be in violation because an investigation is being conducted.

False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

Updated/Approved: 05/22/2013

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Current Anti-Discrimination and Anti-Harassment Policy

XX. HARASSMENT/SEXUAL HARASSMENT POLICY

Frederick County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment.

Purpose:

To define Frederick County's position regarding harassment and/or sexual harassment, to maintain a working environment that is free of discriminatory harassment and/or sexual harassment in accordance with Title VII of the Civil Rights Act of 1964 and all other applicable laws, and to communicate Frederick County's actions to any such conduct.

Policy:

It is the policy of Frederick County that discriminatory harassment and/or sexual harassment of applicants and employees on the basis of race, religion, gender, national origin age, marital status, veteran status and mental and physical handicap is unacceptable and will not be tolerated.

This policy exists to protect all County employees, applicants, customers, vendors, or other third parties with whom Frederick County has business dealings.

Harassment can occur as the result of a single incident or a pattern of behavior, including whenever:

- 1. Submission to the harassing conduct is either an explicit or implicit term or condition of employment;
- 2. An employee's reaction to the harassing conduct is used as a basis for employment decisions affecting that employee; or
- 3. The harassing conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidation, hostile or offensive working environment.

Harassment encompasses a broad range of physical or verbal behavior which can include, but is not limited to the following:

- 1. physical or mental abuse;
- 2. racial insults;
- 3. derogatory jokes;
- 4. religious slurs;
- 5. unwelcome sexual advances.

Sexual harassment is defined generally as including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

No employee or applicant should be subjected to unsolicited and unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.

Sexual harassment includes behavior which is not welcome and which is personally intimidating, hostile or offensive including but not limited to physical acts, written acts, and electronic transmissions. It also may include such actions as:

- 1. sexually-oriented verbal teasing or jokes;
- 2. repeated offensive sexual flirtations, advances, or propositions;
- 3. continued or repeated verbal abuse of a sexual nature;
- 4. graphic or degrading comments about an individual or his or her appearance;
- 5. the display of sexually suggestive objects or pictures;
- 6 subtle pressure for sexual activity; and
- 7. physical contact or blocking movement.

Procedure:

Any employee who feels that he or she has been the subject of any form of harassment or who has reason to believe that someone else has been the subject of any form of harassment has the obligation to notify the HR Director, his or her supervisor, and Department Head. The employee is expected to provide information the County requests, including a detailed account of the incident(s) complained of, related facts, witnesses (if any), dates, etc. The Director of Human Resources will make a prompt investigation of the matter, and will document, as appropriate, the contents of meetings, interviews, and related matters. The employee will be entitled to learn the conclusions and recommendations of the investigation, upon its conclusion.

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False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

Updated/Approved: 05/22/2013

Proposed Anti-Discrimination and Anti-Harassment Policy

XX. ANTI-DISCRIMINATIONAND ANTI-HARASSMENT POLICY

Frederick County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment.

Purpose

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For purposes of this policy, harassment includes verbal or physical conduct that denigrates or shows hostility toward an individual or conduct that creates an intimidating, hostile, or offensive working environment for an individual because of the individual's protected characteristic. Such conduct may include, but is not necessarily limited to, slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing, stereotyping, insulting or obscene comments or gestures, display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward the individual or group, or other verbal or physical actions relating to an individual's protected characteristic.

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No Retaliation

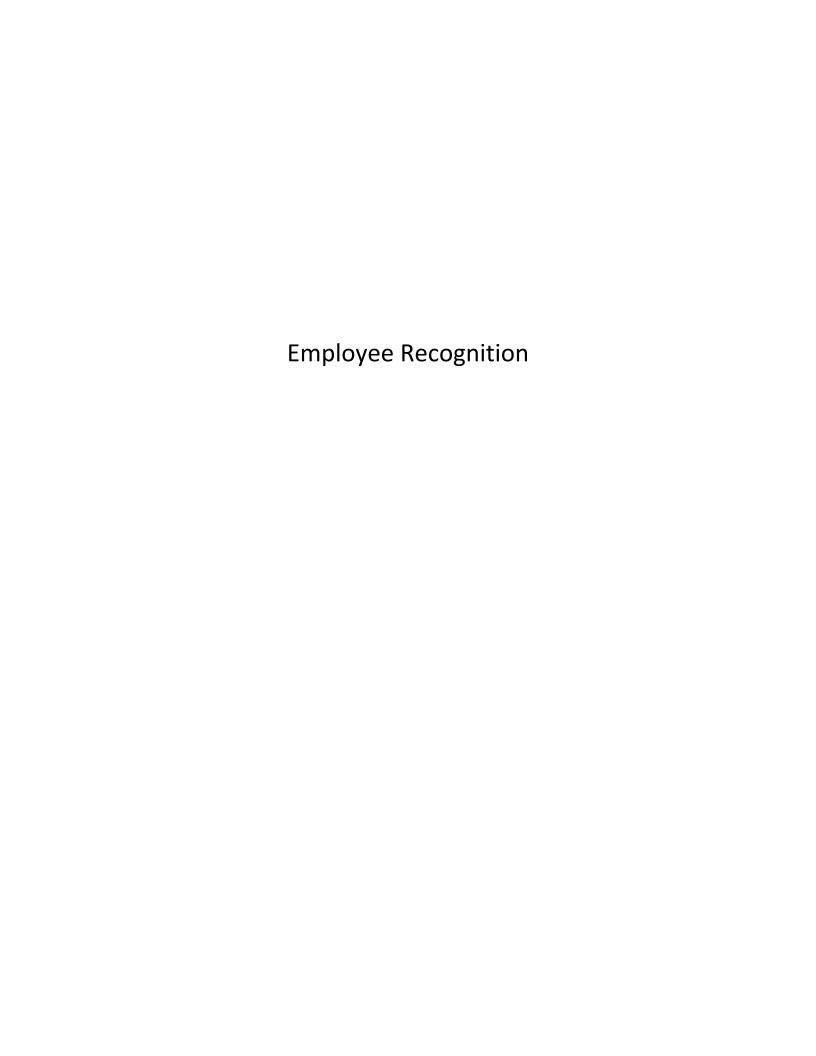
Frederick County forbids retaliation against any employee for making a good faith complaint or cooperating fully and truthfully in an investigation under this policy. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including termination. If an employee believes he or she has been retaliated against in violation of this policy, the employee must report such

violation in the same way other violations of this policy are reported.

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Updated/Approved:_____





County of Frederick Employee of the Month Nomination Form

 (HR use)
 (1111 430)

Do you know of an employee who			
Exhibits EXTRA effort			
Goes ABOVE AND BEYOND the requirements of his or her position Provides OUTSTANDING service			
Makes a significant contribution, accomplishment or achievement to the County of Frederick and its			
residents.			
Criteria for Employee Recognition: Please mark the appropriate contribution(s):			
X Critical Thinking and Problem Solving	X Interpersonal Skills	x Professionalism	X Superior Accomplishment
X Customer Service (Exceptional)	X Leadership Qualities	Project	Other
X Dependability	Monetary Savings Ideas	X Quality	
Innovation/Creativity	X Performance/Skill Level	x Resourcefulness	
Integrity	Positive Attitude	Safe Work Practice	25
Employee Name: Greg E. Lambert Department: Frederick Co. Sheriff's O			
Nomination Submitted By: Sheriff Department: Frederick Co. Sheriff's Of			
Nominator's Signature: 515/19			
Describe the employee's accomplishments/contributions that were ABOVE AND BEYOND the normal duties expected of the position. Describe how the employee provided exceptional service:			
Deputy Lambert was assigned to the Drug Court during it's implementation. During his tenure there he has been an integral part of it working. He spend many hours making the program work and dealing with people of addiction.			
Deputy Lambert is tireless in his efforts to assist recovering addicts and, on more than one occasion, has purchased shoes, toiletries or other essentials for program participants who were without the financial means to buy those items. He brings meaningful insights to the commitment of individuals in their recovery and has an intense working knowledge of the people he is charged with supervising.			
I am proud of the work he does.			

Specifically describe the <u>actions</u> that meet the criteria of this award. Describe the value added to the department, team or organization.

He acts in the capacity of law enforcement officer, counselor, probation officer, healer, friend, father confessor and sounding board for each of the people participating in the drug court program and without his assistance, expertise and caring commitment to program goals, drug court would cease to function.

Greg goes well above the call of duty working long hours with a, sometimes, difficult population and never complains or shirks his responsibilities. He is tough but compassionate with the drug court participants offering counsel as well as constructive criticism when appropriate.