

GENERAL PROVISIONS

Purpose

It is the intent and purpose of the Wright County Board of Commissioners, hereafter referred to as the County Board, to establish and administer an independent personnel system that is based on merit principles. These principles include, but are not limited to the following:

1. Recruiting, selecting, and advancing on the basis of an employee's relative ability, knowledge, experience and skills.
2. Providing equitable and adequate compensation, both in salary and benefits, based on comparable work and pay equity.
3. Training to assure continued growth of knowledge and skill in the employee's area of expertise; and for maintaining a high level of service to Wright County residents.
4. Retaining on the basis of satisfactory performance, correcting unsatisfactory performance, and terminating employees with continued unsatisfactory performance.
5. Assuring fair and equitable treatment of all employees and applicants in all aspects of personnel administration and employment without regard to race, age, gender, marital status, sexual orientation, political affiliation, color, creed, religion, ethnicity, national origin, disability, and public assistance status with regard to the individual's privacy and constitutional rights as citizens, see Policy 102.01, Recruitment and Selection.
6. Assuring that the best interests of Wright County citizens are being served.

Administration

This Personnel Policy Manual is intended to provide employees with an understanding of Wright County's Personnel Policies. This Manual provides information to you to be used as a guideline in helping you to become acquainted with county employment. It is not, and should not be considered, an employment contract. The conditions of your employment are within the county's discretion. Employees are responsible to familiarize themselves with the contents of this Manual.

Each Department Head and Supervisor should have a copy of the Policy and Procedures Manual available for review. For employee convenience a copy of the Policy and Procedures Manual is also available on the Administration Department page of the County's Intranet. This Manual cannot anticipate every situation or answer every question about employment. Wright County reserves the right to amend, interpret or repeal any of the policies and/or benefits described in this Manual. The only recognized deviations from the stated policies are those authorized and signed by the Wright County Board of Commissioners.

The rules, policies, and procedures contained herein and as authorized by the County Board, shall be administered by the County Administrator or designee. The Administration Department shall develop and provide all the necessary forms, procedures, and instructions for the implementation

of these rules, policies, and procedures.

The official copy of the rules, policies, and procedures shall be on file in the Administration Department and will be available for viewing and inspection by the public in accordance with County policy and the Minnesota Data Practices Act, Chapter 13.

Department Rules

Each department head may establish enhancements or amendments to a current established rule, policy or procedure which addresses a unique situation in his or her department or division, subject to review and approval of the County Administrator. The County Administrator will refer contested policies to the County Board.

No proposed rule, policy, or procedure will be official and binding unless the rule, policy, or procedure is approved and on file in the Administration Department.

Scope

The following rules, policies, and procedures shall apply to all Wright County employees. Except where specifically noted, these policies do not apply to:

1. Elected Officials
2. Members of County boards, commissions, and committees
3. Consultants and contractors, and
4. Volunteers

If any specific provisions of the personnel policies conflict with any current collective bargaining agreement, the collective bargaining agreement will prevail. Union employees are encouraged to consult their collective bargaining agreement first for information about their employment conditions. Nothing in these policies is intended to modify or supersede any applicable provision of state or federal law.

Principal Assistant or Personal Secretary

The principal assistant or personal secretary to an elected department head shall serve at the will of the department head. Individuals in these positions will not acquire regular employee status under these rules, policies, and procedures by virtue of their designation as a principal assistant or secretary of an elected department head.

Individuals who acquired regular employee status prior to being designated as a principal assistant or personal secretary shall revert back to regular employee status if their designation is revoked.

Elected department heads shall designate, in writing to the County Administrator, their principal assistant and/or secretary. Revocation of the designation shall be filed in writing with the County Administrator or designee. Designation as a principle assistant or personal secretary, or revocation thereof, shall be effective on the date said designation or revocation is filed with the

County Administrator or designee.

Management Rights

The County Board retains the full and unrestricted right to operate and manage all human resources, facilities, and equipment; to establish and modify functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure; to select, direct, and determine the number and classification of personnel; to establish work schedules; and perform all inherent managerial functions not specifically limited by current collective bargaining agreements, rules, policies, procedures, and County Board resolutions.

Employee Responsibility

Employees covered by these rules, policies, and procedures shall comply with these provisions. Any employee who fails to comply with any of the provisions contained herein shall be subject to disciplinary action up to and including termination.

Savings Clause

If any personnel rule, policy, or procedure shall be invalid by judicial or legislative action, the remainder of these rules, policies, and procedures, other than that which is invalid, shall not be affected.

Disclaimer

In accordance with M.S. 466.04 to 466.15, the County Board hereby declares its intent to defend, hold harmless, and indemnify any of its officers or employees who are sued in tort action arising out of the performance of their official duties, except where such tort action arises from malfeasance in office.

Adoption

These personnel rules, policies and procedures shall take effect upon adoption by the County Board. Upon adoption, all other rules, policies and procedures are invalid unless specified by the County Board.

The rules, policies, and procedures contained herein may, be enhanced, amended, interpreted or repealed by the County Board in accordance with the same procedure established for their original adoption.

DEFINITIONS

Unless otherwise indicated in this document or in a collective bargaining agreement, the following words and terms used in this Manual shall have the meanings indicated below:

APPOINTING AUTHORITY: A position with statutory authority or which has been delegated authority to appoint employees.

BOARD OF APPEALS: Independent Board established pursuant to M.S.375.65 and empowered to serve as an appeals body regarding administration of these rules, policies and procedures.

CLASSIFY: The assignment of an individual position to an appropriate class on the basis of the position's duties and responsibilities.

CLASSIFICATION: The result of categorizing positions into classes with regard to duties, responsibilities, and compensation.

COLLECTIVE BARGAINING AGREEMENT: A contractual agreement that has been negotiated or arbitrated by the official members of a recognized employee union and the County Board.

COUNTY: Wright County

COUNTY BOARD: The Wright County Board of Commissioners.

COUNTY ADMINISTRATOR: The Chief Administrative Officer appointed by the County Board. This position is responsible for implementation of policy passed by the County Board and manages the day-to-day operations of the County.

DAYS: Unless otherwise indicated, this means working days.

DEMOTION: The change of an employee from a position in one class to a position in a lower class.

DEPARTMENT HEAD: The elected or appointed officials who are responsible for the management of a department as determined by law or County Board.

ELIGIBILITY LIST: A list of candidates that meet the minimum requirements of employment and are eligible to be appointed to a position based on rank after testing and/or interviewing.

ELECTED OFFICIAL: Those officials selected by vote of the constituency of the County.

EMPLOYEE: A person in a compensated position with the County as defined by M.S. 179.

EXEMPT EMPLOYEE: All professional, administrative and executive employees excluded from overtime pay provisions of the Fair Labor Standards Act (hereafter known as FLSA.)

GRIEVANCE: Any complaint filed with a supervisor, department head, or the County Administrator by an employee alleging a violation by the County or other employee of the rules, policies or procedures contained herein.

INTERN: Students participating in internship programs through a nonprofit or public educational institution on an unpaid basis, OR employees (paid interns) whose positions are basically temporary or seasonal in character AND:

- 1) are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the County, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment, AND
- 2) are under the age of 22, AND
- 3) employment does not exceed 100 days in a calendar year. (M.S. 179A.03, Subd. 14)

LATERAL TRANSFER: The change of an employee from a position in one class to another position within that same class.

LAY-OFF: The separation of an employee or group of employees from the County payroll due to lack of work, lack of funds, the abolition of a position, or an organizational change.

LAY-OFF LIST: A list of former regular employees who have been separated by a lay-off.

NON-EXEMPT EMPLOYEE: Those employees covered by the Federal Fair Labor Standards Act (hereafter FLSA).

OVERTIME: Hours worked in excess of forty (40) during the designated work week for non-exempt employees shall be compensated at one-and-one half times the employees base wage rate. Vacation, sick, PTO, and holiday-hours shall not be counted as hours worked for purposes of calculating overtime eligibility.

PERFORMANCE EVALUATION: A process whereby the supervisor and/or department head reviews the employee's performance in his/her position as it relates to the specified duties and responsibilities set forth in their position description.

PERSONNEL DIRECTOR: The County Administrator shall be responsible for personnel administration pursuant to M.S. 375.59.

POSITION: A group of duties and responsibilities which require the employment of a regular

full or part time person.

POSITION DESCRIPTION: The written document that identifies the purpose, duties, responsibilities, requirements and accountability of a job; as well as the knowledge, skills and abilities necessary to perform the job.

PROBATION: Period of time lasting one (1) year, in which the employee learns the duties and responsibilities of the position, and management evaluates the employee's ability to satisfactorily perform the duties of the position.

PROMOTION: The change of an employee from a position in one class to a position in a higher class.

RECLASSIFICATION: A change in the classification of a position based on significant change in the duties and responsibilities that may be accompanied by a salary change.

REGULAR EMPLOYEE: An employee who has successfully completed his or her specified probationary period.

RESIGNATION: The voluntary separation from County service by an employee.

RETIREMENT: Voluntary separation of an employee who meets the eligibility requirements of a retirement plan.

SEASONAL EMPLOYEE: A temporary employee who is hired to meet seasonal work demands or work-demands that peak during certain times or intervals of the year. Seasonal employees are temporary employees as defined in the definition of a Temporary Employee.

SEVERANCE PAY: Final payment made to an employee who retires or resigns in good standing as specified by the rules, policies and procedures contained herein.

TEMPORARY EMPLOYEE: An employee hired as an interim replacement to temporarily supplement the work force or to assist in the completion of a specific project.

The duration of employment is limited to:

- 1) 67 days per calendar year, or 100 days per calendar year if the temporary employee is a full-time student enrolled in a nonprofit or public educational institution prior to being hired by the County, and has indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as a student during or after their temporary employment and is under the age of 22. (M.S. 179A.03, Subd. 14), or
- 2) 14 hours per week, OR

3) 35% of the normal workweek.

TERMINATION: The permanent involuntary separation from County employment.

VETERAN: An individual defined as a Veteran by Minnesota Statutes §197.447

WRIGHT COUNTY EMPLOYMENT POLICIES

100 – EMPLOYMENT

200 – EMPLOYMENT STATUS & RECORDS

300 – EMPLOYEE BENEFIT PROGRAMS

400 – TIME KEEPING AND PAYROLL

500 – WORKING CONDITIONS AND HOURS

600 – LEAVES OF ABSENCE

700 – EMPLOYEE CONDUCT & DISCIPLINARY
ACTION

800 – ETHICS

900 – SAFETY & SECURITY

100 – EMPLOYMENT

101 POSITION CLASSIFICATION AND RECLASSIFICATION

Policy Adopted: 11-16-04

Policy Amended: 08-18-15

101.01 APPLICABILITY

This policy applies to all full- and part-time County employees. Comparable worth values shall be determined through the County's process.

101.02 POLICY STATEMENT

Position classification is completed in an effort to maintain equity in the relationship between various groups of jobs.

101.03 NEW/ADDITIONAL POSITIONS

Positions which have been approved by the County Board and/or **through the annual budgeting process** which do not fall into an existing classification shall be evaluated and rated for classification.

PROCEDURE

A job evaluation is required for all new positions. The supervisor and department head shall prepare a **Position Analysis Questionnaire (PAQ)** and submit to the HR Director **and Assistant HR Director** a completed [PAQ](#), [draft job description](#), and an organizational chart depicting the reporting relationship of the new position within the department. The HR Director shall review the information and, if necessary, meet with the department head. The PAQ will be used as the basis for the development of the job description. Once completed and in acceptable format, the job description and PAQ shall be sent to the County's consultant for evaluation. The consultant shall evaluate the job description and questionnaire based on the criteria defined by the County.

~~The consultant shall evaluate the job description and questionnaire based on the criteria defined by the County. The results shall be returned to the HR Director and submitted to the County Board for approval. Union positions shall be referred to the Negotiation Committee.~~

101.04 REQUESTS FOR RECLASSIFICATION

All reclassifications must be reviewed and recommended by the Personnel Committee and receive final approval by the County Board before the proposed reclassified position request will be evaluated and rated through the County's classification and compensation system. The County's Personnel Committee is comprised of two County Commissioners and the Human Resources Director. Reclassification evaluations are based on significant changes required of the position. Position classification shall be determined by various factors, such as knowledge, skills and abilities fitting within class concepts; responsibility (in the department and County wide); supervision; working conditions, etc. Reclassification shall not be used for attaining demotions, transfers, lay-offs, compensation adjustments, or position elimination.

PROCEDURE

- a. Requests for reclassification may be initiated by the supervisor, department head, or the employee.
- b. All requests for reclassification must be reviewed and approved by the supervisor and department head.
- c. A [Position Analysis Questionnaire \(PAQ\)](#), revised job description and department organizational chart is required for processing requests for reclassification. *NOTE: the revised draft job description should be developed using the existing job description, red-lining proposed revisions.*
- d. The original job description is attached to the draft job description and forwarded to the supervisor and/or department head with the job evaluation request form.
- e. Upon receipt of the request for reclassification information, the department head shall have 10 working days to review the documentation.
- f. Upon review and approval, the department head shall forward all information to the HR Director for review.
- g. The HR Director shall have 30 working days to review the information. The HR Director will then determine whether the changes to the job description warrant further evaluation. If the HR Director determines the changes to the job description warrant further evaluation, he/she shall finalize the job description and submit the information to the County's personnel committee and County Board for final adoption. The revised job description will be sent to the County's consultant for final review and grading.
- h. An employee who has his or her position reclassified shall be moved to the new classification pay range and 1) be paid at the same percent of maximum pay as the old classification pay range or 2) wages will be frozen until the maximum of the new classification pay range exceeds the current rate of pay.

101.05 DENIAL OF RECLASSIFICATION

A reclassification request may be denied by the supervisor, department head, HR Director, **the County Administrator, the Personnel Committee, or the County Board** for any of the following reasons:

- a. The current position has not significantly changed in scope, duties, responsibilities, etc., to warrant reclassification.
- b. The position was considered for reclassification within the past 36 months.

101.06 DEPARTMENT REORGANIZATIONS

Department reorganizations are approved by County Board action only. The reclassification process is not to be used by departments to reorganize.

101.07 JOB DESCRIPTION CHANGES, CLARIFICATIONS, UPDATES

Minor revisions to job duties and/or description language, which do not result in significant changes requiring reclassification, can be recommended to the HR Director throughout the year for approval. **All position descriptions that are four (4) years or older will be placed on a schedule to be reviewed by the Administration Department and the County's compensation and classification consultant to determine if a reclassification of the respective position is appropriate. The Human Resources Director will develop a schedule to evaluate one-third of the County's position description on an annual basis to determine if any positions need updating or reclassification in the County's compensation plan.**

102 RECRUITMENT AND SELECTION

Policy Adopted: 11-16-04

Policy Amended: 01-01-06

102.01 POLICY STATEMENT

It is the policy of Wright County to recruit and select the most qualified persons for positions. The recruitment and selection process shall provide fair and equal opportunity.

Wright County is an equal opportunity, affirmative action employer and will follow guidelines set by Title VII and the Americans with Disabilities Act (ADA). Therefore, it is the County's intent not to discriminate against applicants based on race, age, gender, marital status, sexual orientation, political affiliation, color, creed, religion, ethnicity, national origin, disability, status with regards to public assistance, and having consideration for the individual's privacy and constitutional rights as citizens.

102.02 DETERMINATION OF OPEN POSITION

Department heads shall notify Human Resources when a vacancy exists in their department or when a new position has been authorized by the County Board.

102.03 RECRUITMENT PROCEDURE

The County Administrator or designee will determine if a vacancy will be filled through recruitment or by promotion, transfer, or some other method. This determination will be made on a case-by-case basis.

The recruitment process shall evolve under the direction of the County Administrator as follows:

A. Internal Recruitment: Position vacancies shall be posted by Human Resources on official County bulletin boards for a period of not less than five (5) working days or the period of time stated in bargaining unit contracts. The posting shall include but is not limited to: title of position vacancy, department, salary level, the description of the essential responsibilities/duties of the position, date position is available, immediate supervisor of position, the posting period, minimum qualifications, examination procedure and application process.

Interested internal applicants must submit a Wright County application form within the designated posting period in order to be considered for the job opening. Positions are open to regular and probationary full-time and part-time employees only.

Internal recruitment for purposes of employee growth and development shall be encouraged by management. An employee's present position shall not be jeopardized because of interest shown in another position vacancy.

B. External Recruitment: In situations where a larger pool of candidates is desired, the

County Administrator, or designee, shall conduct external recruitment.

An announcement for positions shall be placed in appropriate County newspapers, posted on the official County bulletin board and County website, and listed with the Minnesota Workforce Center by Human Resources for a period of time necessary to attract a qualified pool of candidates. If necessary, notice will also be placed with the following: job lines specific to the position; Sunday edition of metropolitan newspapers trade journals; newsletters or other publications of professional organizations; and specialty newspapers.

102.04 SELECTION CRITERIA

A. Selection Process: The selection process used to place applicants on an eligibility list may include, but are not limited to, any of the following examination procedures:

1. Ability tests
2. Achievement tests
3. Performance tests
4. Ratings of experience and training
5. Oral tests
6. Evaluation of daily work performance
7. Work samples
8. Medical evaluations including physical ability tests
9. Psychological evaluation
10. Background check

Examination procedures shall be determined prior to announcement of the job opening contained in the job announcement. Examination processes should assess knowledge, skills and ability which are needed to perform or produce important work behaviors/products and are needed prior to hire. Any procedures chosen shall evaluate only those criteria necessary to perform satisfactorily in the position.

The selection of examination procedures to be used during the hiring process shall be made by a representative of Human Resources in consultation with the Department Head or his/her designee with the understanding that such methods shall be applicable to prevailing state and federal statutes or policies and procedures which have the force and effect of law in regard to test validity and content.

~~Oral interview panels shall consist of, at minimum, a Human Resources staff member, the department head and/or supervisor of the position as defined under the Minnesota Public Employees Labor Relations Act (MPELRA).~~ Non-supervisory, union personnel shall not participate in the interview process.

Pursuant to M.S. 13.34, the County shall make test results available to the applicant unless the responsible authority determines that disclosure of the results would compromise the

objectivity, fairness, or integrity of the testing process. Completed tests and/or test answer keys will not be provided to any person. Human Resources shall be responsible for conducting all tests and notification to candidates.

- B. Veteran's Preference: In accordance with M.S. 197.455, the Veteran's Preference Act provides that there shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of five points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. Additionally, there shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that (1) the veteran obtained a passing rating on the examination without the addition of the credit points; and (2) the veteran is applying for a first promotion after securing public employment. Veterans choosing to use veteran's preference points must provide a copy of their DD-214 discharge paper when making application for the position.

102.05 ELIGIBILITY LISTS

Human Resources shall create and maintain a list of eligible candidates for position openings based upon open competitive or promotional examinations and/or based upon experience and training ratings for the job. Candidates must have a passing score on examination processes in order to have their name placed on an eligibility list. Candidates are placed on the eligibility list in ranking order of their score. The Department Head, or designee, in consultation with Human Resources staff shall determine the period of time an eligibility list shall remain in effect. The eligibility list shall not remain in effect for more than 12 months.

- A. Open Competitive Examinations - Competitive examinations for positions in the County shall be open to all applicants who are citizens of the United States or who are eligible and have applied for citizenship or who meet all the requirements for employment as defined by laws or U.S. Bureau of Immigration regulations; and who meet minimum qualifications or standards prescribed by Human Resources that relate to the abilities of candidates to perform the essential functions of the position. Pursuant to state law, the County will grade an open competitive examination on a 100-point scale.
- B. Promotional Examinations - Promotional examinations shall be open to all regular and probationary employees who meet the qualifications for the position(s). Temporary employees shall not be eligible to apply for promotional examinations.
- C. Number of Certified Candidates – Candidates shall be certified in ranking order on the eligibility list to the Dept. Head or his/her designee.

- D. Inadequate Number of Candidates on Eligibility Lists – In such cases where an eligibility list exists, a decision can be made to re-advertise for an open position when it is deemed necessary that a new eligibility list should be established due to an insufficient number of qualified applicants being on the current list.

102.06 APPEALS

Applicants may appeal the rating of minimum qualifications and/or exam scores to the County Administrator. The County Administrator shall give a ruling in writing within five working days. The applicant or County Administrator has the discretion to refer the appeal to the Personnel Board of Appeals. In such cases, the Personnel Board of Appeals shall be convened following the procedures outlined in section 707.03.

102.07 APPOINTMENT AND NOTIFICATION

The department head and/or supervisor and a representative of Human Resources shall select the candidate most suitable for the position.

The County has the right to make the final hiring decision based on qualifications, abilities, experience and County needs.

Offers of employment shall include, but are not limited to the starting date, starting time, salary, and position for which the person has been hired.

For certain positions, the offer of employment will be contingent upon the successful completion of a background check, psychological, pre-employment physical examination (see Section 103), or sexual exploitation investigation.

All candidates shall be notified in writing if not selected to be hired for a position. Qualified veterans shall be advised of the reason they were not selected.

103 PRE-EMPLOYMENT OCCUPATIONAL PHYSICAL EXAMINATIONS

Policy Adopted: 11-16-04

Policy Amended: 7-14-15

103.01 POLICY STATEMENT

Wright County requires pre-employment occupational physical examinations for applicants selected for hire into positions which are considered physically demanding and stressful.

Pre-employment physicals are conducted to determine the prospective employee's capability to perform the job in a satisfactory and safe manner. Wright County shall attempt to prevent negligent hiring in order to protect the health and safety of the applicant, other workers, and clients.

103.02 EXAMINATION LEVELS

A pre-employment occupational physical includes a health history questionnaire, a general physical exam of height, weight, blood pressure, pulse, basic vision and occupational physical based on the physical demands of the position.

103.03 POSITIONS REQUIRING PRE-EMPLOYMENT OCCUPATIONAL PHYSICALS

Pre-employment occupational physicals will be given for the following positions:

| | |
|--------------------------------------|---|
| Building Inspector | Highway Maintenance Worker |
| Highway Technician I and II | Environmental Health Officer |
| Diesel Mechanic | Park & Natural Resources Technician |
| Parks Mechanic | Automotive Mechanic |
| Sign Technician | Civilian Corrections Officers/Sergeants |
| Survey Technician | Lieutenant/Sergeants/Captain |
| Deputy Sheriff | Chief Deputy Sheriff |
| Facilities Maintenance Technician | Asst. Jail Administrator |
| Civilian Bailiff | Parks and Recreation Maintenance Aide |
| Lead Shop Mechanic | Inventory Control Person |
| Sign Tech/Highway Maintenance Worker | |

103.04 SCHEDULING OF PRE-EMPLOYMENT OCCUPATIONAL EXAMS

Pre-employment occupational physicals will be scheduled after a job offer has been made. Physicals are to be given within five (5) working days of the conditional job offer.

103.05 AUTHORIZED PERSONNEL TO SCHEDULE APPOINTMENTS

The only personnel authorized to schedule pre-employment occupational physicals shall be Human Resources staff members.

103.06 DETERMINING FACTOR OF SUITABILITY OF EMPLOYMENT

Occupational physical examinations shall determine an individual's eligibility to perform the job with individuals being rated as:

- Medically recommended for the position.
- Medical recommendation reserved until documented correction or control of condition

- Medical recommendation reserved pending additional information/treatment.
- Medically recommended with limitations as noted.
- **Medically not recommended.**

~~Allina Medical~~ **The County's designated medical** clinic will review the position's job description in coordination with the individual's pre-employment physical results to determine eligibility for the job.

103.07 DISCRIMINATION

Wright County shall not discriminate against disabled individuals. Physical examination results will not be used to screen out qualified disabled individuals. Wright County shall make reasonable accommodations for physical and mental limitations of an applicant, provided that such accommodation does not impose undue hardship on the County operations and the individual is able to perform the essential functions of the job.

103.08 PRIVACY OF MEDICAL INFORMATION

Medical results of pre-employment examinations shall be retained in a separate confidential file not included in the Personnel File. Supervisors and/or department heads shall be informed of required work restrictions and necessary accommodations for disabled persons.

103.09 OFFERS OF EMPLOYMENT

Offers of employment shall be made to prospective employees with the provision that they must successfully pass the pre-employment occupational physical examination to gain employment with Wright County.

103.10 RESPONSIBILITY FOR PAYMENT OF PHYSICAL EXAMINATION

Physical examinations shall be paid for by Wright County. Bills shall be directed to the Administration Department.

103.11 EXCEPTIONS

Job candidates selected for hire for positions requiring pre-employment occupational physical examinations shall be required to have a physical provided by Wright County. An exception shall apply only to individuals who have an existing contractual relationship with the County, and who have successfully completed a physical examination during the last six-month period, which has been required as a result of that contractual relationship.

103.12 BASIC PROCEDURES TO FOLLOW:

- A. The job candidate for hire is selected and an offer is made with the provision that he/she pass a pre-employment occupational physical.
- B. The job candidate accepts the offer and is advised that a pre-employment occupational physical will be scheduled.
- C. A Human Resources Representative contacts the clinic to schedule a pre-employment

physical and notifies the candidate of the date, time, and location for the examination.

- D. Human Resources receives the results of the occupational physical and notifies the department head and/or supervisor.
- E. The job candidate is advised by Human Resources of whether or not they passed the occupational physical. ~~and if necessary the department head places notice on the County Board or Human Services Board Agenda.~~

104 COMPENSATION PLAN

Policy Adopted: 11-16-04

Policy Amended: 02-13-18

Effective: 03-01-18

104.01 POLICY STATEMENT

The County has developed the following compensation plan to assist in the attraction and retention of highly qualified employees. Wright County shall hold by the principles of equal pay for equal work and shall abide by all State and Federal laws regarding pay equity.

104.02 DEVELOPMENT

The County Administrator or designee, shall develop the County's Compensation Plan based on the classification system and the principle of equal pay for equal work. Pay ranges will be determined by using one or more of the following factors:

- a. Uniformity of pay for each class
- b. Comparisons of like positions with counties in the same labor market as determined by the County Board
- c. Availability of applicants with the required specialization
- d. Negotiation through Labor Contracts

104.03 ADOPTION

The Compensation Plan shall be approved by the County Board. The Compensation Plan and Procedures shall be adopted **annually** and may be amended by ~~resolution of~~ the County Board.

104.04 ADMINISTRATION

The County Administrator shall be responsible for administering the Compensation Plan. The County Administrator shall be responsible for conducting periodic reviews and comparative studies of pertinent factors affecting levels of pay. The County Administrator may recommend amendments to the Plan to the County Board when appropriate. Amendments to the Plan may only be made upon approval of the County Board.

104.05 COMPENSATION PLAN

The Compensation Plan adopted by the County Board, with amendments made according to law and these rules, policies and procedures, shall constitute the official Compensation Plan for all positions. See Section 205, Probationary Period, for when promotion, demotion and transfers may result in a change in an employee's compensation.

104.06 MINNESOTA WAGE DISCLOSURE PROTECTION LAW

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.

- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.

104.07 BEGINNING SALARY

New employees shall normally be hired at the minimum range of the appropriate classification. In unusual circumstances the ~~County Administrator and/or the~~ Human Resources Director can approve up to and including 12% above the minimum salary range based on the applicant's education, experience, and labor market considerations.

Based on the applicant's education, experience, and labor market considerations the County Administrator may approve the hiring of a new employee over 12% above the minimum salary range.

104.08 PROMOTIONS

An employee, who is promoted to a new position at a higher-grade level, shall receive a pay adjustment that is a salary increase of 4% over the employee's current base pay or the minimum of the new range, whichever is greater. ~~At the sole discretion of the employer, The County Administrator and/or~~ Human Resources Director may approve a pay adjustment that is a salary increase of up to and including 12% over the employee's current base pay based on the applicant's education, experience, and labor market conditions. In no event can a promotional increase exceed the maximum of the new salary range.

The County Administrator may approve a pay adjustment that is a salary increase of 12% or more over the employee's current base pay based on the applicant's education, experience, and labor market conditions. In no event can a promotional increase exceed the maximum of the new salary range.

104.09 WORK OUT-OF-CLASS

Employees assigned by the Employer to assume the full responsibilities and authority of a higher job classification shall receive pay based on the salary range of the higher classification. The employee shall be paid 4% over the employee's base pay or the minimum of the new range, whichever is greater, but not exceeding the maximum of the new salary range. The increased wage will not occur until after five (5) consecutive workdays in the higher classification, and will continue for the duration of the assignment. Work out of class assignments require prior approval by the County Board ~~or Human Services Board~~. Work out of class may not be used due to absence created by use of PTO or vacation.

104.10 MARKET RATE ADJUSTMENTS (Attraction and Retention)

Although the County considers internal compensation relationships of primary importance in maintaining pay equity, it may be necessary to recognize the external compensation relationships through market rates and market rate adjustments. All market rate adjustments must be

recommended by the County Administrator and approved by the County Board.

Market rate adjustments may be considered and external market relationships examined when:

- a. There is evidence that a salary range is insufficient to attract qualified candidates for employment. This may include recruiting efforts which may involve advertising and interviewing more than once and all qualified candidates have declined an employment offer due to the salary range; and/or
- b. There is evidence of a continuing pattern of turnover in a given job classification which can be directly linked to established compensation levels; and/or
- c. There is evidence that a given job classification deviates from the market by a substantial percentage.

Market rate adjustments may also be considered when the County Administrator recommends and the County Board agrees that a specific external market relationship must be examined.

105 IMMIGRATION LAW COMPLIANCE

Policy Adopted: 11-16-04

Policy Amended:

105.01 POLICY STATEMENT

Wright County is committed to employing only United States citizens and ~~aliens~~ individuals who are authorized to work in the United States and complying with the Immigration Reform and Control Act of 1986.

105.02 PROCEDURE

All new hires must verify their eligibility for employment by completing and signing the Employment Eligibility Verification Form (I-9) designated by Immigration and Naturalization Service (INS).

A Human Resources representative must examine documentation presented by the employee, record information about the documents on the verification form, and sign the form. Copies of the documents presented will be made, if possible, and retained for the purpose of complying with requirements of the verification form and no other purpose.

New employees shall have three (3) business days to present employment eligibility documents and complete the official verification form. If the new employee does not present proper documents and complete the I-9 form in the above time-line, he/she will be terminated.

The verification form shall be retained for three years or for one year past the end of employment of the employee whichever is longer.

105.03 UNDOCUMENTED EMPLOYEE/~~ALIEN~~

Human Resources shall advise the undocumented employee/~~alien~~ that legalization assistance is available from an Immigration and Naturalization Service (INS) designated entity.

106 REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Policy Adopted: 11-16-04

Policy Amended:

106.01 POLICY STATEMENT

Wright County will make every effort in accordance with law to provide reasonable accommodations to employees and applicants who are qualified individuals with disabilities as defined in the Americans with Disabilities Act (ADA) of 1991.

106.02 STATEMENT OF INTENT TO RETAIN EMPLOYEES IN ACTIVE EMPLOYMENT

It is Wright County's intent to provide reasonable accommodation to individuals with qualifying disabilities. Every effort will be made to provide accommodations that will allow the employee to continue work in his/her current position. If an employee is unable to perform the essential functions of his/her job, with or without reasonable accommodation, the employee may request reassignment to another vacant position, provided that the disabled employee meets the minimum requirements for the position. If an employee is transferred to another position, he/she must demonstrate that he/she is capable of performing the position's essential functions in a satisfactory manner.

If an employee does not provide such written documentation from a health care provider and/or sign an authorization allowing the County to contact the health care provider, the County shall evaluate the employee's request based on the information available to the County.

106.06 PROCESS OF EVALUATING AND OFFERING REASONABLE ACCOMMODATION

Upon receipt of a request for reasonable accommodation, a representative of the Administration Department shall review the purpose and essential functions of the employee's position. This may involve meeting and/or conferring with any of the following: supervisor, department head, and employee.

The process of evaluating an employee's ability to perform the essential functions of a position may involve conducting a job function analysis. Outside resources may be utilized to evaluate the job and/or work site to determine what accommodations, if any, should be made. The employee shall provide medical documentation in support of their request for accommodation. The employer may request the employee be evaluated by a health provider of their choice at the employer's expense. In instances where contradictory medical reports are provided, the employee may be required to be evaluated by a third health provider selected by the employer.

A representative of the Administration Department and the employee's supervisor and/or department head will determine if the employee is a qualified individual with a disability.

Reasonable accommodation(s) will be provided to employees when it is determined that such accommodation will provide the employee with the capability to perform the major functions of his/her job. The County will consider the employee's preferred and suggested accommodations; however, the County is not required to provide the accommodation that is requested by the employee. An employee who chooses not to accept a reasonable accommodation offered by the County and is not capable of performing the essential functions of his/her position, may be terminated from employment.

**200 – EMPLOYMENT STATUS AND
RECORDS**

201 EMPLOYMENT CATEGORIES

Policy Adopted: 11-16-04

Policy Amended: 09-11-12

201.01 POLICY STATEMENT

It is the intent of Wright County to define employment classification so employees understand their employment status and benefit eligibility.

201.02 NONEXEMPT/EXEMPT CLASSIFICATION

Each employee is classified by the County as non-exempt or exempt according to the provisions of the Fair Labor Standards Act (FLSA).

Non-exempt employees are entitled to overtime pay and/or compensatory time according to the specific provisions of federal and state laws and/or collective bargaining agreements.

Exempt employees are excluded from the overtime provisions of the FLSA.

201.03 EMPLOYMENT STATUS

In addition to the above categories, each employee shall belong to one of the following employment categories:

REGULAR FULL-TIME - Employees who are not in a temporary, probationary, or seasonal status and who are regularly scheduled to work Wright County's full-time schedule (minimum of 40 hours per week). They are eligible for the employer's benefit package, and subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME - Employees who are not assigned to a temporary, seasonal or probationary status and who are regularly scheduled to work less than the full-time work schedule, but at least 20 hours per week. Regular part-time employees may be eligible for pro-rated benefits sponsored by the employer, subject to the terms, conditions, and limitations of each benefit program.

PROBATIONARY - Employees whose performance is being evaluated for a specific period of time as outlined in Section 205 of these policies to determine whether the movement to regular status is warranted.

SEASONAL - A temporary employee who is hired to meet seasonal work demands or work demands that peak during certain times or intervals of the year. Seasonal employees are temporary employees as defined in the definition of a Temporary Employee.

TEMPORARY - An employee hired as an interim replacement to temporarily supplement the

work force or to assist in the completion of a specific project.

The duration of employment is limited to:

1) 67 days per calendar year, or 100 days per calendar year if the temporary employee is a full-time student enrolled in a nonprofit or public educational institution prior to being hired by the County, and has indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as a student during or after their temporary employment and is under the age of 22. (M.S. 179A.03, Subd. 14).

~~2) 14 hours per week, OR~~

~~3) 35% of the normal workweek.~~

Temporary Employees hired into positions covered by Collective Bargaining Agreements will be governed by the language found in the Agreement pertaining to temporary and seasonal employees.

Individuals employed as temporary employees receive all legally mandated benefits (i.e.; Worker's Compensation, Social Security, etc.) but are not eligible for other County provided benefits (i.e.; health insurance, PTO, vacation, sick time, etc.).

INTERN - Employees whose positions are basically temporary or seasonal in character AND:

- a) are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the County, and have indicated, either in an application for employment or by being enrolled at an education institution for the next academic year or term, an intention to continue as students during or after their temporary employment, AND
- b) are under the age of 22, AND
- c) employment does not exceed 100 days. (M.S. 179.03, Subd. 14)

Individuals employed as interns receive all legally mandated benefits (i.e., worker's compensation, social security, etc.), but are not eligible for other County provided benefits.

Individuals participating in unpaid internships are not classified as employees.

202 EMPLOYEE PERSONNEL RECORDS

Policy Adopted: 11-16-04

Policy Amended:

202.01 POLICY STATEMENT

It is the policy of Wright County to maintain a personnel file for each employee consistent with the provisions of the Minnesota Data Practices Act, M.S. 13 and the Fair Labor Standards Act.

202.02 CONTENTS OF PERSONNEL FILES & RECORDS

Certain job related and personal information about each employee will be retained in an official personnel file kept by the Human Resources division of Wright County. The contents of the file may include, but are not limited to: basic identifying information, employment application, employment/salary status changes, performance evaluations, disciplinary actions, benefit coverage information, leave of absence data, termination records, other employment related actions, medical file, and other relevant job related information or documents deemed essential. No other department shall maintain a personnel file.

202.03 DATA PRACTICES

The following personnel information on all present and former employees, except for present employees involved in undercover law enforcement, is considered public and available for viewing by any interested person:

- 1) Name;
- 2) Employee Identification Number (must not be a social security number);
- 3) Actual gross salary and salary range;
- 4) Actual gross pension;
- 5) Value and nature of employer paid benefits;
- 6) Additional compensation over and above base salary;
- 7) Job title and bargaining unit (if applicable);
- 8) Job description;
- 9) Dates of first and last day of employment;
- 10) The existence and status of any complaints or charges against you as a Wright County employee.
- 11) The final disposition of any disciplinary action taken against you as an employee of Wright County, and all the supporting documentation about your case; the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body (subject to the limitations Minn. Stat. § 13.43, subd. 2(e));
- 12) Terms of any agreement settling any dispute arising out of the employment relationship between you and Wright County;

- 13) Contract fees;
- 14) Education and training background;
- 15) Previous work experience;
- 16) Work location;
- 17) Work telephone number;
- 18) Badge number;
- 19) Honors and awards received; and
- 20) Data which accounts for the employee's work time.
- 21) Any other data identified as public personnel data under the Minnesota Government Data Practices Act.

The data concerning the employee which is placed in the personnel file and which is not listed above as public is considered private data.

Pursuant to Minnesota Administrative Rule 1205.0400, private data on individuals will be shared with the employee and those members within the County whose work assignments reasonably require access, such as staff who need it to process the employment application, update the personnel record, evaluate work performance, and, in evaluating the need for reasonable accommodations.

In addition, the following persons or organizations are authorized by state or federal law to receive private data if they so request: the Bureau of Census; Federal, State, and County Auditors; the State Department of Human Services in regard to locating parents who have deserted their children; the Department of Human Rights; Federal Officials investigating the compliance of Affirmative Action and Equal Employment Opportunities; Labor organizations (to the extent that the County determines the release of personnel data is necessary to conduct elections, to notify employees of fair share fee assessments, and to implement the provisions of the Minnesota Public Employers Labor Relations Act Statute) and the Bureau of Mediation Services (to the extent ordered or authorized by the Director of the Bureau of Mediation Services.)

202.04 ACCESSIBILITY OF PERSONNEL RECORDS

Human Resources shall be responsible for the maintenance and security of employee personnel files. Responsibility includes initiating new files and monitoring and filing data which is to become a part of the personnel files.

Only management staff directly responsible for the supervision of the employee or representatives of the employer who have a legitimate reason and permission of the County Administrator or designee to review information in a file are allowed access.

Employees may review material in their personnel file with reasonable advance notice, only in Human Resources and in the presence of a Human Resources Representative. Employees may

inquire, at any time, what data is kept on them and what classification such data holds.

202.05 DISPUTED INFORMATION

Employees who question the accuracy or completeness of information contained in their personnel files should bring such matters to the attention of the County Administrator. The County Administrator will consider the employee's objections and correct or remove erroneous or improper information. If the decision is to retain the disputed information in the file, the employee is entitled to place a brief statement in the record identifying the alleged errors or inaccuracies.

203 EMPLOYMENT REFERENCE AND BACKGROUND CHECKS

Policy Adopted: 11-16-04

Policy Amended: 04-17-07

203.01 POLICY STATEMENT

It is Wright County's policy to check employment references and when necessary conduct background checks to ensure that individuals are well qualified and have a strong potential to be productive and successful.

203.02 REFERENCE CHECKS ON JOB APPLICANTS

Employment reference checks on applicants are conducted after the individual has been interviewed and is being considered for the position. Human Resources **or department representative** is responsible for conducting these checks.

It is the policy of Wright County to conform with Minnesota Statutes Chapter 364 relating to criminal offenders and rehabilitation, and state & federal regulations governing the process for background investigations, confidentiality of information gathered, and the protection of privacy of individuals undergoing background investigations.

The Administration Department shall determine the appropriate level of background investigation for each position classification.

203.03 BACKGROUND CHECKS ON JOB APPLICANTS

Job applicants with access to computers containing Criminal Justice Information Systems data will be required to successfully pass a Bureau of Criminal Apprehension (B.C.A.) fingerprint-based background check to determine suitability for employment. Fingerprint based criminal history background checks are conducted only after an applicant has accepted the conditional job offer contingent upon successful completion of the background check.

Applicants for these positions will need to sign and complete a Wright County Background Check Requirement Form and Wright County Applicant Background Check Consent Form authorizing the County to conduct a B.C.A. criminal history background check. The Administration Department, in cooperation with the ~~Assistant Jail Administrator~~ **staff**, will arrange for fingerprinting and provide the necessary information for the B.C.A. to conduct a fingerprint-based background check. Applicants failing to authorize a background check will be ineligible for employment in positions having access to computers containing Criminal Justice Information Systems data.

The B.C.A. conducts the background check and provides this record to Human Resources for further review and determination as to whether or not access to **the B.C.A. computers system** can be granted in accordance with B.C.A. guidelines. The County reserves the right to rescind an offer of employment if the applicant does not successfully pass the B.C.A. criminal history

background check and is prohibited from having access to B.C.A. computer systems.

203.04 REFERENCE CHECKS ON CURRENT AND/OR PAST EMPLOYEES

Human Resources shall respond to all reference check inquiries from other employers. Responses to such inquiries shall provide information which is public data confirming dates of employment, wage information, and position(s) held with or without authorization from the subject of the inquiry.

Inquiries for any non-public data regarding a current or former employee of Wright County will need to be made in writing to Human Resources. Human Resources will respond, in writing, upon receiving a written authorization and release signed by the individual who is the subject of the inquiry.

Department heads, supervisors, and **other employees** shall not release any data regarding a current or former employee.

203.05 SEXUAL EXPLOITATION

In accordance with M.S. 148A, the County is required to make inquiries regarding possible or past occurrences of sexual misconduct by applicants for positions classified by M.S. 148A as "Psychotherapist." This would include physicians, psychologists, nurses, chemical dependency counselors, social workers, or any other person, who performs or purports to perform psychotherapy.

The County is also required to release said information on current or former employees in the positions mentioned above when so requested by other potential employers.

203.06 BACKGROUND INVESTIGATIONS

Public and private data collected as a result of background investigations by Wright County on current and former employees and job applicants may be released to potential employers with proper authorization from the data subject.

204 PERSONNEL DATA CHANGES

Policy Adopted: 11-16-04

Policy Amended:

204.01 POLICY STATEMENT

It is the responsibility of each employee to promptly notify Human Resources of any changes in personnel data. This includes such things as **name changes**, personal mailing addresses, telephone number, names of dependents (for insurance purposes), educational accomplishments, and other such status reports.

205 PROBATIONARY PERIOD

Policy Adopted: 11-16-04

Policy Amended: 09-29-15

Effective: 10-01-15

205.01 POLICY STATEMENT

Wright County uses a probationary period to evaluate whether or not the employee is capable of satisfactorily performing the duties of the position, what the employee's attitude is towards the position and people, and what work habits the employee exhibits. It is Wright County's policy to provide education and training which will support workers in their endeavor to succeed in the position and gain status as a regular employee.

This Probationary Period provision of the County Personnel policies is not intended to create a contract. The County retains the right to modify any portion of this provision with or without prior notice to employees.

205.02 LENGTH OF PROBATION

All employees appointed, rehired, promoted or transferred to a new position, or demoted to a lower position ~~may~~ shall be required to successfully complete a probationary period. The probationary period shall begin immediately upon placement in the new position and shall continue for twelve months.

205.03 EVALUATION OF PERFORMANCE

Supervisors are responsible for continually monitoring the performance of employees during the probationary period. An ongoing communication process should develop between the employee and supervisor to promote the growth and personal achievement level required to satisfactorily perform in the position. A written plan of action may be necessary when the monitoring process indicates a need for improvement in certain areas of responsibility; thereby, establishing certain goals to attain within a specified time period.

Successful completion of the probationary period must be approved by the department head and County Administrator.

205.04 EXTENSION OF PROBATIONARY PERIOD

In no instance shall the probationary period be extended.

205.05 COMPENSATION PAID DURING THE PROBATIONARY PERIOD

Refer to the chart entitled "Compensation Guide" on page three of this policy (Policy 205), which

provides guidelines established to determine when and under what circumstances a probationary period should be applied to an employment action. The chart covers the use of probationary periods for the following employment actions: new hire, rehire, promotion, demotion, transfer, and reclassification.

205.06 BENEFITS DURING PROBATIONARY PERIOD

Unless otherwise stated in an applicable collective bargaining agreement, a variation of the following benefit accruals will be available to all probationary employees:

1. PTO – is accrued during the probationary period at the regular rate.
 - a. Employees may begin to use PTO immediately following the pay period in which it is accrued.
2. Vacation Leave - is accrued during the probationary period at the regular rate.
 - a. Employees may begin to use vacation leave six (6) months from date of hire.
3. Sick Leave - is accrued during the probationary period and is available in accordance with the Sick Leave Benefits Policy, 303.
4. Holiday Pay - is available during the probationary period.
5. Floating Holiday - may be used during the probationary period. ~~If an employee uses the floating holiday during the probationary period, and does not successfully complete the probationary period, the amounts used shall be reimbursed to the County by the employee.~~

205.07 DISMISSAL OF PROBATIONARY EMPLOYEE

A department head may discipline a probationary employee at any time during the probationary period, up to and including dismissal (termination). Any discipline, including dismissal (termination) during the probationary period is at the sole discretion of the County, and will not be subject to any grievance procedure. The probationary employee to be dismissed shall not have the right to appeal unless a veteran. Dismissal shall take place in consultation with Human Resources.

The employee may request his or her check within one (1) working day after being dismissed.

Nothing in this policy handbook shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued County employment.

Accumulated employment sick leave, vacation, PTO or the floating holiday shall have no cash

value to any employee released during the probationary period.

Vacation, PTO, and sick leave will be paid out in accordance to County policy or the respective union contract.

If an employee's separation is not in good standing as defined by Policy 402 "Employment Separation", the employee's PTO balance will not be paid out.

As stated in 205.01, this Probationary provision of the County Personnel Policies is not intended to create a contract. The County retains the right to modify this Probationary provision with or without prior notice to employees.

COMPENSATION GUIDE

| TYPE OF EMPLOYMENT CHANGE | SALARY ACTION EFFECTIVE ON DATE OF EMPLOYMENT CHANGE | PROBATION PERIOD REQUIRED | ELIGIBLE FOR INCREASE UPON COMPLETION OF PROBATION |
|---|---|----------------------------------|---|
| New Hire or Rehire into position not previously held | Initial salary established | Yes | Yes |
| Rehire into previously held position | Initial salary established | Yes | Yes |
| Promotion | Refer to Section 104 – Compensation Plan | Yes | Yes |
| Demotion to previously held position | Employee is placed on the salary schedule as though they had never left the position | No | Not applicable. Employee retains review cycle with previous pay rate. |
| Demotion to position not previously held | Employee is placed on the salary schedule as though they were hired into the position | Yes | No, employee retains previous review cycle. |
| Reclassification of Position | Employee is moved to new classification pay range and 1) paid at same percent of max pay as old classification pay range or 2) wages frozen until max of new classification pay range exceeds current rate of pay | No | Not applicable. |
| <i>Lateral Transfers –</i> | | | |
| 1) To same classification and same job title, but different job in same department | No salary change. (This is considered a reassignment of job duties). | No | Not applicable. |
| 2) To same classification and same job title, but different job in different department | No salary change | Yes | No, employee retains previous review cycle. |
| 3) To same classification, but different job title and different job in same department | No salary change | Yes | No, employee retains previous review cycle. |
| 4) To same classification, but different job title in different department | No salary change. | Yes | No, employee retains previous review cycle. |

206 PERFORMANCE EVALUATION

Policy Adopted: 11-16-04

Policy Amended: 02-13-18

Effective: 03-01-18

206.01 POLICY STATEMENT

The performance evaluation system is designed to assist the employee to reach maximum potential, enhance services provided by Wright County, and to provide for periodic, formal reviews by the employee's supervisor and department head.

206.02 PERFORMANCE EVALUATION PROCEDURES

The performance evaluation system shall be based on job descriptions and result-oriented performance standards.

The performance evaluation system shall be conducted in the following way:

1. Each employee is to have a written performance evaluation conducted at the end of the probationary period and at subsequent anniversary dates. An employee's anniversary date is their date of hire or promotional date. The supervisor or department head may also conduct a performance appraisal at any time if:
 - a. The employee's performance significantly changes.
 - b. The department head feels it is in the best interest of the employee and/or the County.

~~Part time employees will receive a prorated range movement increase annually on the employee's anniversary date. The range movement increase will be prorated based on the equivalent FTE status of the employee. For example, a 0.5 FTE will receive a 0.5 range movement increase. A proration of the range movement increase shall continue annually on the employee's anniversary date based on the employees FTE status for the review period.~~

2. Human Resources will track the anniversary dates when employees are to receive performance evaluations. The evaluation forms will be sent to the department heads at least thirty (30) days in advance of review dates.
3. The evaluations shall be conducted by a supervisor as defined by these rules and the Minnesota Public Employer's Labor Relations Act (MPELRA). The supervisor will review the evaluation with the employee, and both the supervisor and the employee shall sign the form. The evaluation is then forwarded to the department head for review and signature.

4. The completed performance evaluation must be completed and submitted to Human Resources five working days in advance of an employee's anniversary date so that eligible employees will receive salary increases at the appropriate time.
5. Department heads will be notified on a monthly basis of overdue performance evaluations.
6. Department head performance evaluations shall be conducted by the County Administrator. Department heads will not receive salary increases until the performance evaluation has been completed by the County Administrator.
- ~~7. Performance evaluations of department heads shall be reviewed by the Personnel Committee and approved by the County Board/Human Services Board. Department heads will not receive salary increases until Board action has been taken.~~

206.03 APPEAL OF PERFORMANCE EVALUATION

A non-union employee may appeal their performance evaluation by submitting, in writing to the County Administrator the reasons and justifications of appeal.

The County Administrator or designee shall review the performance review and provide written findings to the employee and Department Head.

If the employee is not satisfied with the outcome, a grievance may be filed under the formal grievance and appeal process outlined in Sections 705 and 706.

207 DATA PRACTICES

Policy Adopted: 11-16-04

Policy Amended:

207.01 POLICY STATEMENT

All **government** data collected, created, maintained, received, or disseminated by the County are considered regulated data which is to conform to the Minnesota Government Data Practices Act ([MN Statute Chapter 13](#)). As a general rule, all government data is public and accessible by the public for both inspection and copying unless there is federal law, a state statute, or a [temporary classification](#) of data that provides that certain data is not public.

All County staff are required to comply with this Data Practices Provision of the Policy, as well as the Wright County Records and Data Management Policy and approved record retention schedules, which are available on the County's intranet site (Wright Net), or a hard copy can be requested from the Administration or Information Technology Departments.

207.02 CLASSIFICATIONS

Government data are categorized into one of the following classifications:

1. Public Data: Information which may be shown or given to anyone.
2. Private Data: Data which is not public and is accessible to the individual subject of the data.
3. Confidential Data: Data which is not public and is inaccessible to the individual subject of the data.
4. Nonpublic Data: Data, not on individuals, which is not public and is accessible to the data subject, if any.
5. Protected Nonpublic Data: Data, not on individuals, which is not public and is inaccessible to the data subject, if any.

207.03 RESPONSIBLE AUTHORITY

The County Administrator is responsible for the collection and dissemination of government data and may designate certain other County employees to assist in this responsibility. **The County Administrator may designate other County employees to oversee individual files or systems containing government data and to receive and comply with requests for government data.**

207.04 ACCESS TO DATA

Public data may be requested of the responsible authority (207.03), and open for inspection and copying at reasonable times and places. The County will charge the costs of duplicating or developing the data to the individual making the request. If the information requested is not

public, the individual must be informed verbally or in writing of the determination and the basis for the protected classification. Any person has the right to inspect and copy public data. The requesting party also has the right to have an explanation of the meaning of the data. The request for data may be verbal or written and will be responded to within statutory timelines.

If a request is made for copies of government data, the request will be satisfied as soon as it is reasonably possible. The requesting party will be responsible for the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting copies of the data. The party will not be responsible for the cost of time spent separating public from non-public data. Electronic copies of data are not required to be converted to any other format or program from which it is maintained, and the requesting party will be charged the actual cost of providing the copy.

If the requested data is classified so as to deny the requesting person access, the County Administrator or his/her designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.

207.05 PEOPLE ENTITLED TO ACCESS

Public Information about an individual may be shown or given to anyone.

Private Information about an individual may be shown or given to:

1. The individual, but only once every six months, unless a dispute has arisen or additional data has been collected.
2. A person who has been given access by the express written consent of the data subject. (Described in 207.06).
3. Employees of the County, the County Board, and outside agents whose work assignments reasonably require access.
4. People, whom the individual was advised may have access to specific data at the time the data was collected. The identity of those people must be part of the Tennessee warning which informs the individual supplying data:
 - a. The purpose and intended use
 - b. Whether the individual may refuse or is legally required to provide the data
 - c. Any known consequence of providing or refusing to provide the data

- d. The identity of individuals or entities authorized to receive the data

If the information is deemed *confidential*, it is inaccessible to the subject of the data, but may be shown or given to people authorized access by state and federal law or by court order.

207.06 DISSEMINATION OF PRIVATE DATA

Private data on individuals may be shared with the express written consent of the individual subject of the data. A release is not considered consensual or informed unless the statement is specific in:

- a. Plain language
- b. Date
- c. Designating whom is authorized to disclose the data
- d. The data that may be shared
- e. To whom the data may be disclosed
- f. The purposes for which the data may be used, now and in the future
- g. The dissemination expiration date, not to exceed one year

Private data also may be released pursuant to a valid court order, specific statutes or special circumstances.

207.07 DENIAL OF ACCESS

If the ~~responsible authority~~ **County Administrator** or designee determines that the requested data is not accessible to the requesting party, the responsible authority or designee must inform the requesting party verbally at the time of the request or in writing shortly thereafter. The responsible authority or designee must give the specific legal authority, including statutory section, for withholding the data. The responsible authority or designee must place a verbal denial in writing upon request. This written notification must also include the specific legal authority for the denial.

207.08 CHALLENGE TO DATA ACCURACY

An individual who is the subject of public or private data may contest the accuracy or completeness of the data maintained by the County. The individual must notify the County's responsible authority in writing describing the nature of the disagreement. Within 30 days,

the responsible authority or designee must respond and either (1) correct the data found to be inaccurate or incomplete data, and attempt to notify past recipients of incorrect data including recipients named by the individual, or (2) notify the individual that the authority believes the data to be correct.

An individual who is dissatisfied with the responsible authority's response may appeal to the Commissioner of the Minnesota Department of Administration, who will first attempt to reach a resolution through education, conference, conciliation or persuasion and only after that use the contested case procedures under Minnesota Statute Chapter 14. The responsible authority will correct any data ordered by the Commissioner.

207.09 DATA SAFEGUARDS

Private and confidential information will be stored in files which are not readily accessible to individuals who do not have authorized access and will be secured during hours when the offices are closed. Only those employees whose job responsibilities require them to have access will be allowed access to files and records that contain private or confidential information. These employees who do have access are prohibited from discussing, disclosing, or releasing this information to unauthorized employees or members of the public. Private and confidential data should not be left in areas where unauthorized individuals might see the information and should be shredded when the data is discarded.