

*Excellence in Service:*  
*Your Employee Guide*  
Powhatan County



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# **INTRODUCTION**

## **PURPOSE**

Welcome to Powhatan County. You are joining a team that delivers public service the right way: with respect, competence, and a focus on serving our community. This Guide explains what we expect of you, what you can expect from us, and how we work together to keep the County running smoothly.

This Guide to Excellence provides a single, easy reference for County policies, procedures, and employee resources. It is intended to promote fair and consistent treatment, to support professional development, and to reinforce our shared commitment to public service and ethical conduct.

Unless you have a written employment contract approved by the Board of Supervisors, County employment is at will. That means employment may be terminated by you or by the County at any time, with or without cause. This Guide is not an employment contract and does not alter the at will relationship.

The County reserves the right to modify, suspend, or revoke any policy, benefit, procedure, or provision in this Guide at its discretion. If you have questions about any policy, contact your supervisor or Human Resources.

Thank you for serving Powhatan County. Your work matters.

## **APPLICABILITY**

This Guide applies to all departments, positions, and employees of Powhatan County. Employees of Constitutional Officers, the Department of Social Services, Office of Elections, and the Library may also be covered when their Agency Head chooses to adopt the County's personnel policies by submitting written notice to Human Resources.

This Guide establishes County-wide policies that apply across departments. Individual departments may also develop their own Standard Operating Procedures (SOPs) to address daily operations or job-specific practices, as long as those SOPs are consistent with this Guide and reviewed by Human Resources.

Constitutional Officers who adopt the County's personnel policies remain responsible for managing personnel matters within their offices, including leave, confidentiality, and discipline, in accordance with this Guide.

## **DEFINITIONS**

For purposes of the Employee Guide the following terms are defined:

**Agency Head** – the County Administrator, the Library Director, the Director of Elections, or any Constitutional Officer.

**Department Director** –Deputy County Administrators or any employee approved in the Staffing Plan as a Department Director.

**Constitutional Officers** – the Clerk of Circuit Court, the Commissioner of Revenue, the Commonwealth’s Attorney, the Sheriff, and the Treasurer.

**Supervisor** – First-line management within any given department who has authority and provides direction to employees in their direct reporting line.

## **1. JOINING THE COUNTY**

### **1.1 Equal Employment Opportunity & Anti-Discrimination**

Powhatan County is committed to providing equal employment opportunities for all qualified individuals in compliance with all applicable state and federal laws, including but not limited to the Civil Rights Act, Americans with Disabilities Act, Virginia Human Rights Acts, and the Immigration Reform and Control Act. The County encourages and welcomes diversity and strives to create a supportive environment that allows everyone to perform to their potential.

#### **Prohibited Discrimination**

All employment actions, including recruiting, hiring, training, promotion, compensation, benefits, transfers, layoffs, and return from layoffs, will be administered without regard to race, color, religion, ancestry, age, sex, national origin, disability, pregnancy, childbirth or related medical conditions, military veteran status, sexual orientation, gender identity, or any other status protected by law.

#### **Americans with Disabilities Act (ADA)**

The County will make reasonable efforts to accommodate individuals with disabilities, provided such accommodations do not create an undue hardship for County operations or pose a direct threat to the health or safety of others. Employees may request reasonable accommodation through their supervisor or Human Resources. A request form is available on the County’s shared drive or from Human Resources.

#### **Pregnancy and Breastfeeding Accommodations**

Breastfeeding employees who return to work may:

- Use breaks or mealtimes to pump milk. Additional time may be arranged with supervisors if needed.
- Use a private, sanitary room (not a restroom) with a sink and electrical outlet to express milk. Private offices or other comfortable locations may also be used if agreed with the supervisor.
- Store milk in County refrigerators, the lactation room refrigerator, or personal coolers.

Employees are responsible for keeping pumping areas clean and for proper milk storage.

Employees should communicate with supervisors to ensure accommodation meets both their needs and County operations.

### **Immigration Reform and Control Act (IRCA)**

The County verifies the identity and employability of all new hires using Form I-9 on their first day of employment. Employment is limited to U.S. citizens, resident aliens, and individuals authorized to work in the U.S.

### **Filing Complaints**

Any applicant or employee who believes they have been subjected to discrimination, or a violation of this policy should report the concern in good faith to Human Resources or their supervisor. Reports made in good faith will not result in retaliation. Employees who knowingly submit false, misleading, or frivolous complaints may be subject to disciplinary action.

## **1.2 Employment Opportunities**

The Department of Human Resources shall generally advertise and publicize all opportunities for employment with the County to include details regarding salary and qualifications. Executive or professional positions may be filled through the services of a third-party consultant. The consultant shall comply with the County's equal employment opportunity and advertising guidelines. Vacancies may be advertised internally, and the County reserves the right to promote internally. A vacancy that is being advertised externally shall be posted on the County website and may be advertised on other websites or in other publications.

### **Interns and Volunteers**

Interns and volunteers with the County must complete a background check and drug/alcohol test unless waived by the Agency Head after consultation with the Human Resources Director. In placing an intern or volunteer in a position, attention will be paid to the interests and capabilities of the individual. Interns seeking positions as a requirement of their schooling will be placed in the appropriate department. No placement of either a volunteer or intern shall be made unless the requirements of both the volunteer or intern and Supervisor can be met. All volunteers are required to attend a general orientation with Human Resources, and an in-depth orientation will be given by their Department Director and/or Supervisor. Interns and volunteers must be aged 18 or older, unless waived by the Human Resources Director after consultation with the County Attorney. Volunteers and interns must adhere to the same standards of conduct as employees. The Department Director and/or Supervisor will be responsible for providing progress reports and final reports required by any educational institution. A copy of these reports will be maintained by Human Resources. (See intern description under employee definitions.)

Volunteer firefighters are exempt from this policy and will follow the procedures established by Fire and Rescue.

## **1.3 Nepotism and Personal Relationships**

Powhatan County seeks to employ the most qualified individuals for all positions and to avoid conflicts of interest, favoritism, or the appearance of favoritism in employment decisions. The County's goal is to ensure all personnel actions are based solely on merit, ability, and business need.

Nepotism refers to favoritism in employment decisions such as hiring, promotion, pay, assignments, or other opportunities that are granted to a relative or individual with a close personal relationship, regardless of qualifications or performance.

Hiring managers and anyone involved in the selection process must disclose to Human Resources any relationship with an applicant, including relatives, dating or romantic partners, roommates, or close personal friendships. Human Resources will ensure that no unfair advantage is given to any applicant based on these relationships.

Relatives, household members, or romantic partners may not be hired or placed in a reporting relationship where one exercises supervision or influence over the other's employment. Employees may not occupy positions within the same chain of authority where they could influence decisions related to each other's pay, promotion, leave, or discipline. Immediate family members of the Board of Supervisors are not eligible for hire with the County.

If two current employees become immediate family members, household members, or enter a romantic relationship, they may continue employment only if conflicts of interest are avoided. If a conflict arises, the County will make reasonable efforts to transfer one of the employees. If reassignment is not possible, the employees will be given the opportunity to decide who will resign. If no decision is made, the County will determine which employee remains employed.

The Human Resources Department and the Agency Head reserve the right to restrict or deny hiring, placement, or transfer in any circumstance that could create a real or perceived conflict of interest, favoritism, or an appearance of nepotism, even if the individuals involved do not meet the formal definition of "relative."

For this policy, "relative, family, or household member" includes relationships by blood, marriage, legal action, or domestic partnership such as spouse, parent, child, sibling, in-laws, grandparents, grandchildren, cousins, domestic partner, and members of the household, whether related or not.

## **1.4 Probationary Period**

The probationary period shall be a minimum of one year from the employee's start date. An employee's supervisor, after consultation with the Agency Head/Department Director and Human Resources may extend the probationary period. If the Supervisor, in consultation with the Agency Head/Department Director and Human Resources, determines at any time during the probationary period that an employee is not suited to that position, the employee will be terminated or provided with the opportunity to resign.

Before the probationary period ends, a written performance evaluation will be conducted by the employee's Supervisor. An employee remains on probation until the performance evaluation has been completed and reviewed by HR. Supervisors are responsible for the timely delivery of the completed evaluation, notice of an extended probationary period when applicable and official request of release from probation. If performance has been satisfactory during the period, the probationary period shall end.

Probationary employees cannot access the County’s grievance procedure (Appendix A). Part-time employees are subject to the same probationary period as full-time employees. Employees are eligible to receive market adjustment & Cost of Living Adjustment (COLA) salary increases during the probationary period.

## 1.5 Employment Classifications

For salary administration and eligibility for overtime payments and employee benefits, the County uses the following classifications:

**Full-time, Regular** – An employee who is regularly scheduled to work a minimum of forty hours per week (or an alternative FLSA work cycle, such as Fire & Rescue or Sheriff personnel) and is hired for an indefinite period. Full-time, Regular employees are entitled to participate in the County’s benefit programs. Full-time, Regular employees may be “*exempt*” or “*non-exempt*” as defined by FLSA. “Non-exempt” employees are entitled to overtime pay, whereas “exempt” employees are not.

**Part-time, Regular** – An employee who is scheduled to work less than an average of twenty-eight hours per week and is hired for an indefinite period. The schedule of a Part-time, Regular employee is flexible and is determined by the Supervisor. Part-time, Regular employees are NOT entitled to participate in the County’s benefit programs. Part-time, Regular employees may be “exempt” or “non-exempt”.

### Safety Sensitive Position

A safety sensitive position is any role in which an employee’s duties have a direct and immediate impact on the safety or well-being of the public, coworkers, or the employee. These positions require a heightened standard of fitness for duty because impaired performance could result in injury, property damage, or significant risk to vulnerable populations.

Safety sensitive positions include, but are not limited to:

- All sworn Fire and Rescue personnel
- Any employee in the Department of Social Services whose duties involve child protective services, adult protective services, or family services activities that require emergency response or immediate decision making to protect clients
- Employees whose work involves emergency response, public safety activities, or direct care of vulnerable individuals
- Any role designated by the County Administrator as requiring additional safety, security, or operational readiness requirements

Employees in safety sensitive positions may be subject to additional standards, including fitness for duty requirements, drug and alcohol testing under federal or state regulations, and restrictions on on-duty or pre-duty medication use.

**Temporary or Part-time Seasonal** – An employee hired either part-time or full-time for a specified, limited period of less than one year. Temporary or Part-time Seasonal employees are NOT entitled to participate in the County’s benefits programs. Temporary or Part-time Seasonal employees may be “exempt” or “non-exempt”.

**Intern** – In conjunction with local high schools and universities, the Agency Head may elect to allow paid or unpaid interns to work for a specified period as dictated by the educational institution sponsoring them, but no longer than nine months. Interns should be at least a high school senior level. Interns are NOT entitled to participate in the County’s benefits programs. Unpaid interns are not employees of the County, and the County is not liable for any work-related injury while on duty. Unpaid interns will be required to sign a release relieving the County of all responsibility. Interns are not permitted to operate County vehicles. Interns may be allowed to operate County equipment after proper safety training.

**Volunteers** – Volunteers are not employees of the County. Powhatan County encourages the use of volunteers in the workforce, with the understanding that the County is not liable for any work-related injury while on duty. Volunteers will be required to sign a release relieving the County of all responsibility. Court-ordered volunteers may be accepted, at the discretion of the Agency Head, to provide community service.

**Probationary Employee** - A full or part-time employee who has served for less than twelve (12) months, who has started a new position in the last twelve months, or who has been placed on probation through the disciplinary process.

Note: The County may obtain individuals from a temporary employment agency, subcontractor, or other outside County for specific assignments. These individuals are employees of the respective firm and not the County.

## **1.6 Human Resource Records**

The County will collect, use, and retain employee information required for business and legal compliance. Employee privacy will be consistently managed while assembling and using this information. Due to the confidential nature of such information, the County strictly limits access to employee records and/or the disclosure of information contained in these records. Employees are permitted to see their Human Resources file at reasonable times, at a reasonable place, and with reasonable notice, according to applicable State law.

## **1.7 Employee References**

Human Resources is the primary authorized department responsible for responding to reference check inquiries from other employers. Supervisors and Department Directors may be authorized to respond to reference checks for their direct reports or employees within their department. Responses to such inquiries will confirm dates of employment, wage rates, and the title of position held. Information on the employee’s work performance may be provided, including attendance and job duties.

# **2. WORKPLACE STANDARDS & CONDUCT**

## **2.1 Employee Standards of Conduct**

Powhatan County employees have been entrusted with the management of the citizens’ interests and ensuring operational expectations are satisfied. To encourage the delivery of quality

services, each County employee is expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and always exhibit a high degree of personal integrity. This demands that, in both business and personal life, every employee should refrain from any behavior that might be harmful to oneself, co-workers, or the County, and from behavior that might be viewed unfavorably by the public. The County will take disciplinary action up to and including termination if an employee's behavior exhibits a lack of integrity or ethics.

To support the County's commitment to integrity and public trust, employees are expected to adhere to the following standards:

**Direction from Supervision**

To guide employees in their work, supervisors will often give specific directions. Employees are expected to follow and comply with supervisory instructions, particularly from those in their chain of command. Delay, refusal, or argumentative reluctance to perform assigned duties constitutes insubordination and a violation of this policy. Behavior that shows hostility, disloyalty, antagonism, or contempt toward supervision will also be treated as insubordination.

**Attendance and Regard of Duty**

Attendance is an essential function of every position. Employees are expected to regularly, consistently, and punctually report to work as scheduled. Unauthorized absences, repeated tardiness, excessive or irresponsible use of leave, or failure to follow notification procedures may result in discipline. Leave is a benefit, not entitlement, and must not be misused to reduce one's schedule.

Employees are expected to always remain attentive to their work environment and responsive to duties. Loafing, sleeping, wandering away from the work area without permission, or otherwise misusing County time, including conducting personal business during work hours, violates this policy.

Any employee who fails to report to work for three consecutive scheduled days without following notification procedures will be considered absent without leave (AWOL) and subject to termination.

**Position Competency and Performance**

Employees are expected to maintain the competence required to fulfill their job duties. Inadequate or unsatisfactory work performance, repeated infractions of policy, or failure to correct deficiencies after counseling or corrective action constitutes incompetence.

**Professional Conduct**

Employees shall maintain professional behavior and interactions with citizens, customers, and colleagues. Conduct that is disruptive, disrespectful, vulgar, profane, harassing, threatening, or otherwise inappropriate is prohibited.

Employees must act responsibly both on and off duty in ways that reflect positively on the County. Any conduct that disrupts operations, undermines public trust, or reflects discredit upon the County violates this policy.

### **Confidential Information and Records**

Employees may have access to confidential or sensitive information in the course of their duties. Such information must be properly safeguarded and may not be disclosed or used for personal gain.

All records, reports, timesheets, vouchers, insurance claims, and official documents must be accurate and truthful. Falsification, misrepresentation, or allowing another employee to falsify records, including recording another employee's work time or allowing one's own to be recorded, is strictly prohibited.

### **Truthfulness and Integrity**

Employees are expected to be truthful in all matters with supervisors, colleagues, investigators, and the public. Providing false, misleading, or incomplete information, whether in daily work or during an investigation, violates this policy. Employees must also promptly report any overpayments and reconcile any debts owed to the County.

### **Safety**

Employees must comply with all applicable safety laws, policies, and supervisor instructions. This includes safe driving practices, the use of seatbelts, and wearing required personal protective equipment (PPE). Failure to follow safety rules or engaging in negligent or reckless behavior that endangers oneself or others violates this policy.

### **Threats, Violence, and Harassment**

Employees must not engage in harassment—sexual, discriminatory, or otherwise unlawful—against any individual in the workplace. Threatening, coercing, assaulting, or battering fellow employees, citizens, or visitors to the County will not be tolerated.

### **Public Trust and Conduct**

Employees serve the public and are expected to act with integrity, professionalism, and fairness. Illegal gambling on County property or County time, deliberate disruption of operations, or conduct that undermines public trust constitutes a violation of this policy.

### **Arrests and Convictions**

Employees are required to notify their supervisor and the Department of Human Resources within forty-eight (48) hours or by the start of their next scheduled shift, whichever occurs first, of any of the following:

- Any arrest or charge for conduct that may reasonably relate to the employee's job duties or the County's operations.
- Any conviction of a felony, misdemeanor involving moral turpitude (such as lying, cheating, or stealing), any sex offense, or any other offense that could impact the employee's ability to perform their duties or the County's trust in their integrity.

The County, not the employee, will determine whether the arrest, charge, or conviction is job-related or interferes with the effective delivery of County services. Failure to report in a timely manner may result in disciplinary action, up to and including termination.

Upon notification, the County will review the facts and circumstances surrounding the arrest or conviction, including the nature of the offense, the employee's position, and any potential risk to public trust, safety, or County operations. The County may place the employee on administrative leave (paid or unpaid) while reviewing the matter.

If the County determines that the conduct, or the resulting arrest or conviction, adversely affects the employee's ability to perform job duties, undermines public confidence, or otherwise interferes with County operations, the employee may be subject to disciplinary action, up to and including termination.

### **Licenses and Certifications**

Employees are required to maintain all professional certifications, licenses, or credentials necessary for their position. Failure to maintain or report the loss of such credentials violates this policy.

### **Supervisory Responsibilities**

Supervisors are expected to maintain professional, non-biased relationships with subordinates. Supervisors must avoid situations that create conflicts of interest or the appearance of favoritism, and they are responsible for disclosing personal relationships with subordinates to the department head and Human Resources.

Supervisors are also expected to appropriately manage their employees and take prompt action when misconduct occurs. Failure to supervise or address misconduct when known, or when reasonably should have been known, constitutes a violation of this policy.

This is not intended to be a complete list of unacceptable conduct, nor does this limit or restrict the County's "at-will" employment policy. Agency Heads may have additional Standards of Conduct for their employees.

## **2.2 Personal Appearance & Attire**

All employees are expected to maintain a neat, professional appearance that reflects positively on Powhatan County. Employees should dress, groom, and maintain personal hygiene appropriate to their positions and County guidelines. This is especially important for employees who interact with the public or represent the County in any capacity.

### **Standards of Appearance:**

- **Cleanliness and Grooming:** Employees are expected to maintain good personal hygiene and a clean, well-groomed appearance appropriate for a professional workplace.
- **Clothing:** Must be professional and tasteful. Clothing with offensive, inappropriate, or political messages is prohibited.

**Uniforms and Identification:**

- Employees required to wear uniforms or County identification badges must follow the guidelines for proper wear and use.
- Agency Heads/Department Directors/Supervisors will determine specific attire requirements for each position and inform employees upon hire.

**Compliance and Enforcement:**

- Supervisors are responsible for ensuring compliance, including the proper use of safety equipment such as PPE.
- Employees who fail to comply may be counseled or asked to leave to change into appropriate attire; time away may be unpaid.

**2.3 Harassment**

The County strives to keep the workplace free from all forms of harassment and considers any incident to be a serious offense and will not be tolerated. All employees are expected to conduct themselves professionally and be respectful of the rights and interests of others. This policy applies to all employees of the County, customers, vendors, or other third parties with whom the County has business dealings. Employees shall report incidents as soon as possible to ensure not only their safety but the safety of their co-workers. Reported incidents of harassment will be reviewed immediately by HR and other applicable authorities.

Harassment may include but is not limited to, offensive comments, gestures, slurs, emails, jokes, posters, cartoons, pictures, and drawings, based on a person's race, color, gender, religion, age, national origin, disability, sexual orientation, or any other characteristic protected by law. Harassment does not require the intent to offend.

**By way of example, the following conduct is considered harassment and is grounds for disciplinary action:**

1. Verbal or physical conduct directed toward an employee based on any characteristic protected by Federal law and which has the purpose or effect of creating an offensive or hostile working environment.
2. Threats, demands, or suggestions that an employee's work status is conditioned upon the tolerance of such verbal or physical conduct.
3. Retaliation against an employee for complaining about such verbal or physical conduct.
4. Lewd, vulgar, or obscene remarks, jokes, communications, etc.
5. Any unwelcome physical contact.
6. Causing physical injury to another person.
7. Making threatening remarks.
8. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
9. Committing acts motivated by, or related to, sexual harassment or domestic violence.

These examples are not exhaustive; other behaviors may also qualify as harassment.

## **Reporting Procedure**

1. Employees who believe they have been the subject of sexual or other harassment should report the alleged act or conduct immediately to HR, their supervisor, Department Director, or Agency Head. All complaints of harassment will be investigated.
2. All information reported will be kept confidential to the extent possible and will only be disclosed on an as-needed basis to investigate and resolve the matter.
3. If the County determines that an employee is guilty of harassing another employee, appropriate action will be taken against the offending employee, up to and including termination of employment.
4. The County prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation.
5. If an employee is not satisfied with the handling of a harassment complaint, he/she may contact HR or the Agency Head with their concerns.

## **2.4 Sexual Harassment**

The accepted definition of sexual harassment as outlined in the Equal Employment Opportunity guidelines is as follows:

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

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment,
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The County intends to provide employees with a positive working environment based on trust and mutual respect. Any employee who feels they have been sexually harassed or discriminated against, or who is aware of another employee who has been sexually harassed or discriminated against, should immediately contact their supervisor and/or HR.

Sexual harassment or any other conduct of an intimidating or personally offensive nature is strictly forbidden and will not be tolerated. Should sexual harassment occur, the County will conduct a prompt and appropriate investigation and take disciplinary action against the harasser(s), up to and including termination.

No employee will be subject to retaliation for reporting any suspected sexual harassment or discrimination. Due to the sensitivity of complaints of violations, all complaints will be handled as confidentially as possible.

## **2.5 Workplace Violence**

The County strives to maintain a safe and secure workplace and will not tolerate any form of violence. If an employee displays any violence in the workplace or threatens violence in the workplace, with or without a weapon, the employee will be subject to immediate discipline, up to and including termination, and criminal charges. The County defines violence as including physically harming another, shoving, pushing, harassment, intimidation, coercion, or talk of violence.

Employees are expected to report violence in the workplace if observed. Concerns should be presented to the employee's Supervisor, Department Director, HR, or the Agency Head.

In response to possible threats, the Agency Head, Department Director, or Supervisor will confer with Human Resources, and others as needed, to undertake an assessment of the risk and implement a safety response plan specific to the circumstances of the threat, implementing security options to minimize the risk. This plan will take into consideration the needs and rights of the targeted employee and others in the workplace, maintaining confidentiality when doing so would not interfere with safety needs.

## **2.6 Reporting Concerns and Misconduct**

Powhatan County encourages employees to speak up if they see or suspect violations of law, policy, or workplace misconduct. We want a safe, ethical, and respectful workplace, and concerns will always be reviewed promptly and fairly.

### **How to Report**

Employees may report concerns to their supervisor or Department Head. If the concern involves one of these individuals, they may report directly to Human Resources or the County Administrator.

Employees must make such reports in good faith. "Good faith" means the employee has a reasonable belief, based on facts, that a violation has occurred. Submitting knowingly false, misleading, or frivolous complaints, or using the complaint process to avoid performance management or disrupt operations, may result in disciplinary action, up to and including termination.

Retaliation for making a good faith report is strictly prohibited. However, reporting a concern does not exempt an employee from performance expectations or discipline unrelated to the complaint.

## **2.7 Political Activity**

County employees are free to participate in the political process as private citizens. They may vote, express political opinions, attend political meetings, join political organizations, support or oppose candidates, and even seek elective office. Employees may not engage in political activity while on duty, while wearing a County uniform, or while using County resources, equipment, or work time for political purposes. Off-duty political activity may occur on County property only

in areas not designated for work operations and without interfering with County functions or other employees.

Employees must also avoid any action that could be seen as coercive or improper influence, such as pressuring or advising another employee to make a political contribution, lend money, or provide support to a candidate or political organization. Likewise, employees may not use their position to favor or discriminate against any person or applicant for employment or County services based on political activity or affiliation.

Employees whose positions are federally funded must comply with the federal Hatch Act (5 U.S.C. §§1501–1508), which imposes additional restrictions on political activity. The Act prohibits employees from using their authority or influence to interfere with or affect the outcome of an election, or from coercing another employee to contribute to a political cause. Employees whose salaries are paid entirely by federal loans or grants may not be candidates in partisan elections. Questions regarding political activity should be directed to the Department of Human Resources or the County Attorney’s Office.

## **2.8 Technology and Communication Systems**

Powhatan County provides technology resources including computers, phones and other mobile devices as well as access to services such as email, internet access, software and other connected systems to support legitimate County business. These systems are County property and may be monitored, audited or disclosed at any time. Employees should have no expectation of privacy when using County technology.

### **General Use**

- County technology and communication systems must be used primarily for County business.
- Occasional personal use is permitted if it does not interfere with work performance, compromise security, or violate any policy or law.
- County technology may not be used for private business, outside employment, or political activities. e.g., campaigning, fundraising, or soliciting support for a political candidate or cause.
- Employees may be required to reimburse the County for damaged or lost equipment or for charges to the County that were not approved or were for personal use.

### **Prohibited Uses**

Employees may not use County technology to:

- Access, create, or transmit content that is abusive, harassing, fraudulent, discriminatory, obscene, unlawful or cause reputational harm to the County.
- Download, install or use unapproved software, applications or online services without the review and explicit approval of the IT Department. This includes creating and using accounts on 3rd party websites not previously approved. Exceptions will be granted on a case-by-case basis and for trial or County business research. The use of software or resources with the intent of bypassing legitimate licensed use is prohibited.

## **Security and Data Protection**

- All employees are responsible for safeguarding County information, including proper password management and device security.
- Sharing accounts or passwords between staff is not permitted.
- County-issued devices must be used only as directed by County leadership and IT.
- All electronic communications and files, including email, messages, and documents—are subject to disclosure under the Virginia Freedom of Information Act (FOIA).

## **Artificial Intelligence (AI)**

- The use of AI tools is allowed but may be restricted as necessary.
- Confidential, sensitive, or personally identifiable information (PII/PHI) may never be entered into AI systems.
- AI-generated content must be reviewed for accuracy, compliance, and bias, and employees remain fully responsible for its use.

## **Compliance and Enforcement**

- All employees, interns, volunteers, contractors, consultants, and vendors using County technology must comply with this policy.
- Supervisors are responsible for enforcing compliance and reporting violations to their agency head and Human Resources.
- Violations may result in disciplinary action, up to and including termination. Misuse that violates law may also be referred to law enforcement.
- The IT Department may take immediate action to restrict system access if misuse or security risks are detected.

## **2.9 Use and Care of County Property**

Employees are expected to use and care for County property responsibly and in a manner consistent with County business. Abuse, neglect, misuse, or theft of County property may result in disciplinary action up to and including termination and/or prosecution.

County property—including but not limited to desks, lockers, telephones, computers, vehicles, keys, ID badges, cell phones, laptops, and other equipment—is provided for County business and activities only and is not intended for personal use.

The County reserves the right to enter or inspect County property, including employee work areas such as desks, lockers, vehicles, and computer storage, with or without notice. Such inspections must be approved by the Agency Head and will be reasonable in both purpose and scope.

Employees are responsible for County property issued to them. Any damaged, lost, or stolen County property may result in the assessment of a replacement fee.

## **2.10 Reporting Criminal Charges and Convictions**

All County employees are required to report all criminal charges and convictions against them to the employee's respective department head within three business days of the occurrence. This

includes reporting traffic violations if an employee's position requires driving a County vehicle. Failure to report criminal charges and convictions may result in disciplinary action.

## **2.11 Personal Property, Children, and Visitors in the Workplace**

The County does not assume responsibility for the loss or theft of, or damage to, personal property on County premises, including the parking lot areas.

Children, pets, or personal visitors of employees are not permitted in the workplace on a regularly scheduled basis or for any extended period, as it may result in the distraction of the employee's and/or their co-worker's duties and responsibilities.

## **3. WORKING CONDITIONS & SAFETY**

### **3.1 Health & Safety**

The County seeks to provide a work environment for employees, customers, and vendors that is as free as possible from recognized hazards, and in full compliance with applicable Occupational Safety and Health Act (OSHA) standards. To achieve this goal, every employee is responsible for being "safety conscious", and for conducting themselves in a manner that maximizes safety. Employees should report any unsafe condition to their supervisor immediately. Efforts will be made to remedy problems as quickly as possible.

Each employee is responsible for the safe operation of all County property (equipment, vehicles, etc.) in his/her charge. Employees should be familiar with, and always observe, the OSHA requirements and other safety rules applicable to their jobs. If you are not familiar with or do not understand the applicable rules, please see your supervisor for further clarification. The County shall provide for the proper maintenance of County property, but each employee should report any malfunction of County property to his/her immediate Supervisor. The Supervisor should investigate and take the necessary steps to correct the malfunction.

In case of an accident on the job resulting in a personal injury or illness, regardless of how serious, employees should notify their supervisor immediately. Failure to report an accident may result in immediate discipline, up to and including termination. Delays in reporting can result in a violation of legal requirements and can lead to difficulties in processing insurance and benefit claims. The County carries workers' compensation insurance and will assist employees in obtaining all legally entitled benefits.

In the event of an emergency (*i.e.*, medical/environmental-related), employees should follow established emergency procedures issued by their Department Director.

Employees who know or believe a situation exists that may affect their ability to do their jobs or the health or safety of themselves, or other employees, should promptly report the situation to their supervisor. Further, if any employee observes any unsafe behaviors in others, they should promptly report the situation to their supervisor.

## 3.2 Drug- and Alcohol-Free Workplace

### Purpose

Powhatan County maintains a drug and alcohol-free workplace for all its employees. Powhatan is committed to providing a safe, healthy, and productive workplace. Substance abuse can impair job performance, endanger coworkers or the public, and erode public trust. While the County encourages employees to seek help, violations of this policy that threaten safety or job performance will not be tolerated.

### Scope

This policy applies to all Powhatan County employees. Positions designated as **safety-sensitive** or roles critical to public safety, the operation of County vehicles, or the protection of County property may be subject to additional testing. A maintained list of such positions is kept by Human Resources in consultation with Agency heads and the County Attorney.

### Policy

#### Prohibited Conduct

- Employees shall not manufacture, distribute, dispense, possess, or use illegal drugs in the workplace or while on duty, including during breaks or meal periods, regardless of location.
- Reporting to work under the influence of alcohol, marijuana (THC), or any substance that impairs performance is prohibited.
- Misuse of prescription or over-the-counter medications that affect job performance is prohibited unless properly disclosed and accommodated under this policy.
- The prohibition applies from the time the employee reports to work until the end of the workday, inclusive of breaks and meals, on or off County property.

#### Notification of Arrests and Convictions

- Employees must notify their supervisor and Human Resources in writing **within forty-eight hours or by the start of their next scheduled shift, whichever occurs first**, of any arrest or conviction under a criminal drug statute.
- Failure to notify is itself a violation and may result in disciplinary action.

#### Medications and Disclosure / Interactive Process

- Employees using prescription medications, including cannabis-derived products, that may impair safe performance must notify Human Resources.
- HR will engage in an interactive process and may request documentation from the employee's healthcare provider.
- Permission to work while using such medications will be determined through consultation between Human Resources, the employee's supervisor, and, if necessary, a qualified medical professional, based on risk to safety, essential job functions, and protection of the public.

### Testing

Employees may be required to submit to drug and/or alcohol testing under the following conditions:

- **Pre-employment / Conditional Offer** — Applicants shall be required to pass a drug test as a condition of employment.
- **Random Testing** — Employees in safety-sensitive roles are subject to random, unannounced testing. HR determines eligible roles and testing frequency.

- **Post-Accident Testing** — Any employee involved in a workplace accident-causing injury, fatality, medical treatment, or significant property damage may be tested, regardless of role.
- **Reasonable Suspicion / For Cause** — Testing is authorized when a supervisor observes specific signs suggesting impairment (appearance, behavior, speech, odor). Another supervisor or HR should corroborate observations when feasible.
- **Return-to-Duty / Follow-Up Testing** — Employees returning after a positive test or treatment may be required to undergo return-to-duty and follow-up testing over a defined period (e.g., 6 unannounced tests in the first year, periodic tests up to 5 years).

All testing will follow accepted methods by certified labs with Medical Review Officer (MRO) oversight. Employees may request a confirmatory retest within 72 hours at their own expense. Refusal to test or interference will be treated as a positive result.

### **Random Drug Testing Procedures**

1. **Drug Tests-** The County’s drug testing program will be administered in accordance with applicable law and will be conducted in a confidential manner. Urinalysis will be used for the detection of controlled substances. All employees tested will be required to sign an authorization and consent form, releasing the information to the employer. The testing of the sample will be performed by a laboratory approved by the National Institute on Drug Abuse (NIDA), including a NIDA panel screening with gas chromatography/mass spectrometry (GC/MS) confirmation on all positive tests. The panel includes, but is not limited to, screening for amphetamines, barbiturates, benzodiazepines, marijuana (THC), cocaine, opiates, and phencyclidine (PCP). The cutoff level for each substance tested will be consistent with those specified by applicable law. The cost for all drug tests ordered will be borne by the County.
  - i. Any employee subject to testing under this policy will be permitted to provide urine specimens in a manner that the employee is not observed while providing the specimen. If there is reason to believe that the employee has altered or substituted the urine specimen provided, then a second sample will be obtained under the direct observation of a same-gender collection site person.
  - ii. Human Resources will conduct the random selection process and notify the employee’s supervisor of each selected employee. The supervisor will review the work schedule and inform the employee at an appropriate time during the workday that they have been selected for testing. The employee must report to the designated testing facility within **two hours** of being notified, unless operational needs require a shorter timeframe established by HR.
2. **Alcohol Tests-** The County’s alcohol testing program will be administered by its approved collection site in accordance with applicable law and will be conducted in a confidential manner. All employees tested will be required to sign an authorization and consent form, releasing the information to the employer. The cost for all alcohol tests ordered will be borne by the County.
3. **Refusals-** Refusal to submit to any testing, including failure to appear for testing without prior notice acceptable to the County or failure to complete and sign an authorization and consent form, will be considered a positive test result and subject the employee to the full range of disciplinary action, up to and including termination, or in the case of an applicant, the withdrawal of a conditional offer of employment.

### **Positive Test Results**

1. At its discretion, Human Resources may offer the tested employee an opportunity to provide a Medical Review Officer information to demonstrate that the confirmed positive test result is from a legally prescribed medication.
2. Once the Medical Review Officer determines the legitimacy of a positive result, not related to prescribed medications, the result will then be considered a verified positive test result. The Medical Review Officer will promptly and confidentially notify Human Resources in writing of the verified positive test result.
3. The employee may submit a written request for a retest of the original specimen within 72 hours of being notified by the Medical Review Officer. The retest will be at the employee's expense.
4. If the result of an employee's alcohol test indicates a presence of alcohol, the employee will be immediately suspended from duty and promptly transported home, pending disciplinary action.
5. A confirmed positive test result for marijuana (THC) will be treated in same way as a confirmed positive test result for an illegal drug/controlled substance.

### **Guidelines for Reasonable Suspicion Testing for Drugs and Alcohol**

All employees are subject to drug and/or alcohol testing under reasonable suspicion. Positive test results under reasonable suspicion testing will be handled in the same manner as random drug or alcohol tests. An employee will be required to submit to drug and/or alcohol tests when there is a reasonable suspicion to believe the employee has used or is under the influence of drugs and/or alcohol. A supervisor will make this decision based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, and/or body odors of the employee. When a supervisor, in his judgment, has reason to believe that an employee has used or is under the influence of drugs or alcohol, the supervisor should ask another supervisor to corroborate the observations. The following examples, alone or in combination, may comprise reasonable suspicion. This list is intended to be illustrative and is not all-inclusive:

1. Unexplained inability to perform normal job functions.
2. Slurred speech.
3. Smell of alcohol or drugs on breath/person.
4. Any unusual lack of physical coordination or loss of equilibrium.
5. Unexplained hyperactivity or depression and withdrawal.
6. Unexplained inability to think or reason at the employee's normal level.
7. Unusual or bizarre behavior.
8. Possession of alcohol or illegal drugs or the presence of alcohol, alcohol containers, illegal drugs, or drug paraphernalia in an area subject to an employee's control.
9. Information obtained from a reliable person with personal knowledge.

If reasonable suspicion is determined, the supervisor must contact the Director of Human Resources or her designee to discuss the observations and to determine the appropriate course of action. If the employee is to be tested, arrangements will be made with the County's designated collection center for the necessary drug and/or alcohol tests. The employee will be transported to the testing site.

A written report of the observations leading to the reasonable suspicion test should be done within 24 hours of the observed behavior. All records should immediately be sent to the Director of Human Resources.

The Director of Human Resources or the designee may determine that the supervisor's observation of an employee consuming alcohol is sufficient to support a finding that an employee has used alcohol in violation of this policy and a test for alcohol will not be required.

If the employee refuses to be tested, the test will be considered a positive result. The employee must be immediately suspended from duty and promptly transported home, pending disciplinary action, up to and including termination.

### **Discipline**

1. Positive drug/alcohol test results for County positions determined to be critical to the safety and security of employees and/or the public, for purposes of this policy will be grounds for immediate termination.
2. Positive drug/alcohol test results for all supervisory personnel will be grounds for immediate termination.
3. Positive drug/alcohol test results for probationary employees will be grounds for immediate termination.
4. Positive drug/alcohol test results for applicants will result in withdrawal of conditional offer of employment.
5. Positive drug/alcohol test results for all employees not covered above will result in disciplinary action, up to and including termination, and any other measures deemed necessary, including but not limited to EAP.

### **Substance Abuse Referral / Return to Work**

Before being allowed to return to work, an eligible employee must follow all instructions provided by the Department of Human Resources, including but not limited to the following:

1. Received an evaluation from a substance abuse professional:
  - i. Stopped using illegal drugs
  - ii. Successfully participated in an approved rehabilitation program required by a substance abuse professional
  - iii. Take a return-to-duty drug test with a negative result and
  - iv. Take a return-to-duty alcohol test with a negative result.
2. Upon returning to work, the employee will be subject to a minimum of six (6) unannounced retests in the first 12 months and continued testing for 60 months.
3. Failure to comply with all the above will be the basis for discipline, up to and including termination.

### **Searches**

- Powhatan County may search County property, vehicles, lockers, and equipment.
- Personal vehicles or belongings brought to the workplace may be searched only with prior consent or under reasonable suspicion, following HR-approved procedures.

## **Confidentiality**

All testing results, disclosures, evaluations, and related records are confidential and maintained by HR under strict access control. Disclosure is limited to authorized individuals on a need-to-know basis and in accordance with applicable federal and state law, including ADA protections.

## **3.3 Smoking, Vaping, & Tobacco**

The County of Powhatan is committed to providing a safe and healthy business environment for employees, citizens, customers, and other visitors to County facilities. Accordingly, County-owned and County-leased buildings shall be tobacco-free, including private offices. For purposes of this policy, this also shall include County-owned vehicles. The tobacco-free designation also pertains to vaping, e-cigarettes, chewing tobacco, and other similar products.

Smoking, vaping, or use of any tobacco product is prohibited inside designated buildings and on the surrounding grounds. Designated buildings will have a “Tobacco-Free Environment” sign posted at each entrance. For all other County facilities, tobacco use is permitted only outdoors and must not occur within 25 feet of public entrances to County-owned and County-leased buildings.

## **3.4 Vehicle Use Policy**

This policy applies to all County employees (“Drivers”) who operate a vehicle as part of their duties. The term vehicle includes County-owned cars, trucks, SUVs, heavy machinery (e.g., backhoes, graders), and motorized watercraft. Human Resources maintains a list of positions requiring vehicle operation.

### **Use of Personal Vehicles**

County vehicles should be used for County business whenever available. When personal vehicles are used for official business, written approval must be obtained from the Department Director in advance. Drivers must maintain valid insurance and registration. Approved use of personal vehicles will be reimbursed at the IRS mileage rate. Drivers are responsible for all parking and moving violations incurred, whether operating a County or personal vehicle.

### **Use of County Vehicles**

1. County vehicles may only be used for official County business.
2. Drivers must have a valid driver’s license (or CDL if required) appropriate for the vehicle operated.
3. Department Director approval is required before:
  - Transporting non-employees (except in the normal course of business).
  - Taking County vehicles outside County limits.
  - Overnight use of a County vehicle for meetings or training outside the County.
4. Smoking, vaping, or tobacco use is strictly prohibited in County vehicles.
5. All traffic laws must be always obeyed.
6. Department-specific “take-home” or “on-call” vehicle assignments must comply with IRS regulations and be approved by the Department Director and Director of Finance.

### **Driver Qualifications and Monitoring**

1. Before hiring, HR will verify the applicant's driving record. Applicants without a valid license, or with a suspended or revoked license, are ineligible for driving positions.
2. Applicants with serious violations (e.g., DUI, reckless driving, eluding police) within the past five years are ineligible.
3. The County will check all Drivers' DMV records annually and may review them at any time.
4. Drivers must report any change in license status or criminal driving-related charge or conviction (DUI, reckless driving, leaving the scene, drug offense, etc.) to both their supervisor and HR within forty-eight hours or by the start of their next scheduled shift, whichever occurs first.
5. Drivers may be temporarily or permanently removed from driving status based on violations, accident history, or other safety concerns.

### **Minimum Driving Standards**

To operate a County vehicle, a Driver must meet these standards:

- No more than two moving violations in the past 24 months or three in the past 36 months.
- No DUI, reckless driving, eluding police, hit-and-run, or vehicular manslaughter conviction in the past 60 months.
- No current or recent (within 60 months) license suspension or revocation related to moving violations.

Failure to meet these standards or to report required information may result in disciplinary action, up to and including termination.

### **Accidents and Reporting**

All vehicle accidents or damage (regardless of severity) must be reported immediately to the supervisor and HR, followed by a written incident report within 24 hours. Law enforcement reports must be provided to HR as soon as available.

### **Prohibited Conduct**

Drivers may not:

- Operate a vehicle under the influence of drugs, alcohol, or impairing medication.
- Use cell phones or electronic devices while driving unless using approved hands-free equipment.
- Transport unauthorized passengers or personal items unrelated to County business.
- Use County vehicles for personal errands or commuting unless specifically approved.

## **3.5 Inclement Weather and County Emergencies**

The County of Powhatan is committed to continuing operations during severe weather or emergencies, while prioritizing employee safety. Employees are expected to report to work unless travel is unsafe or the County Administrator has announced a delayed opening or office closure. County offices generally open at 8:30 a.m. (or other normal scheduled hours) unless otherwise notified. Notifications of delayed openings, early closures, or office closings will be sent via the County's notification platform, posted on the County website, social media, and

local news channels. Employees are responsible for keeping their contact information current to receive these notifications.

Employees who are unable to report to work or leave early due to unsafe travel conditions, when County offices remain open, must notify their supervisor as soon as possible, in the manner determined by the supervisor. Any time missed due to unsafe travel, when County offices remain open, must be made up within seven (7) days or charged to annual leave, with approval and tracking handled by the supervisor. Employees whose jobs allow telework may be granted permission to work remotely during severe weather, subject to supervisor approval.

When offices are officially closed or operating under a delayed schedule, employees not designated as essential are not required to make up the time, and such periods will be treated as administrative leave. Essential employees, including those in Public Safety (Sheriff's Office, Fire and Rescue, Public Safety Communications) and Public Works/Parks & Recreation, may be required to work regardless of weather conditions. Employees called in during a full-day closure will receive time-and-a-half pay for a minimum of three hours. Time-and-a-half does not automatically apply to early departures or delayed openings unless employees are specifically called in.

Supervisors are responsible for communicating work assignments, ensuring appropriate coverage, and enforcing this policy consistently. Department Directors must ensure that all employees, including those without regular email access, are aware of procedures. Safety is the top priority, and employees are encouraged to use good judgment when assessing road conditions. This policy does not limit the County's obligation to pay overtime to non-exempt employees under the Fair Labor Standards Act (FLSA).

### **3.6 Job Practices**

**Secondary Employment:** Without prior written approval, no employee shall engage in any other employment or work either within or outside of the County or to an extent that affects, or is likely to affect, his performance as a County employee. This includes, but is not limited to, employment (including work that could be considered self-employment) or work with any private or public entity, including another Powhatan County agency. Secondary employment also includes selling and/or delivering services or products during work hours. Some County agencies may limit total secondary employment to a lesser maximum. The County Administrator has the authority to make exceptions. A current employee wishing to engage in secondary employment shall submit a request to his agency head in advance of such employment using the County's Secondary Employment Request Form. A new employee must submit a similar request immediately upon hire. In addition, an employee who transfers to another agency and is already working for an approved secondary employment must submit a new Secondary Employment Request Form to his new agency head immediately upon transfer to the new assignment. Once approved, secondary employment approvals may be rescinded by the agency head or Director of Human Resources for good cause. Previously approved Secondary Employment Requests may be subject to review and reevaluation by the agency head and/or the Director of Human Resources or her designee following an employee's promotion, reassignment, or other change in job circumstances. In addition, when the employee is not meeting performance expectations,

approval of secondary employment may be rescinded. Failure to comply with this policy may be cause for disciplinary action, up to and including termination.

**Conflicts of Interest:** Employees are in a position of public trust; therefore, they may not engage in any activity, either privately or officially, where a conflict of interests may exist. Employees should never accept gifts, gratuities, or rewards for any services which they perform in their jobs. Additionally, employees are prohibited from using information gained while performing their job to influence or further their own personal interests. All employees are subject to the Virginia Conflict of Interests Act, Virginia Code § 2.2-3100 et. seq. (COIA), which prohibits an employee from engaging in a transaction or entering a contract in which the employee has a personal financial interest or from which it is reasonably foreseeable that he/she could benefit. An employee may have a conflict of interest from his/her own interests or those of his/her immediate family members. It is a crime to violate COIA. Every employee should read the Act and seek advice prior to engaging in an activity for which a conflict of interest may exist.

### **3.7 Workers' Compensation**

All work-related injuries or illnesses, no matter how minor, must be reported to your supervisor immediately. Employees are responsible for contacting the Company Nurse Injury Hotline to report the incident by the end of the workday, or no later than 24 hours after the incident; Supervisors may make this call on the employee's behalf. Company Nurse will generate a report that is sent to the County and the County's insurance carrier. The following information is required:

- Employee name and job title
- Nature of injury
- Date, time, and location of injury
- Cause of injury
- Medical services required (if any)
- Any known or projected work time lost

#### **Medical Treatment**

Company Nurse will advise employees on physicians approved to treat work-related injuries. If immediate medical attention is required, employees may go directly to the nearest hospital emergency room. All follow-up care and examinations must be provided by a physician from the County's designated panel. Time away from work must be authorized by the panel physician.

#### **FMLA Coordination**

Workers' compensation leave for eligible employees qualifies as FMLA leave. Refer to the County's FMLA policy for details.

#### **Leave and Payroll Options**

- **First seven (7) days:** Employees must use accrued sick leave for time missed due to a work-related injury. Employees may return to work upon physician release. Light duty accommodation may be discussed with the Department Head.
- **After seven (7) days:** When officially placed on workers' compensation:
  1. **Direct carrier payment:** Employees may receive 2/3 untaxed salary from the carrier and be removed from payroll. Employees remain responsible for benefits

- and leave accrual or paid holidays are paused.
2. **Payroll continuation:** Employees may assign disability payments to the County, use 1/3 day of paid leave (sick, annual, or compensatory), and remain on payroll with continued leave accrual, holiday pay, and benefits.

### **Responsibilities**

Employees must promptly provide documentation as required by HR or the insurance carrier and follow all medical instructions. Questions regarding workers' compensation should be directed to Human Resources.

This policy is enforced in accordance with applicable Virginia law.

## **4. WORK HOURS & PAY**

### **4.1 Work Schedule**

Powhatan County offices are open for business from 8:30 AM to 5:00 PM; therefore, normal working hours are 8:30 AM to 5:00 PM, with a 30-minute unpaid lunch.

Other County facilities (e.g., Public Works, Library) are open at alternate times; therefore, these employees may have alternate work schedules.

Public Safety facilities are open 24 hours a day, 7 days a week, 365 days a year; therefore, Public Safety employees shall comply with the policies and procedures of their department/office. All non-public safety, full-time employees are scheduled to work 40 hours per week. Two fifteen-minute paid breaks per day are included as part of the 40 hours. Employees are eligible for these breaks only when working their full scheduled shift. Breaks may be taken in conjunction with the 30-minute unpaid meal period. Employees are required to take a 30-minute meal break unless authorized otherwise by their supervisor. Supervisors will not allow employees to regularly skip their meal break. The meal break does not count as hours worked unless the employee is scheduled to work through the meal break.

Breaks must be used each day and may not be carried over to another day or shift. Breaks may be taken at any time during the shift except to shorten the workday, such as at the beginning or end of the shift.

Part-time employees are not awarded the same break benefits as full-time employees because of the variability of their work hours. Breaks for part-time employees are approved by their Supervisor and dependent upon their hours worked.

Exceptions to the normal working hours may be granted by the Agency Head so long as the number of hours worked per week complies with this policy.

### **4.2 On-Call and Overtime**

There are certain operations/functions of the County which require an employee to be available to be called back to work to handle an emergency outside of normal working hours. In this case,

the employee is on-call. Non-exempt employees who are on-call will receive on-call pay at a rate of \$1.25 per hour for every hour they are on-call outside the normal working hours. On-call hours are not applied toward the 40-hour work week for the calculation of overtime.

An employee who is on-call must be available to work when called back into work and shall report to work within a reasonable timeframe. When an employee is called back to work after regular hours, they will be paid for a minimum of two hours at their hourly rate, or for the actual time worked if greater. This time is applied to the 40-hour work week for calculation of overtime and begins from the time the employee on call begins to travel to work. On-call pay is not paid for the hours when the employee is called back to work.

If an on-call employee cannot be contacted by their Supervisor via the agreed-upon method or is not available to work, he or she is not entitled to on-call pay and shall be subject to disciplinary action if they have not made alternate arrangements for a co-worker to be on call in their place.

Public Safety is exempt from the on-call policy. Each public safety organization (PSO, PFR, PSC) has implemented its policies for on-call. Please see your organization's policy for more information.

### **4.3 Wage & Hour Compliance (FLSA)**

All employees are covered under the Fair Labor Standards Act Amendments of 1985. The FLSA requires that those employees whose positions are covered by the Act, or "non-exempt", be paid one and one-half times their regular hourly rate for work over forty hours during their normal workweek (Sheriff and Fire and Rescue personnel shall follow their operational pay periods and their FLSA thresholds). Non-exempt employees under the Fair Labor Standards Act may work overtime hours only as authorized in advance by their supervisor. Employees are expected to work overtime hours as required by their supervisor.

Employees in certain administrative, executive, and professional positions have been determined as "exempt" from the overtime requirements under the FLSA and are not entitled to overtime compensation. Each position in the County requires determination of its exempt or non-exempt status according to FLSA guidelines.

Under Fair Labor Standards Act regulations, exempt employees who are required to be paid on a salary basis may not have their pay reduced for variations in the quantity or quality of work performed. Any employee who feels their pay has been improperly reduced should contact Human Resources immediately to request an investigation. If the deduction was improper the County will reimburse the employee as promptly as possible (but in no case longer than two pay periods from the identification of the problem).

### **4.4 Pay Procedures**

Powhatan County values timely and accurate compensation for all employees. Employees are paid monthly on the last banking day of the month. Pay includes all hours worked, regular and overtime, during the applicable pay period. Specific pay periods and dates are outlined in the Payroll Processing Schedule, which employees should reference for details.

Non-exempt employees shall submit a timesheet detailing their hours worked and leave taken for the pay period. Exempt employees shall submit a leave request for time taken during the pay period. All timesheets must be signed by the employee and their supervisor.

Employees on each payday will have access to a statement showing gross pay, deductions, and net pay. Local, State, Federal, and Social Security taxes will be deducted automatically. No other deductions will be made unless required or allowed by law, contract, or employee obligation. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing.

## **4.5 Telework**

Telework is defined as the practice of working at home or in an appropriate remote work environment instead of working at the employee's primary County workplace. Powhatan County considers teleworking to be a viable, flexible work option when both the employee and the position are suited to such an arrangement.

Teleworking must be approved by the respective department head and the Director of Human Resources (or his/her designee) and the terms of the telework assignment formalized in a Telework Agreement. In approving a telework arrangement, the department Director and HR Director will consider, among other things, the reason for the telework request, whether the job may be accomplished remotely, and whether the employee's supervisor may successfully manage the remote work. Not all jobs lend themselves to teleworking. Telework arrangements may be reviewed, revised, or ended at any time. Telework agreements are required to be renewed on an annual basis. No agreement will be for a period of longer than 12 months. Employees on an approved telework assignment must comply with all County policies, regulations, and procedures. Teleworking is not an entitlement, nor is it a County-wide benefit for all County employees, and the availability of teleworking does not change the terms and conditions of employment with the County.

Telework hours may differ from regular office hours, and any deviation from the employee's regular in-office work schedule must be specified in writing on the Telework Agreement. It is anticipated that a teleworker will work remotely no more than 2 days per week, with the employee working the remainder of the scheduled hours at their normal work location. The amount of time the teleworker is expected to work per day or per pay period will not change due to the employee teleworking during that time. Employees approved to telework will be expected to work during County closings due to inclement weather or other emergencies, unless otherwise instructed by their Department Head.

Teleworkers are required to account for all time worked in accordance with the County's timekeeping procedures. Teleworking employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the County's time-keeping system. Hours worked more than those scheduled per

day and per workweek require the advance approval of the teleworker's supervisor, as is consistent with the County's overtime policy.

Teleworking shall not be used to serve as a substitute for child or adult care. If children or adults in need of primary care are in an alternate work location during the employee's work hours, some other adult-aged individual must be present to provide the care. Exceptions to this rule may be made on a case-by-case basis with approval by the Department Head.

## **4.6 Classification and Compensation Plan**

The Classification and Compensation Plan is approved annually by the Board of Supervisors as a part of the operating budget. The following Policies and Procedures for the administration of the plan are ongoing and are subject to revision as needed.

### **4.6.1 Definitions**

**Classification** – A group of positions that perform similar duties, require similar qualifications, and are compensated in the same salary grade and FLSA status.

**Cost of Living Adjustment (COLA)** – A change in income that corresponds with the current cost of living increases due to inflation.

**Effective Date** - All personnel transactions that impact an employee's pay are effective on the first day of the pay period in which the transaction occurs or a date approved by HR or the Agency Head. Exceptions require a memorandum to HR. In the event of a request for an exception or a special salary adjustment, to avoid a potential employee morale issue, the transaction should not be shared with the employee in advance of the approval in case the request is denied.

**Merit Date** - The date on which an employee is eligible for a performance evaluation and a merit increase. Powhatan County has a common merit date of July 1 for all employees. Merit increases are effective on the first day of the pay period in which July 1 falls.

**Position** - A group of currently assigned duties and responsibilities that require the full-time or part-time employment of one person.

**Transfer** - The voluntary or involuntary assignment of an employee to a different position with the same salary grade, resulting from recruitment or managerial action. Also, the reassignment of an employee to a different supervisor.

**Underfill** - The filling of a vacant position at a lower classification than that which is authorized. Underfilling a position should be used only if there is a valid business need and requires written justification and HR approval. The employee's salary will be reviewed on a case-by-case basis but will be increased to at least the minimum of the new range when removed from underfill status.

#### **4.6.2 Pay Philosophy**

To attract, motivate, and retain quality employees committed to providing a high level of public service, the County will strive to be competitive with the market while maintaining internal equity. At no time shall race, religion, creed, color, gender, national origin, age, or disability be considered in making any classification or compensation decisions.

In addition to other factors, the County follows a performance-based approach when evaluating employee pay increases. Employees experiencing performance or behavior issues as evidenced by a low-performance evaluation, disciplinary probation, or major disciplinary actions or employees working under performance improvement plans may not be eligible for any type of salary increase or bonus. Any decision to withhold such increases must be approved by the Human Resources Department.

#### **4.6.3 Job Evaluation System**

Internally consistent pay relationships are based on the content of the work performed, the skills required, and the relative contribution of the work to the County's overall objectives. Positions are evaluated at the time of creation and when duties and responsibilities have significantly changed. Several methods are used to evaluate jobs to determine their relative worth and may include point factor analysis, a review of market data related to that job, and internal equity within the department and county-wide. Based on the results of the job evaluation, a pay grade is assigned.

#### **4.6.4 Maintenance of the Plan**

The Human Resources Department (HR), under the direction of the County Administrator, is responsible for the administration and maintenance of the Classification and Compensation Plan. HR monitors the market and local compensation trends. HR periodically conducts benchmarking surveys of County positions to evaluate pay rates to the market. Regrades based on market rates may be recommended if data supports it and funding is available.

The Human Resources Department also conducts continuing studies of the internal relationships between classifications to strive for internal equity. Based upon an analysis of salary data, turnover, recruitment effectiveness, incumbents' salaries, economic conditions, and the County's ability to pay, the County Administrator will review and approve increases, reductions, or amendments to the Classification and Compensation Plan as deemed necessary. The County Administrator may revise the Classification and Compensation Plan throughout the fiscal year at his/her discretion.

#### **4.6.5 Cost of Living Adjustments**

Cost-of-Living Adjustments (COLA) provide equitable salary adjustments in response to changes in the cost of living. COLAs are approved by the Board of Supervisors and are typically implemented at the beginning of the fiscal year. Eligibility for COLA is limited to employees who are employed on or before April 1 of the year in which the COLA is awarded. Employees hired after April 1 will not receive that year's COLA.

If the approved COLA results in an increase to the range of an employee's pay grade, any employee whose salary falls below the new minimum will be adjusted regardless of hire date. Employees whose salaries already fall within the updated range but who do not meet the hire-date requirement will not receive the COLA.

COLA adjustments are not guaranteed annually and may be delayed, modified, or withheld as necessary based on economic conditions and Board action.

#### **4.6.6 Merit Increases**

Merit increases are awarded based on employee performance. Full-time and part-time employees who successfully meet the performance expectations of their positions will receive the approved merit increase. Employees failing to meet expectations will not receive a merit increase.

Powhatan County has a common merit date of July 1 for all eligible employees. To be eligible, an employee must have been hired on or before April 1 of the current year. Employees hired after April 1 are not eligible for a July 1 merit increase in that same year but will be considered for the following year, provided they meet performance expectations.

When granted, merit increases are effective on the first day of the pay period in which July 1 falls. Under limited circumstances, an employee may receive a performance evaluation and/or merit increase on a date other than July 1. Such exceptions to the July 1 merit date require approval by the County Administrator.

Merit increases are not automatic; they are contingent upon continued successful performance and approval by the Board of Supervisors.

Constitutional Officers shall automatically receive a merit increase unless the Board of Supervisors directs that a merit increase will not be awarded.

#### **4.6.7 Promotions, Demotions & Reclassifications**

Employees moving to a different role in a higher pay grade may be eligible for an increase negotiable from the minimum of the new pay grade to 10% above their current salary. Increases above 10% require appropriate justification and approval from the County Administrator. Promotions in Public Safety may be handled according to specific departmental policies.

Demotion may be voluntary or involuntary. The salary of the demoted employee can be reduced by any amount if the salary is within the employee's new range but must be reduced by at least 5% or to the maximum of the new range, whichever is lower. For voluntary demotions only, the Department Director may approve continuing the employee's salary at the rate of pay before demotion provided such salary falls within the range of pay for the new position. A memorandum containing the circumstances surrounding the demotion should be filed in the employee's personnel record with Human Resources.

Reclassifications are effective on the first day of the pay period in which they are approved unless otherwise noted. When a position is reclassified to a higher salary grade, the incumbent may be eligible for a 5% increase to base salary or increase to the minimum of the new salary range, whichever is higher. Such increases are not available to employees during their initial

probationary period unless the employee's current salary is below the minimum of the new range.

When a position is reclassified to a lower grade, the department may reduce the incumbent's base salary by 5% or to the maximum of the new range, whichever is lower.

#### **4.6.8 Acting Appointments**

Acting appointments may be made for vacant positions, positions in which the incumbent is on leave for an extended period, or when the incumbent has been demoted or moved to another position or status. They are temporary assignments, pending recruitment and selection or return of the incumbent, and should not be used for promotional purposes. The anticipated duration of the acting status should be at least 60 calendar days. Before the beginning of acting status, the department shall consult with HR and request authorization for such action, specifying the estimated duration of the acting assignment.

Employees placed in an acting appointment are limited to 12 months in such status, at which time the department must advertise for the position and go through a competitive recruitment process to fill the position. HR must approve extensions to the 12 months.

The salary of the acting appointee is adjusted to the minimum salary of the grade in which appointed, or to a rate 5% above the employee's current salary, whichever is greater. If the duties of the acting position greatly exceed the employee's current job duties, the County Administrator may approve a rate higher than 5%. At the end of acting status, unless the employee is promoted permanently to the position, the employee's rate of pay is adjusted to that received before appointment to acting status.

#### **4.6.9 Temporary Overlap of Employees in a Single Position**

A position may be occupied by two employees simultaneously under the following circumstances:

1. Training Overlap: A new employee may be appointed to the same classification before the incumbent's termination to allow for proper training. The Department Head, in consultation with the Director of Human Resources, should determine a reasonable overlap period.
2. Coverage During Extended Leave: When an employee is on approved extended leave, their position may be temporarily filled. The hiring department must:
  - Justify the overlap with the Personnel Change Request
  - Ensure funds are available to pay both employees if the incumbent remains in pay status
  - Inform the temporary employee that the position is limited, temporary, and not eligible for fringe benefits
  - Limit temporary employment to 1,500 hours within a 365-day period

#### **4.6.10 New Hires**

Every effort should be made to recruit and select a qualified employee within the first 15% of the salary range. If an applicant substantially exceeds the minimum qualifications of the position, a

salary higher than 15% may be necessary. If a higher salary is necessary, justification should be directed to Human Resources for approval by the County Administrator.

To maintain internal equity, Department Directors/Supervisors are encouraged to research the salaries of current employees within their department and consider this when recommending salary offers.

**Trainee:** If it becomes necessary to appoint a new employee with less than the minimum qualifications, the employee should receive a trainee rate of 5% below the minimum salary for the classification. Trainees are limited to 12 months in such status, at which time they must be moved to the minimum of the range or terminated. Extensions to the 12 months or transfer options within the department must be approved by HR.

#### **4.6.11 Part-Time Employment**

Unless stated otherwise, part-time employees are governed by the same compensation policies as full-time employees:

- When a current part-time employee is hired for a full-time position, the Department Director can offer starting pay within the first quartile of the salary range.
- When a full-time employee changes to part-time status, it is considered a change of employment status with loss of full-time benefits. Once the employee and department have negotiated an acceptable rate within the range assigned to that classification, a memorandum should be sent to HR for approval.

#### **4.6.12 Other Administrative Increases**

**Pay Structure Adjustment** - A percentage increase to the pay scale structure effective on the first day of the fiscal year.

**Regrade** – An increase in salary grade assigned to a classification, as a result of market movement, typically effective the first day of the fiscal year. Employees whose salaries are less than the new range minimum due to a regrade shall be raised to the new minimum.

**Salary Reduction** - In certain circumstances, an employee's salary or hourly rate of pay may be temporarily reduced due to, for example, the loss of a license or certification because the loss prevents the employee from performing the full duties of the job (i.e. loss of a driver's license for a position that requires driving). If the employee later obtains the required license or certification within the timeframe required by the department, the employee's salary may be increased by the dollar amount of the pay reduction, not by a percentage of pay.

**Special Salary Adjustment** – An in-grade adjustment utilized to retain key employees, resolve internal equity issues, or provide compensation for additional duties. Special Salary Adjustments for full-time and part-time employees are initiated by the Department Director or Agency Head, reviewed by HR, and require approval by the County Administrator.

**Stipend** – Temporary extra compensation that may be given to employees for performing additional duties and responsibilities without adjusting the employee's base pay. All stipends must be approved by the County Administrator.

## **5. LEAVE & TIME OFF**

### **5.1 Holidays**

Powhatan County follows the Commonwealth of Virginia Holiday Calendar. All half days on the State calendar will be treated as full days for the County. Holidays falling on Saturday are observed on the preceding Friday; holidays falling on Sunday are observed on the following Monday.

The following conditions apply to the County's holiday pay policy:

1. Holiday pay is computed at individual employees' base rate of pay and paid only to full-time employees.
2. If an employee is required to work on a holiday, the employee may choose to take the Holiday on another day approved by their supervisor.
3. Holidays will not be paid to employees on any type of unpaid leave.
4. Holidays falling within an approved scheduled vacation will be recorded as holiday pay.
5. Employees must be in a paid status the day before and the day after a holiday to be paid for that holiday.

### **5.2 Annual Leave**

All full-time employees accrue annual leave at a graduated rate based on the employee's years of full-time service with the County.

<b>Years of Service</b>	<b>Amount accrued each month</b>	<b>Maximum Accrued Leave Balance on December 31<sup>st</sup></b>
Less than 5	8 hours	192 hours
Over 5 and less than 10	10 hours	240 hours
Over 10 and less than 20	12 hours	288 hours
20 or more	14 hours	336 hours

Supervisor approval must be obtained in advance to use accrued annual leave. Approval of an annual leave request is at the sole discretion of the Supervisor. To maintain adequate staffing levels, the Supervisor will approve or deny the request based on the needs of the department.

Employees will be paid for the balance of their accrued annual leave hours when they separate from the County.

### **5.3 Sick Leave**

The County provides all full-time employees with sick leave benefits. Sick leave may be used for illnesses for yourself, your spouse, children, stepchildren, parents, or IRS-claimed dependents.

If the employee's absence can be anticipated, the employee must report and follow their supervisor's requirements for leave requests. Supervisors are expected to notify their employees of their preference for notification of leave.

If the employee's absence is not anticipated, the employee shall report the absence to their Supervisor no later than the scheduled start time on the first day of absence. Each Supervisor will determine the method of notification. The Supervisor may request notification every day of the employee's absence.

The County requires a doctor's certificate of illness, as well as a doctor's verification of ability to return to work, following a sick leave absence of more than three days, and may request one for a lesser period of absence. In the case of an extended illness or hospitalization, the employee must comply with the provisions of FMLA.

The County allows eligible employees up to 60 business days of unpaid organ donation leave in any 12-month period to service as an organ donor and up to 30 business days of unpaid organ donation leave in any 12-month period to serve as a bone marrow donor. To receive organ donation leave, the eligible employee shall provide written physician verification to the employer that (i) the eligible employee is an organ donor or a bone marrow donor and (ii) there is a medical necessity for the donation of the organ or bone marrow. No employee shall take organ donation leave concurrently with leave taken under the federal Family and Medical Leave Act

Employees will accrue Sick Leave at the rate of 10 hours for each full month of employment. Employees with five years of consecutive service, when they separate from the County, will be paid \$2.00 per hour for their accrued sick leave hours up to a maximum payout of \$5,000.

## **5.4 Absence and Lateness**

Employees are expected to be present and on time for all scheduled work hours. Reliable attendance is an essential function of every position and directly affects departmental operations and public service. An employee who is unable to report for duty must request leave from their supervisor in advance whenever possible. If prior approval is not feasible, the employee must notify their supervisor by their scheduled start time on the first day of absence. Supervisors will determine the preferred method of notification (phone, email, or other).

All absences not approved in advance or not properly reported will be considered unauthorized leave and recorded as leave without pay. Repeated or excessive absences, tardiness, early departures, or discernible patterns of using leave around weekends, holidays, or paydays may be treated as attendance abuse and subject to disciplinary action, up to and including termination.

Chronic lateness disrupts operations and places an unfair burden on coworkers. Employees who repeatedly arrive late, regardless of the duration, demonstrate a failure to meet performance expectations. Supervisors are expected to address attendance concerns early through coaching, counseling, and if necessary, progressive discipline.

Failure to report for work or notify a supervisor for three consecutive scheduled workdays will be considered job abandonment and treated as a voluntary resignation.

Supervisors are responsible for monitoring attendance, documenting absences, and enforcing this policy consistently. Employees are encouraged to communicate promptly with their supervisors regarding any circumstances that may affect attendance or punctuality.

## **5.5 Family and Medical Leave (FMLA)**

Powhatan County provides eligible employees with up to 12 weeks of unpaid, job-protected leave in a rolling 12-month period for qualifying family and medical reasons. Certain military caregiver leaves allow up to 26 weeks. FMLA leave runs concurrently with all applicable paid leave (sick, annual, compensatory, and workers' compensation).

### **Eligibility**

To qualify, employees must have worked for the County for at least 12 months and 1,250 hours in the prior 12 months. Part-time and temporary employees who meet these requirements are eligible. Key employees may be eligible for FMLA but may not have guaranteed job restoration rights if their absence would cause substantial economic harm to the County.

### **Qualifying Reasons**

FMLA leave may be used to:

- Care for a newborn, newly adopted, or foster-placed child (must be taken within 12 months of placement). Both parents working for the County share a combined 12 weeks.
- Care for a spouse, child, or parent with a serious health condition.
- Address the employee's own serious health condition that prevents them from performing essential job functions.
- Handle qualifying exigencies arising from a family member's active-duty military service.
- Care for a seriously injured or ill service member or veteran (up to 26 weeks).

### **Intermittent or Reduced Leave**

Leave for an employee's or family member's serious health condition may be taken intermittently or on a reduced schedule if medically necessary. Leave for birth, adoption, or foster placement cannot be intermittent. Intermittent leave must align with the medical certification on file; absences not supported by certification or inconsistent with its frequency and duration may be denied or reclassified as unauthorized leave.

The County may temporarily assign an employee to an alternative position with equivalent pay and benefits to accommodate recurring medical appointments or reduced schedules. Employees are expected to schedule treatment to minimize disruption to County operations.

### **Requesting Leave**

Employees must provide at least 30 days' notice for foreseeable leave or as soon as practicable if not foreseeable. All requests must include the County-approved certification form. Medical certifications must be returned within 15 calendar days of the County's request, unless impracticable. Incomplete forms must be corrected within seven calendar days. Failure to submit timely or complete certification may delay or deny FMLA protection.

### **Designation and Recordkeeping**

Once sufficient documentation is received, Human Resources will designate the leave as FMLA or non-FMLA and provide written notice of rights and responsibilities. Employees must notify HR within two business days of returning from unreported FMLA-qualifying leave for protections to apply. All paid and unpaid leave runs concurrently with FMLA entitlement.

## **Benefits**

During FMLA leave:

- Health insurance coverage continues if payroll deductions or direct payments are maintained.
- VRS retirement contributions continue while the employee receives a paycheck.
- Other benefits may pause during unpaid leave but will be reinstated when the employee returns.
- Leave accrual stops during unpaid leave lasting one or more pay periods.

## **Returning from Leave**

Employees must provide a fitness-for-duty certification before returning if leave was due to their own serious health condition. Employees will be reinstated to their position or an equivalent one with the same pay and benefits, except in certain cases involving highly compensated (“key”) employees. Failure to return at the end of FMLA leave may result in termination unless a written extension is approved.

## **Fraud or Misuse**

Employees who misuse or falsify FMLA requests or certifications may lose FMLA protections and face disciplinary action, up to and including termination.

## **Additional Information**

This summary is intended to provide an overview of employee rights and responsibilities under the Family and Medical Leave Act. For complete details, definitions, and examples, employees should refer to the U.S. Department of Labor’s official FMLA regulations at [www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla).

## **5.6 Accrual of Annual and Sick Leave**

Employees with a hire date on or before the 15<sup>th</sup> of the month will accrue annual and sick leave for the month. Employees must work or be on authorized paid leave for the entire month to accrue annual and sick leave for the month. Leave will not be prorated.

## **5.7 Compensatory Leave**

The County of Powhatan provides compensatory leave (paid time off) instead of paying overtime to non-exempt employees upon request of the employee. In the same manner as overtime pay, an employee earns one and one-half hours of compensatory leave for every hour worked over forty hours during the normal workweek (Sheriff and Fire and Rescue personnel shall follow their operational pay periods, which define their normal workweek and overtime thresholds). Approval of the use of compensatory leave is at the sole discretion of the Supervisor. To maintain adequate staffing levels, the Supervisor will approve or disapprove the request based on the needs of the department. Compensatory leave shall be used in increments of no less than quarter-hour blocks of time.

Should the employee separate from the County, the employee will be paid for any accumulated and unused compensatory leave. On June 30 of each year, the employee may carry over into the next fiscal year (July 1 – June 30) eighty hours of accumulated compensatory leave. If an employee has accumulated compensatory leave above eighty hours as of June 30, the employee will be paid for compensatory leave above 80 hours. An employee may request to be paid for all or part of accumulated compensatory leave during any pay period. All compensatory leave earned and used must be recorded on the employee’s timesheet and will maintain the official record of compensatory leave balances.

## **5.8 Bereavement Leave**

In the event of a death in the family, the County will grant up to three working days off with pay to full-time employees. For purposes of bereavement leave, family is defined to include the spouse and mother, father, sister, brother, children, or grandparent of the employee or spouse. It may also include other relationships established by blood, marriage, intimate cohabitation, or other legal actions. It is in the sole discretion of the Department Director or Agency Head as to whether any such other relationship qualifies for bereavement leave. An employee may request to use bereavement leave for a period not to exceed 24 hours for employees working an 8-hour day, 30 hours for employees working a 10-hour day, and 36 hours for Public Safety personnel. Such leave must be used within the thirty days immediately following the death of the family member. With the approval of the Department Head, sick leave may be utilized for additional time as needed or for the death of someone other than a member of the immediate family. Bereavement leave must be approved by the Supervisor. In the event of multiple deaths in the employee's immediate family, each death shall be treated separately, and bereavement leave may be granted accordingly.

## **5.9 Jury Duty**

The County recognizes that serving as a juror is part of one's civic responsibility. Therefore, whenever a county employee is summoned to jury duty in any Federal, State, or Municipal Court, a leave of absence with pay will be granted for the period served. Because the employee is receiving his/her regular pay from the County while serving on a jury, any payment received from the court system must be passed on to the County. An employee may keep reimbursements received such as parking fees, travel, meals, etc.

## **5.10 Volunteer Leave**

It is the policy of Powhatan County to grant full-time employees up to 16 hours of paid leave in any calendar year to provide volunteer services to eligible non-profit organizations. The leave must be approved before the date of the event by the employee's Supervisor.

## **5.11 Parental and Elder Care Leave**

Powhatan County provides up to four (4) weeks (160 hours) of paid leave for eligible employees to care for a newborn, newly adopted or foster-placed child, or an elderly family member in need of care. This leave runs concurrently with any applicable Family and Medical Leave Act (FMLA) leave.

### **Eligibility**

To qualify, employees must be:

- Regular, full-time County employees who have completed probation.
- A parent of a child born, adopted, or placed through foster care (child must be 17 years or younger); or
- Caring for an approved elderly family member.

Each eligible employee may receive up to 160 hours of paid leave in a rolling 12-month period. When both parents are eligible employees and seek leave simultaneously, each may receive up to 160 hours. Paid leave must be used in one continuous period within the 12-week FMLA

timeframe following the qualifying event. Any unused paid leave is forfeited. Employees separating from County employment are not paid for unused leave.

### **Use of Leave**

Paid leave runs concurrently with FMLA or as approved by Human Resources for non-FMLA eligible employees. Total leave, whether paid or unpaid, may not exceed 12 weeks in a 12-month period. Once paid leave is exhausted, remaining FMLA leave may be covered by sick leave, annual leave, or compensatory time. Remaining leave will be unpaid.

### **Requesting Leave**

Employees must notify Human Resources at least 30 days in advance for parental leave, or as soon as possible for elder care leave, and submit all required forms and documentation.

## **5.12 State-Mandated and Special Leaves**

Powhatan County provides leave to employees in accordance with all applicable federal and Virginia state laws. These leaves are designed to ensure employees can fulfill civic, military, and emergency responsibilities without jeopardizing their employment. This policy consolidates all such leaves, including but not limited to:

### **Military Leave**

Employees serving in the U.S. Armed Forces, Reserve forces, Virginia National Guard, Virginia State Defense Force, Naval Militia, or the National Defense Executive Reserve are entitled to leave in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Virginia law. This includes:

- Paid leave for federally funded training or active duty, up to 21 workdays (120 hours) per federal fiscal year, with additional paid leave for pre-induction or military physicals.
- Unpaid leave for military service not covered by paid leave, generally up to five years.
- Firefighters may be entitled to extended paid military leave for federally funded training or service in line with Virginia Code §44-93.
- Leave does not affect seniority, accrued leave, or benefits. Employees returning from military leave are reinstated to their former positions with applicable pay adjustments.

### **Civil Air Patrol Leave**

Employees who are members of the Civil Air Patrol may use up to 10 workdays per federal fiscal year to respond to emergency missions. Leave is provided without loss of seniority, accrued leave, or efficiency rating. Documentation of service is required.

### **Crime Victim Leave**

Reasonable unpaid leave is provided to employees who are victims of a crime, or whose immediate family members are victims, to attend court proceedings related to the crime. Employees must provide advance notice and supporting court documentation.

### **Election Officer Leave**

Employees serving as election officers may use annual leave or leave without pay to fulfill these duties. Notice of at least 15 days and confirmation from the local Director of Elections are required.

### **Emergency Responder Leave**

Volunteer emergency services personnel (firefighters, EMS, etc.) may take unpaid leave or use accrued annual leave to respond to emergencies. Employees must notify their supervisor promptly and provide verification of service.

### **Witness Duty and Court Attendance Leave**

Employees required to appear in court as witnesses in matters not involving personal litigation will be granted leave with pay. For personal matters, employees may use annual leave or leave without pay. Documentation of the subpoena or court order is required.

### **General Requirements**

Employees must notify their supervisors as soon as practicable for all leaves and provide supporting documentation where required. Supervisors and department heads are responsible for ensuring compliance with this policy. Pay, duration, and other details of leave will adhere to applicable state and federal law.

## **5.13 Leave Without Pay & Leave of Absence**

Per the FLSA, leave granted for which there is no leave time accrued will be without pay. Employees who are on leave without pay status will have their pay reduced by the amount of time that they were on leave without pay status. No annual or sick leave will accrue during the pay period in which the leave without pay status occurred. An employee on FMLA leave may be on leave without pay for the entire length of their FMLA leave (see the FMLA section of this Guide).

Leaves of absence without pay for personal reasons, such as lengthy illness beyond sick leave accrual, personal business, or travel must be requested in advance and in writing by the employee.

For reasons other than those qualifying under FMLA, the request must state the reason, the starting date, and the probable date of return. Leave without pay is at the discretion of the County and may be refused at any time.

Department Heads may approve leave without pay for a period of up to five working days if conditions are warranted. An employee is required to request in writing the reason(s) for leave without pay status. Leaves of absence over five workdays and not to exceed twelve calendar months require approval by the County Administrator or Agency Head. Leave without pay is granted only when all compensatory and annual leave has been exhausted.

Employees on leave of absence without pay for 30 calendar days or less remain on active employment status and service towards accumulation of benefits continues; those on such leave over 30 calendar days are placed on temporary non-pay, inactive status and the period of absence is not considered as service toward accumulation of benefits. When leave without pay occurs before or after a holiday, no pay is given for the holiday. Holidays that occur during such absences are likewise not credited to the employee for pay.

## **5.14 Sick Leave Bank**

Powhatan County shall establish and maintain a Sick Leave Bank for use by eligible and participating employees. Eligible employees are those employees who have been employed full-time with Powhatan County full-time for a minimum of one year and are participating in the Virginia Retirement System under Plan 1 or Plan 2.

The purpose of the Sick Leave Bank is to provide additional sick leave for those who have defined prolonged or long-term illnesses or injuries, as recognized under the guidelines and requirements of the Family Medical Leave Act, and who have exhausted all available leave benefits. Exclusions include elective surgery and/or procedures, approved Workers' Compensation claims, and bonding time allowed as part of maternity leave.

To enable the County to provide this benefit, a minimum of twenty employees must agree to participate. Membership in the Sick Leave Bank shall be voluntary and open to all eligible full-time employees.

### **Enrollment Period and Membership**

The period of enrollment shall occur during Benefits Open Enrollment each year. Initial enrollment requires each employee to complete an application and to donate two sick leave days to the bank. Employees may donate a maximum of two additional days per fiscal year to the bank if they desire. Membership in the bank shall be continuous unless the employee provides written notification to Human Resources, before June 15th of any year, of their intent to withdraw from participation. To maintain membership after initial enrollment, each employee will contribute one day effective at the beginning of each fiscal year (July payroll).

### **Assessment**

Participants in the Sick Leave Bank may be assessed one additional day of sick leave within a fiscal calendar year if the bank is depleted to five days. Members having no sick leave to contribute at the time of assessment but desiring to remain a member will be assessed the first leave day subsequently accumulated. Notification of such need shall be sent to each member if it is necessary, not to exceed one assessment per fiscal year.

### **Guidelines to be Eligible for Sick Leave Bank Days**

1. The Sick Leave Bank is confined to members for an FMLA-qualified event which includes care of self or designated family members. Excluded events include elective surgery and/or procedures or approved Workers' Compensation claims.
2. Members must have exhausted all accrued leave (annual, personal, sick, comp time, etc.) before becoming eligible to use the sick leave bank days.
3. The first ten scheduled workdays of leave shall not be covered by the Bank but must be covered by the employee's own accumulated leave balances.
4. If an employee does not have an accumulated leave balance, he/she shall be placed on leave without pay status until the 11th scheduled workday of the illness or non-work-related injury before accessing the Sick Leave Bank.
5. All accumulated days in the Sick Leave Bank will automatically carry over to the next fiscal year.

6. Members drawing from the bank will not be required to replace the days used.
7. Participation in the Sick Leave Bank shall run concurrently with approved Family Medical Leave.
8. A member may withdraw up to ten days from the sick leave bank no more than once within each fiscal year (July 1st to June 30th). Distributions are subject to available leave on deposit in the bank. The lack of a sufficient leave balance shall in no way incur a liability or obligation on the part of the County to make up any deficit.

### **Application**

To utilize the Sick Leave Bank, a member must complete an application and submit it with the required Family Medical Leave documents. An approximate date the member will return to work must be included in the physician's certification. Requests to use the bank will be honored for FMLA-approved leave only excluding approved Workers' Compensation illness or injury. Elective surgeries and/or procedures are also excluded.

### **Reoccurrence of Illness**

If a member of the Sick Leave Bank suffers a recurrence of the illness for which the member initiated the use of the Sick Leave Bank, the member may request the use of the bank provided the member did not use the entire ten workdays afforded during the initial usage and all accrued leave has been exhausted. A provider's certification and FMLA form must be provided.

### **Termination of Employment or Membership**

Upon termination of employment or withdrawal of membership from the Sick Leave Bank, the participant will not be permitted to withdraw or receive any payment for the days previously contributed to the Sick Leave Bank.

### **Abolishment**

If the Sick Leave Bank is abolished by the County, the remaining sick leave days shall be distributed first to those members drawing from the bank at the time of abolishment, and then to each member if sufficient days exist to return one full day. In the absence of sufficient days to redistribute one day per member, the Sick Leave Bank shall terminate with no distributions of days to any members. If the Sick Leave Bank becomes inoperative for any reason, the County shall not be held responsible to anyone, then enrolled or eligible to enroll in the future, for any claims.

## **5.15 Workers' Compensation Leave**

See section 3.7 of this guide.

# **6. BENEFITS & DEVELOPMENT**

## **6.1 Group Health Insurance**

The County makes available group health insurance for full-time and retired employees, as well as members of the Board of Supervisors.

### **Full-time Regular Employees**

Full-time employees may elect to participate in the County's group health insurance plan. If elected, health care will be effective on the first day of the first full month of employment. The County contributes toward the cost of employee health premiums *and* dependent coverage. Rates and coverages are subject to change annually. Enrollment information on the plans is kept in Human Resources. If an employee is on leave without pay and not on FMLA leave, the employee is responsible for a pro-rata share of the County's contribution to the cost of the health premiums.

### **Retired Employees**

"Retired Employees" are defined as those employees who have at least 5 years of service with the Virginia Retirement System and are 50 years or older. Retired employees are eligible to participate in the County's group health insurance plan until Medicare eligible and at their own cost, provided they were covered under the County's group health insurance Plan as of their retirement date.

Effective July 1, 2014, the County will offer the Virginia Retirement System health insurance retirement credit to all employees who retire through the Virginia Retirement System.

## **6.2 Life Insurance**

The County provides life insurance coverage for its full-time employees through the Virginia Retirement System. Detailed information about the life insurance plan may be obtained from Human Resources.

## **6.3 Retirement Benefits**

The County requires all full-time employees to participate in a retirement plan through the Virginia Retirement System (VRS). Participation in the plan begins on the date of hire if on or before the first business day of the month, or on the first day of the month following the hire date.

The County contributes a percentage of the employee's annual salary to VRS Plans 1 and 2. Employees are required to contribute 5% of their salary to the plan. Detailed information about this may be obtained from Human Resources.

Employees whose membership date is on or after January 1, 2014, or employees that were on VRS Plan 1 or 2 who opted into the plan during the special election window in 2014, are considered Hybrid Employees. The Hybrid Retirement Plan combines the features of a defined benefit plan and a defined contribution plan.

When an employee applies for retirement benefits, leave requests over eighty consecutive hours before the final date of employment must be approved in writing by the Agency Head.

## **6.4 Optional Benefits**

The County offers the following benefits through a third-party vendor at the employee's option and expense:

- Disability Insurance
- Deferred Compensation
- Supplemental Insurance
- Additional Life Insurance Coverage
- Flexible Spending Accounts
- Health Savings Accounts

Payment is made through authorized withholding from employee's pay. Detailed information on any of these plans may be obtained from Human Resources.

## **6.5 Continuing or Converting Health Coverage**

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee resigns or terminates employment or if the employee's work hours are reduced and if this event makes the employee or his/her dependents no longer eligible to participate in the group health insurance plan, the employee and his/her eligible dependents may have the right to continue to participate for up to eighteen months at the employee's (or his/her dependents') expense. The policy will be enforced per applicable State law. If the employee is determined to be disabled under the Social Security Act at the time of termination or a reduction in hours occurs, the employee may be entitled to continuation coverage for up to thirty-six months. All questions concerning eligibility should be directed at Human Resources.

## **6.6 Tuition Reimbursement**

Powhatan County provides tuition reimbursement, when funds are available, to eligible employees who complete coursework toward a degree or professional certification. The program is managed by Human Resources, and all funding is specifically budgeted in the Tuition Reimbursement line item.

The County reserves the right to determine which courses, programs, or association memberships are in the County's best interest and support its goals and future planning.

### **Eligibility**

To participate, employees must:

- Be a regular full-time employee with at least one year of continuous service and 2,080 hours worked.
- Have received a performance evaluation rating of 3 or higher on their most recent review.

### **Requirements and Conditions**

- Tuition reimbursement is provided only when funds are available.
- Employees must submit a tuition reimbursement application and receive approval from the Human Resources Director before registering for the course.
- Courses must be taken through a nationally accredited institution, college, or university.
- Each course or program must relate to the employee's current position or a reasonable promotional objective, as determined by the supervisor and approved by the Agency Head.
- Courses should be taken outside scheduled work hours whenever possible. Time spent

- on coursework or study is not compensable, unless pre-approved by the Agency Head.
- Employees must successfully complete the course and provide proof of completion. A minimum grade of “C” is required for graded courses, or a pass for pass/fail courses.
  - Completion of any course, degree, or certificate, does not guarantee promotion, salary increase, or transfer.
  - If an employee receives tuition reimbursement from another source (e.g., Veterans’ benefits, grants, scholarships), the County will reimburse the difference up to the maximum allowable amount. Employees must report all outside funding; failure to do so may result in disciplinary action and repayment of funds. Student loans do not affect eligibility.
  - Reimbursement does not cover lab fees, internet fees, exams, textbooks, supplies, transportation, parking, or any other associated costs.
  - Reimbursement amounts per employee are determined by the annual budget.
  - Employees must sign a tuition reimbursement agreement with the County. Contact Human Resources for details.

## **6.7 Employee Development**

It is the policy of the County to encourage employees to obtain training designed to develop the employee's value to the organization. Powhatan County encourages employees to enhance their knowledge and skills and to network with other professionals, thus improving the potential for future opportunities. The County recognizes that for development purposes, employees may need to attend training seminars or workshops conducted off-site or join professional associations that will enable them to remain abreast of best practices in their respective fields. Thus, the purpose of this policy is to outline organizational parameters for attending external training functions and joining/renewing memberships in professional associations. Please note that this policy is subject to annual budgets established for external training and memberships.

## **6.8 Travel & Training Reimbursement**

The cost of travel/training undertaken at the discretion of the County will be paid in full by the County and the hours spent in training are considered work time and the employee will receive salary or wages for this time. All receipts for travel and training are due upon return to work and not beyond 30 days for reimbursement.

Employee travel/training must be preapproved by the Department Director/Agency Head. Authorized expenses may include transportation, lodging, registration fees, and per diem. To minimize costs for the County, employees will use the most efficient and economical means of travel (air, rail, vehicle) and use discount fares, government, and coach rates, as well as travel by the most direct route. When two or more people travel to the same destination, maximum use shall be made of group travel discounts and joint use of County-owned or privately owned vehicles.

If the employee cancels the travel/training for an unexcused absence after costs have been incurred, the employee will pay any cancellation fees. If the County cancels the travel, the County shall pay any cancellation fees.

### **Air Travel**

Air travel may be utilized provided that the destination is more than 500 miles from the Powhatan County Administration building unless documentation proves that air travel is more cost-effective than vehicular travel. The least expensive coach fare must be used. Upgrades to first class may be accepted provided that the upgrade is afforded at no charge to the County.

### **Vehicle Travel**

Use of a County vehicle is preferred over a personally owned vehicle if all occupants are on official business and a county vehicle is available. If using a personally owned vehicle, the employee will be reimbursed at the Internal Revenue Service mileage rate. All mileage is reimbursed according to the most direct route, not to exceed the cost of the least expensive coach-class airline ticket. The reimbursable mileage is the actual mileage measured from the workplace to the destination and return. If an employee leaves from their place of residence, mileage should be measured based on the starting point that is in closest proximity to the destination.

Tolls and parking fees are reimbursable.

### **Mileage Reimbursement**

Drivers request mileage reimbursement by submitting the request to the Finance Department through their department's authorized approver. To be reimbursed, the form must be received by the Finance Department by the end of the same fiscal year in which the mileage is claimed. Parking and moving violations are the responsibility of the driver, whether driving a County or personal vehicle.

### **Ground Transportation**

Taxis, shuttle service, ridesharing, buses, and public transportation fares, including tips not to exceed 20%, are reimbursable provided the most economical and practical method is used. A rental car is to be used only when other means of transportation are unavailable, costly, or impractical. The rental car must be approved before leasing by the Department Director. Rental car insurance should not be purchased since it is covered under the County's insurance policy.

### **Lodging**

Lodging may be utilized for overnight travel provided that the destination is located 50 or more miles away from the Powhatan County Administration building or the purpose necessitates overnight accommodation. Lodging costs will be paid at the actual cost of a single-occupancy rate plus any applicable taxes up to the maximum of the U.S. General Services Administration (US GSA) per diem rate for lodging. When attending a conference or seminar held at a lodging facility, travelers may stay at that facility, and the County will pay the lower of the facility's government rate or the conference rate.

### **Meals/Incidentals**

The County will pay the US GSA per diem rates for meals and incidentals incurred while on overnight travel. Should an employee be paid before their travels, a request will need to be submitted to the Finance Department two weeks in advance.

If an employee is reimbursed for a meal while not traveling overnight, the meal is a taxable fringe benefit per the Internal Revenue Service. If requested by the employee and approved by the Supervisor/Department Director, the employee will be reimbursed for the actual cost of the meal not to exceed the US GSA per diem rate through the payroll process. Upon submittal of an itemized receipt, the amount of the reimbursement will be added to the employee's taxable gross income and Federal and State withholding tax will be deducted from the amount reimbursed. The County will not reimburse the employee for alcoholic beverages or gratuities over 20%.

### **Accompaniment Travel**

In the event anyone accompanies an employee on official County business, all additional expenses incurred that are related to the accompaniment shall be the responsibility of the employee.

## **6.9 Expense Reimbursement**

Employees must have their supervisor's authorization before incurring an expense on behalf of Powhatan County. To be reimbursed for any such expense, an employee must submit itemized receipts to the Finance Department through their department's authorized approver. To be eligible for reimbursement, the signed form with the itemized receipts must be received by the Finance Department within 60 days of the date of the expense incurring. For limitations on the reimbursement of meals see the Travel/Training Reimbursement section of this Guide.

## **6.10 Condolence Gifts**

Powhatan County recognizes that expressing sympathy and support during times of bereavement or special occasions is important to our employees, officials, and community partners. This policy establishes guidelines for when flowers or condolence gifts may be purchased, who is eligible to receive them, the budgetary limits, and approval procedures.

Powhatan County may provide flowers or small condolence gifts (up to \$100 per occasion) for:

1. Current employees or their immediate family (spouse, child, parent, sibling)
2. Former employees or their immediate family
3. Elected or appointed officials or their immediate family
4. Community partners, in exceptional circumstances

All purchases must be approved in advance by the Deputy Clerk in the County Administrator's Office, who manages the budget for these gifts. Exceptions require written approval from the County Administrator.

## **6.11 Purchasing Card**

Upon the request of their Agency Head and with the approval of the Director of Finance, an employee may be issued a County purchasing card which shall only be used for County expenses. Employees must have their supervisor's authorization before incurring an expense on behalf of Powhatan County. All expenses charged to the purchasing card must have detailed receipts. Meals for travel/training may not be charged to a county purchasing card. Each month, the employee will submit all itemized receipts, required documentation, and the purchasing card statement to their Agency Head for approval on the form provided by the Finance Department.

Misuse of the card may result in removal of access to the card which may impact the ability to perform your job or termination.

## **7. EMPLOYEE RECOGNITION & MILESTONES**

### **7.1 Employee Milestones Policy**

The County supports the recognition of retiring staff members who have invested a substantial portion of their careers in Powhatan County. Recognition of a staff member's career service upon retirement is generally ceremonially marked with the staff member's immediate work group and those from the County who wish to attend.

The following guidelines are offered to assist departments in planning for such recognition:

#### **Awards/Gifts**

- All gifts/awards must be approved, in advance of purchase, by the Agency Head following County accounting and procurement procedures.
- Gifts or awards for retirement and/or parties should not use more than \$400 in departmental funds. A retiring staff member cannot receive cash instead of a party or gift.
- Generally, all expenses for the retirement party and any gifts shall be purchased using department funds.
- Employees who are not retiring but are pursuing another career may be given a farewell party. This party may be held at the discretion of the departmental director. In such cases, total expenses should not exceed \$300.
- Reasonable expenses associated with retirement parties can be charged to departmental funds.

### **7.2 Training, Recognition, and Engagement Programs**

#### **Required Training**

The County may require mandatory training for employees or training to develop the employee's value to the County. The cost of required training and related expenses undertaken at the discretion of the County will be paid in full by the County. The hours spent on training are considered work time and the employee will receive salary or wages for this time. Any retest required due to failure of the employee to pass the required test or exam the first time may be at the employee's expense. Required training must be approved by the Supervisor before the training and before any costs are incurred. Approval is dependent on the availability of funding in the budget. See the travel/training reimbursement section of this Guide.

#### **Discretionary Training**

Discretionary training is for personal or professional development which an employee elects to pursue. Time off work or leave for discretionary training is at the discretion of the Agency Head and may be given with or without pay.

#### **Professional Associations**

Employees may be permitted to join professional associations, membership fees for which will be paid by the County. The association selected must have a direct relationship with the job the employee performs.

### **Recertification**

An employee may be subject to salary adjustments and/or disciplinary action if a certification or license lapses.

## **8. PERFORMANCE & DISCIPLINE**

### **8.1 Performance Appraisals**

The County recognizes the importance of constructive feedback and the benefits it provides to both the employee and overall success in achieving organizational goals. Supervisors shall provide regular informal feedback to employees, and each employee's performance shall be evaluated in writing at least annually. The Supervisor will meet with the employee to discuss their performance and expectations for the next year. A written report will be prepared and filed in HR, with a copy provided to the employee. Constitutional Officers may maintain their records. If the employee disagrees with or believes that the report is unfair, the employee may prepare comments to be attached to the Supervisor's evaluation report.

The employee may also be provided with periodic oral direction, guidance, and counsel concerning the employee's performance and how work activities are being carried out.

### **8.2 Corrective and Disciplinary Process**

County employees are expected to conduct themselves professionally and courteously in the performance of their duties.

#### **Disciplinary Actions**

If a non-probationary employee fails to meet acceptable standards of performance and behavior, the Supervisor may choose one of several disciplinary actions, depending on the nature and seriousness of the problem. Any action other than reprimand should be taken only after consultation with Human Resources. Before all dismissals, the employee shall be given notice of the proposed action, the reason for the action, and an opportunity to respond, before the dismissal of the employee.

#### **Progressive Discipline**

It is the responsibility of each Supervisor to maintain consistent, fair, and high standards of discipline. The following are several disciplinary actions that may be used in a progressive manner appropriate to the nature and seriousness of the problem. The following list of disciplinary actions includes examples of progressive actions. However, the County retains the right to discipline in a manner that promotes the effectiveness of the organization. This policy does not modify the status of employees as employees-at-will or in any way restrict the County's right to impose discipline without consideration of progressive discipline. Depending on the nature and seriousness of the problem the appropriate level of discipline may be imposed without consideration to the progression. For example, it is not necessary to issue an Oral or Written Reprimand if the offense is of such nature to warrant a suspension or termination. All written documents about an employee are part of the personnel record and copies shall be given to the employee and placed in the employee's file in Human Resources. Constitutional Officers will maintain their records.

### **Oral Reprimand**

The Supervisor will document the reprimand in writing.

### **Written Reprimand**

The Supervisor may issue the employee a reprimand in writing, documenting the offense and stating a corrective course of action. Counseling records remain active, and multiple active counseling records will result in progressive disciplinary action, up to and including termination. Performance Improvement Plans may be used for documentation and the disciplinary process.

Supervisors in consultation with the Department Director and Human Resources may place the employee in “probationary” status with a written reprimand and a Performance Improvement Plan. A probationary status allows the employee a specified period to improve their performance. The Performance Improvement Plan must have specified time frames for review. Failure to meet the conditions of the Performance Improvement Plan will result in further disciplinary action, including placement back on a probationary period, up to and including termination.

### **Suspension**

Suspension is the removal of the employee from job duties for a determined period. Suspensions must be documented in writing, recommended by the Supervisor, and approved by the Department Director and the Human Resources Director. All disciplinary suspensions are without pay. The length of time will depend on the seriousness of the offense.

### **Involuntary Demotion**

Involuntary Demotion is the movement from one classification to another with a lower pay grade approved by the Department Director and the Human Resources Director based on the availability of a lesser position.

### **Termination**

If an employee is dismissed, such dismissal shall be effective immediately unless there are extenuating circumstances that the Agency Head determines require that the effective date of dismissal occur later.

Deliberate and intentional misuse of funds will be met with the strongest disciplinary action. If an employee is criminally convicted or terminated due to misuse of County property or funds, s/he may be ineligible to receive certain benefits (health insurance under COBRA, VRS retirement benefits, etc.).

### **Use of Grievance Procedure**

Qualified Employees who believe that they have been disciplined too severely or who question the reason for receiving disciplinary action may utilize the County’s grievance procedure to challenge such action.

### **Administrative Leave Pending Investigation**

In cases involving alleged serious misconduct, such as a major breach of policy or violation of law the employee may be immediately placed on administrative leave pending investigation into the matter. Administrative leave pending investigation is not disciplinary. Administrative leave pending investigation is with or without pay.

## **8.3 Separations**

### **Resignation**

Employees who wish to resign in good standing should submit written notice to their Department Head at least two weeks in advance, explaining the reason for leaving. Department Heads and Deputy County Administrators should give at least four weeks' notice to the County Administrator. The Human Resources Department will schedule an exit interview for departing employees. In special cases, the County Administrator may waive the notice requirement. Final payouts for eligible leave will be processed in the payroll cycle following separation.

### **Dismissals**

An employee may be dismissed for reasons such as poor performance, misconduct, neglect of duty, or any other good cause. Before dismissal, the Department Head will explain the reason for the action and give the employee a chance to respond. Depending on the situation, progressive discipline may be used, but the County reserves the right to move directly to dismissal for serious offenses. Employees who are not on probation and believe their dismissal was without cause may use the County's Grievance Procedure.

### **Final Settlement**

Final pay will be issued through direct deposit on the regular payday schedule. Before leaving, employees must return all County property and clear any outstanding obligations. Failure to do so may result in adjustments to the final paycheck.

## **8.4 Clearing of Debts and Property**

Employees who separate from County service must clear all debts to the County and must account for, and turn in, all County equipment or other property in their possession or for which they are responsible, including, but not limited to, computers and computer accessories, telephones and telephone accessories, keys, uniforms, tools, equipment, credit cards, identification cards, books, manuscripts, and papers. It is the responsibility of the Department Head or Supervisor to forward a list to Human Resources of any property held by the separating employee or a statement that all such property has been returned. The employee's last check will be held by the Finance Department until all such property has been returned.

Failure to clear all debts and turn in all County property may result in the initiation of collection procedures to recover any losses.

## EMPLOYEE GRIEVANCE PROCEDURE

### **Section 1.0 Objective**

The purpose of the Employee Grievance Procedure is to afford an expeditious and impartial method for the resolution of employment disputes that may arise between the County and employees (see §15.2-1507 of the Code of Virginia).

### **Section 2.0 Coverage of Personnel**

- A. Unless otherwise prohibited by law, all nonprobationary full-time and part-time employees who are in permanent positions, except as noted in (B) and (C) below, are eligible to file grievances. Community services boards, redevelopment and housing authorities created pursuant to Virginia Code § 36-4, and regional housing authorities created pursuant to Virginia Code § 36-40 are also included in this procedure.
- B. The following are not eligible to file grievances:
1. Appointees of elected groups or individuals;
  2. Officials and employees who, by charter or other law, serve at the will or pleasure of an appointing authority;
  3. Deputies and executive assistants to the County Administrator;
  4. Agency heads or chief executive officers of government operations;
  5. Employees whose terms of employment are limited by law;
  6. Temporary, limited term, and seasonal employees, volunteer, probationary employees, and paid interns;
  7. Law-enforcement officers as defined in Chapter 5 (§ 9.1-500 *et seq.*) of Title 9.1 of the Virginia Code whose grievance is subject to the provisions of Chapter 5 (§ 9.1-500 *et seq.*) of Title 9.1 of and who have elected to proceed pursuant to those provisions in the resolution of their grievance, or any other employee electing to proceed pursuant to any other existing procedure in the resolution of his grievance;
  8. Law-enforcement officers as defined in Virginia Code § 9.1-601 whose grievance is subject to the provisions of Virginia Code § 9.1-601 and relates to a binding disciplinary determination made by a law-enforcement civilian oversight body, except as permitted by subsection F of § 9.1-601 of the Virginia Code.
- C. The County Administrator, or his designee, shall determine the officers and employees excluded from the grievance procedure, and shall be responsible for maintaining an up-to-date list of the affected positions.

### **Section 3.0 Definition of a Grievance**

A grievance is a complaint or dispute by an employee relating to his employment which includes:

- A. Allegations of adverse action, which is defined as an action or consequence to which a person in the County service may be subjected for disciplinary purposes, including the following:

- (1) dismissals
- (2) Disciplinary demotions and suspensions

“Dismissals” are grievable whenever resulting from formal discipline or unsatisfactory job performance.

- B. "Adverse Action" does not include any termination, lay-off or suspension of employment because of reduction in workforce, job abolition or expiration of a term of contractual employment; nor shall "adverse action" be deemed to include employee counseling concerning job performance or employee behavior that does not include one of the actions listed above. Disputes or complaints concerning the application of the County of Powhatan Employee Handbook (“Employee Handbook”), or rules, regulations, and policies and procedures adopted thereunder, including the application of policies and procedures adopted thereunder. However, neither the content nor the consistent, non-discriminatory interpretation of the Employee Handbook, or rules, regulations, policies and procedures adopted thereunder shall be subject to employee grievance under this Procedure;
- C. Disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- D. Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, sex, marital status, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, or military status; and
- E. Acts of retaliation as the result of the use of or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement.
- F. For the purposes of clause D, there shall be a rebuttable presumption that increasing the penalty that is the subject of the grievance at any level of the grievance shall be an act of retaliation.
- G. Harassment of an employee by his supervisor;
- H. Notwithstanding the provisions of Section 5.0 below, terminations resulting from formal discipline or unsatisfactory job performance;

#### **Section 4.0 Management Responsibilities**

Management reserves the exclusive right to manage the affairs and operations of the County government. Accordingly, the following complaints are not grievable:

- A. Establishment and revision of wages or salaries including position classifications or general benefits;
- B. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- C. The contents and/or consistent, non-discriminatory interpretation of ordinances, statutes or established personnel policies, procedures, rules and regulations;
- D. Failure to promote, except where an employee can show established promotional policies or procedures were not followed or fairly applied;
- E. The methods, means, and personnel by which work activities are to be carried on;
- F. Termination, layoff, demotion, or suspension from duties because of lack of work, reduction in work force, or job abolition except where any of the foregoing actions affect

an employee who has been reinstated within the previous six (6)<sup>1</sup> months as the result of the final termination of a grievance;

In any grievance brought under this exception, the action shall be upheld upon a showing by the County that: (1) there was a valid business reason for the action, and (2) the employee was notified of such reason in writing prior to the effective date of the action;

- G. The hiring, promotion, non-disciplinary transfer, assignment, and retention of employees within the County service; and
- H. The relief of employees from duties in emergencies.

## **Section 5.0 Grievability**

- A. Decisions regarding whether a matter is grievable under this procedure, including the question of access to the procedure, shall be made by the County Administrator or his designee within ten (10) days of the request for such a determination. No county attorney or attorney for the Commonwealth shall be authorized to decide the question of grievability. A copy of the ruling shall be sent to the grievant.
- B. Decisions by the County Administrator that an issue is not grievable may be appealed to the Circuit Court for Powhatan County (“Circuit Court”) as provided in §§15.2-1507 and 2.2-3006(B) VA Code Ann on the issue of whether the grievance qualifies for a panel hearing. Pursuant to those sections, proceedings for the review of the decision of the County Administrator shall be instituted by the grievant filing a notice of appeal with the County Administrator within ten (10) days after the receipt date of the decision as to grievability, and by giving a copy of such notice to all other parties to the grievance. Within ten (10) days after receiving notice of appeal, the County Administrator shall transmit to the Clerk of the Powhatan County Circuit Court a copy of her decision, a copy of the notice of appeal, and any exhibits which may have been provided in connection with the resolution of the issue of grievability. A list of the evidence furnished to the Court shall also be furnished to the grievant. The failure of the County Administrator to transmit the record within the time allowed shall not prejudice the rights of the grievant. The Circuit Court, on motion of the grievant, may issue a Writ of Certiorari requiring the County Administrator to transmit the record on or before a certain date as provided in §15.2-1507 VA Code Ann.
- C. Within 30 days of receipt by the Clerk of Court of the records in the matter, the Court, sitting without a jury, shall hear the appeal on the record, and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court may receive such other evidence as the ends of justice may require. The Court may affirm, reverse, or modify the decision of the County Administrator. The Court's decision shall be rendered no later than the 15th day from the date of conclusion of the hearing. The decision of the Court is final and is not appealable. All matters from the institution of a request that the County Administrator determine the issue of grievability, through the notation of appeal of an adverse decision by the County Administrator, shall be recorded on forms provided for those purposes by the Human Resources Office.
- D. The issue of grievability may be raised by the County or grievant at any step of the grievance procedure prior to the fourth step hearing provided in Section 8.4, but once raised, the issue must be resolved before further processing of the grievance. In any event, the issue of grievability must be resolved prior to the fourth step hearing or it shall be deemed to have been waived by all parties. A request that grievability be determined shall suspend the time limits under this procedure. Time limits shall begin to run again the day

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<sup>1</sup> Unless otherwise specifically noted, months and days are measured as calendar days.

after the decision that a matter is or is not grievable is made by the County Administrator or the Circuit Court;

- E. The classification of a complaint as non-grievable by either the County Administrator or the Circuit Court shall not be construed to restrict any employee's rights to seek, or management's right to provide, customary administrative review of complaints outside of the scope of the grievance procedure.

## **Section 6.0 Policy Generally**

- A. All stages of the grievance procedure beyond the first step provided in Section 8.1 shall be reduced to writing on forms supplied by Human Resources. At any step beyond the second step both the grievant and his supervisor or the County Administrator may call upon appropriate witnesses and be represented by legal counsel or other persons, as may be provided in this procedure;
- B. Once an employee reduces his grievance to writing he must specify on the appropriate form the specific relief he expects to obtain through the use of this procedure. This requirement shall be deemed a substantive matter, and a failure to specify the relief expected shall be sufficient cause to terminate the right to further appeal. No notification required by Subsection D. below is necessary prior to termination of the appeal for this reason. When the employee decides to reduce his grievance to writing, he shall obtain the necessary forms from Human Resources. A copy of the written grievance shall be given to Human Resources. That office shall thereupon open a file on the grievance, assign it a number, and shall assist the grievant, the grievant's supervisor, and the County Administrator, in insuring that all papers are transmitted throughout this process in timely fashion;
- C. Failure of the grievant to comply with the time limitations in Section 8.1 to orally identify a grievance within 20 days after the occurrence or condition giving rise to the grievance or to file a grievance forecloses the employee from filing any grievance under this Procedure thereafter. Failure to appeal a determination regarding the grievance at any subsequent state within the time periods required by Section 8 will result in termination of the appeal. No notification required by D. below is necessary prior to termination of the appeal for any reason pursuant to this section;
- D. After the initial filing of the written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure without just cause will result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) work days of receipt of written notification by the other party of the compliance violation.

Such written notification by the grievant shall be made to the County Administrator, or his designee. Failure of either party without just cause to comply with all substantial procedural requirements at the Panel hearing shall result in a decision in favor of the other party. Decisions as to whether any employee or management has in fact failed to comply shall be made by the County Administrator upon the request of the grievant's supervisor or the grievant that such determination be made. The County Administrator, at his option, may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator, or his designee, shall determine compliance issues. Compliance determinations shall be subject to judicial review by filing a petition with the Circuit Court within 30 days of the compliance determination;

- E. It is intended that speedy attention to employee grievances be promoted, consistent with the ability of the parties to prepare for a fair consideration of the issues of concern;

- F. Limits for steps after initial presentation of grievance shall be the same or greater for the grievant than the time that is allowed for local government response in each comparable situation;
- G. Time frames may be extended by mutual agreement of the County and the grievant.

### **Section 7.0 Consolidation of Grievances**

If more than one grievance is filed arising from the same transaction or occurrences, the County Administrator may, at any time prior to fourth step hearing, consolidate those grievances for joint processing. If the grievances are consolidated, all time limits set forth in this procedure shall thereafter be calculated from the date of the last filed grievance. Once consolidated, the grievances shall all be processed as a single matter.

### **Section 8.0 Grievance Process**

#### **Section 8.1 Step One: Immediate Supervisor Level**

No later than 20 calendar days after the occurrence or condition giving rise to the grievance, the employee affected shall identify the grievance orally to his immediate supervisor. Within five (5) days of such presentation, the immediate supervisor shall give his response to the employee with respect to the particular grievance, or shall advise the employee that additional time is needed to render a decision. In the event additional time is needed, the immediate supervisor must render the decision within three (3) days after notice of the need for additional time is given. Personal face-to-face meetings are required.

The failure of an employee to identify the grievance within the time specified above shall constitute a forfeiture and a waiver of any rights to proceed under this Procedure;

#### **Section 8.2 Step Two: Written Grievance to Department Director**

If a satisfactory resolution is not reached by the Step One process, and the employee wishes to advance to Step Two of this Procedure, the employee shall reduce his grievance to writing, identifying specifically, and in detail, the nature of the grievance and the expected remedy, on a form provided for that purpose by the Human Resources Office. It shall be the duty of the employee to obtain the necessary form from Human Resources.

A grievant shall be entitled, should he prevail in his grievance, to no more than the relief specifically requested. Such written grievance shall be presented to the Department Director of employees' department within five (5) calendar days of the supervisor's verbal reply to the First Step oral grievance.

If the grievant's immediate supervisor is the Department Director, he shall pass Step Two of this Procedure and proceed immediately to Step Three.

The Department Director will then meet face-to-face with the employee within five (5) calendar days of receiving the submission or indicate that an extension is necessary. The extension shall not exceed three (3) additional calendar days except by mutual agreement. The employee may have witnesses present at the Step Two meeting but no legal counsel or other representative. The Department Director may also have witnesses present. The Human Resources Office shall insure that a verbatim record (in writing or on recording tape) of such meeting is made and retained in the employee's file for not less than 12 months. The grievant shall be entitled to a copy of said

record. The Department Director shall render a written response to the grievance within five (5) days following the Step Two meeting.

**Section 8.3 Step Three: County Administrator Meeting**

If a satisfactory resolution of the grievance has not been reached at the termination of Step Two, the employee may indicate on a grievance form provided by the Human Resources Office and submit the grievance to Human Resources. It shall be the duty of the employee to obtain the necessary form from Human Resources.

Submission to Human Resources must occur within five (5) calendar days following receipt of the second step reply. The County Administrator, or his designee, will then meet with the employee within five (5) calendar days of receiving the submission or indicate that an extension is necessary. The extension shall not exceed three (3) additional calendar days except by mutual agreement.

The employee may have legal counsel or other representatives and witnesses present at the Step Three meeting but must bear his own costs for any counsel or assistance in presentation of his case. The County Administrator (or his designee) may also have witnesses present. If the grievant is represented by legal counsel, the County Administrator likewise has the option of being represented by counsel.

Human Resources shall ensure that a verbatim record (in writing or on recording tape) of such meeting is made and retained in his custody for not less than 12 months. The grievant shall be entitled to a copy of said record upon the receipt of any applicable payment for copying/production. The County Administrator shall render a written response to the grievance within five (5) days following the Step Three meeting.

**Section 8.4 Step 4: Panel Hearing**

1. If a satisfactory resolution to the grievance is not reached at the Step Three, the grievant may submit the grievance to a three-member panel hearing. The members of the panel will consist of one member appointed by the grievant, one member appointed by the agency head, and the third member selected by the first two.

In the event that agreement cannot be reached as to the final panel member, the chief judge of the circuit court of the jurisdiction wherein the dispute arose shall select the third panel member.

The panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, child, descendants of a child, siblings, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of the attorney shall serve as a panel member.

There shall be a chairperson of the panel. Such chairperson shall be the third member, selected by the two other panel members.

2. The request for a Panel Hearing shall be indicated by the grievant on a form provided for that purpose by Human Resources and submitted to Human Resources within five (5) calendar days of receipt of the Step Three response. It shall be the duty of the employee to obtain the necessary form from Human Resources.

3. Each member of the panel shall be selected within ten (10) days of receipt of the hearing request. The hearing shall be scheduled as soon as possible.
4. The employee may have legal counsel or other representatives and witnesses present at the Panel Hearing but must bear his/her own costs for any counsel or assistance in presentation of his case. The County may also have witnesses present. The County Attorney will represent the County. Any such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or respondent before the panel without being in violation of the provisions of Virginia Code § 54.1-3904. Witnesses shall be present only while actually giving testimony, except for the management and Human Resources representatives, who may remain throughout the hearing.
5. The decision of the Panel shall be final and binding and shall be consistent with provisions of law and written policy.
6. The question of whether the relief granted by a panel is consistent with written policy shall be determined by the chief administrative office of the local government, or his designee, unless such person has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the attorney for the Commonwealth of the jurisdiction in which the grievance is pending.

### **Section 9.0 Timeframes**

1. The Panel hearing must be held within 30 calendar days of the appointment of the Panel. The Members of the Panel may grant a postponement or extend the 30-day period for just cause.
2. At least ten (10) days prior to the hearing, the County Administrator, or his designee, shall provide the Panel with copies of the grievance record, and shall provide the grievant and his attorney with a list of the documents furnished to the Panel.
3. At least ten (10) days prior to the scheduled hearing, the grievant and his attorney shall be allowed access to and copies of all relevant files intended to be used in the grievance proceeding.
4. At least ten (10) days prior to the hearing, the grievant or his attorney shall provide the County and the Panel with the documents, exhibits, and lists of witnesses he intends to use at the hearing.
5. At the hearing, the County shall provide the grievant or his attorney with the documents, exhibits, and lists of witnesses it intends to use at the hearing.

### **Section 10.0 The Hearing**

1. It is the responsibility of the Panel Chairman to notify the parties, either in writing or at a pre-hearing conference, of the date, time, and place of the hearing. The hearing must be held in Powhatan County. The County must arrange a place for the hearing.
2. A Panel shall conduct its hearing with its three (3) members present.
3. A hearing is to last no more than one day, unless the Panel determines that the time is insufficient for a full and fair presentation of the evidence by both sides.
4. The parties must appear at the hearing or request a postponement. The Panel has the discretion to grant or deny a request for a postponement. However, the hearing may go beyond the 30-day time limit only upon a showing of just cause. At the Panel's discretion, a hearing may proceed in the absence of one of the parties; a hearing so conducted will be decided on the grievance record and the evidence presented at the hearing.
5. Where a Step 4 hearing is recorded, the County is responsible for providing proper recording equipment. The County is responsible for recording the hearing and preserving the recorded tapes as part of the grievance record. Either party may receive a copy of the recording, if

requested, for the cost of reproduction. A court reporter is not required. If a party requests a court reporter, that party is responsible for the costs. Either party desiring a transcript should contact the court reporter directly.

6. The following rules shall apply to this step of the grievance process.
  - a. The panel does not have the authority to formulate policies or procedures or to alter existing policies or procedures.
  - b. Both the grievant and the County may be represented by legal counsel or other representative at the Panel hearing. Such representatives may examine, cross-examine, question, and present evidence on behalf of the grievant or the County before the Panel without being in violation of the provisions of Virginia Code § 54.1-3904.
  - c. In addition to the legal representative referred to in 10.0(6)(B) above, the County shall be allowed to have at least one management representative, of the County's choosing, and a representative from Human Resources present during the entire hearing.
  - d. The Panel shall have the discretion to limit the attendance at the hearing of persons not having a direct interest in the hearing. However, a hearing disabled employee shall be allowed to have an interpreter present during any and all procedural steps.
  - e. The local government shall provide the panel with copies of the grievance record prior to the hearing and provide the grievant with a list of the documents furnished to the panel. The grievant and his attorney, at least ten (10) days prior to the scheduled hearing, shall be allowed to access and copy all relevant files intended to be used in the grievance proceeding.
  - f. Hearings are not intended to be conducted like proceedings in court and the rules of evidence do not necessarily apply.
  - g. The Panel has the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence.
  - h. Both the grievant and the County may call appropriate witnesses. All witnesses, including the grievant, shall be subject to examination and cross-examination. Witnesses shall be present only while giving testimony, except for the management and Human Resources representative, who may remain throughout the hearing.
  - i. Opening and closing statements may be made by each party.
  - j. All evidence must be presented in the presence of the panel and the parties, except by mutual consent of the parties.
  - k. Documents, exhibits, and lists of witnesses shall be exchanged between the parties in advance of the hearing.
  - l. County employees who are necessary participants at grievance hearings shall not lose pay for time necessarily lost from their jobs and will not be charged leave because of their attendance at such hearings.
  - m. The majority decision of the panel, acting within the scope of its authority, be final, subject to existing policies, procedures, and laws.
  - n. The Panel's decision shall be provided to all parties within ten (10) days.
  - o. The grievant shall not be entitled to recover more than was requested in his initial written complaint under Section 7.0(B).
  - p. Where a grievant has obtained partial relief at one level of this grievance procedure but decides to appeal to the next higher level, the filing of a request form to the next higher level shall constitute rejection of, and relinquishment of any claim to, any and all relief granted at the previous level.
  - q. At the request of either party, the hearing shall be private.
  - r. The grievant shall not be entitled to damages or attorney's fees.

## **Section 11.0 Decision of Panel**

1. A decision by the three-member Panel shall be in writing. The Chairman of the Panel must send the decision by certified mail, return receipt requested, to each party.
2. The decision of the Panel should be rendered as soon as possible, but, in any case, not later than fifteen (15) calendar days following the conclusion of the hearing.
3. The Panel shall have the authority, if it finds (based on the greater weight of the evidence) that the grievant has been denied a benefit or wrongly disciplined without just cause (where such cause is required) to reverse, reduce, or otherwise modify such action and, where appropriate, to order the reinstatement of such employee to his former position.
4. The Panel shall not have authority to do any of the following:
  - a. Formulate policies or procedures.
  - b. Alter existing policies or procedures.
  - c. Circumscribe or modify the rights of the County as outlined in this procedure.
  - d. Exonerate the employee from all discipline when the fault or responsibility of the employee is established by a preponderance of the evidence, or when the employee admits such fault or responsibility.
  - e. Grant relief greater than that which the grievant has requested in the request form, or grant relief which is inconsistent with law or County policy.
5. The decision of the Panel, acting within the scope of its authority, shall be final and binding, subject to existing policies, procedures, and law.

## **Section 12.0 Implementation of Remedy**

- A. The County Administrator shall implement any remedy which may be ordered by the Panel, provided that such decision is consistent with law and written policies.
- B. The County Administrator is not required to implement a decision of the Panel which he determines is inconsistent with law and written policies;
- C. A Panel's original decision becomes a final hearing decision, with no further possibility of administrative review, when:
  - The ten (10) work day period for filing requests for administrative review has expired and neither party has filed such a request; or,
  - All timely requests for administrative review have been decided and, if ordered by the County Administrator, the Panel has issued a revised decision consistent with law and policy.
- D. Either party may petition the Circuit Court having jurisdiction in the locality in which the grievant is employed for an order requiring implementation of the decision of the Panel.

## **Section 13.0 Computation of Time**

- A. Except where otherwise provided, time periods under this procedure shall be deemed to begin on the day following that on which any action is to be taken or report rendered, and to run on calendar days without regard to weekends or holidays. If a time period herein ends on a weekend or holiday, the last day of the time period shall be deemed to be the end of the business day of the first working day following. Thus, for example, a written grievance under the First Step must be presented to the grievant's immediate supervisor within five (5) days of the supervisor's verbal reply to the informal grievance. The five (5) days shall begin on the day after receipt of the supervisor's verbal reply and terminate on the fifth (5th) day following regardless of whether that is a weekend or holiday. If in fact it is a weekend or holiday, the time period shall be deemed to terminate at the end of the next full working day;

- B. Time limits established under this procedure for unilateral action by either party, such as the filing of the grievance forms at various steps by the employee, or the completion of written decisions by employer representatives at various steps are substantive requirements and are intended to be strictly construed and enforced. However, in the interest of fairness, any such time limits for unilateral action may be extended if all parties agree to such extensions. While the Human Resources Office will make every effort to schedule any hearings within the limits established by this procedure, it will also attempt to schedule those hearings at times agreeable to all parties involved. The failure to arrive at an agreed-upon date in any case will not be held against either party as a substantial procedural defect, unless it can be shown that either party is acting in bad faith to delay the scheduling of the hearing.
- C. The County Administrator or her designee may, at his option, require a clear written explanation for claims of just cause/good faith extensions or compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing petition with the Circuit Court within 30 days of the compliance determination.

#### **Section 14.0 Sheriff's Office Review**

Notwithstanding the contrary provisions of this procedure, a final hearing decision rendered under the provisions of this procedure that would result in the reinstatement of any employee of a sheriff's office who has been terminated for cause may be reviewed by the circuit court for the locality upon the petition of the locality. The review of the circuit court shall be limited to the question of whether the decision of the panel or hearing officer was consistent with provisions of law and written policy.

**EMPLOYEE  
SAFETY & LOSS  
PREVENTION  
PROGRAM**

**FOR THE**

**COUNTY OF POWHATAN**



**County of Powhatan**  
**Employee Safety & Loss Prevention**

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County of Powhatan  
**HUMAN RESOURCES**

Please sign, date, and forward this certificate to Human Resources.

**CERTIFICATE OF ACKNOWLEDGMENT**

This is to acknowledge the receipt of my Powhatan County Safety & Loss Prevention Manual, which I agree to read and observe.

I shall make an honest effort to abide by the rules, regulations, and procedures applicable to my Department.

NAME: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

DATE: \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_

**The Following Sections DO NOT Apply to the noted Department**

Finance/Human Resources/Administration /Community Development/IT/Social Services/Economic Development/Elections/Commissioner of Revenue/Treasurer:

- Confined Space Entry
- Lock-Out/Tag-Out
- Welding, Cutting and Brazing
- Handling of Compressed Gas Cylinders
- Overhead Cranes
- Forklifts
- Power Tools
- Powder Actuated Tools
- Compressors, Compressed Air & Pneumatic Tools
- Jacks
- Scaffolding
- Outdoor Equipment



## County of Powhatan

### **POLICY STATEMENT**

It is the policy of Powhatan County government that no function is so critical as to require a compromise of safety. Accidents and injuries take a heavy toll on the available resources within Powhatan County, not only monetarily, but also in the human sufferings of employees, their co-workers, their families and loved ones. Therefore, the safety and health of each employee is of the utmost concern.

It is our desire not only to provide a safe work environment and comply with all federal, state and local safety regulations, but also to create an atmosphere that promotes safety. I want each employee to know that every reasonable step is being taken by management to reduce the potential for an accident. We will strive to provide a place of employment free from recognized hazards and with the safest possible working practices. Our safety program has the full support of the Powhatan County Board of Supervisors.

As employees, each of us must pursue the highest standards in our assigned job activities and responsibilities. The well-being of persons involved and the protection of our physical resources is as important as the activity or work being performed. No assignment is so critical that time cannot be taken to do it safely.

I encourage every employee to support and participate in this program. Please join your fellow employees in achieving our ultimate goal of an injury-free workplace.

County Administration



## **LOSS PREVENTION OBJECTIVES**

It is the goal of Powhatan County to:

- Protect employees, operations, and assets of Powhatan County from losses which may result from workplace injuries, vehicular accidents, physical damage to property, fraud, and criminal acts.
- Protect members of the public from accidents which may arise out of Powhatan County government operations.
- Minimize the financial burden incurred by the citizens and taxpayers of Powhatan County as a result of accidental loss.

All employees are charged with the duty and responsibility to actively support all Loss Prevention policies, directives, reporting requirements, and recommended procedures. All employees of Powhatan County government shall be held responsible for carrying out all procedures for practicing safe work habits and for reporting all unsafe conditions, actions, or procedures to their supervisor.

## COUNTY OF POWHATAN SAFETY PROGRAM

### INTRODUCTION

#### A. PURPOSE

The Powhatan County Safety Program has been established to protect the safety and health of County employees, assist in preventing accidents and injuries, increase efficiency of operations, and save money for the taxpayers of Powhatan County. A successful safety program must provide not only for the safety of County employees but also protect the public by preventing unsafe acts or conditions created by the County.

This manual is designed to provide a general reference guide for department directors, supervisors, and employees outlining their duties and responsibilities in the safe daily performance of their tasks. Specific job-related safety procedures are outlined in each applicable Department's safety policies and procedures manual.

Our goal is to create a culture of safety consciousness in each department, division or section. If a director or supervisor appears to be unconcerned about the safety program, that attitude may be adopted by the employees they supervise. Regardless, employees at all levels are responsible for adherence to safety requirements.

All County employees have the responsibility to insure the efficient utilization of each tax dollar spent for County operations. To be successful, the Safety Program must have the continuous and active support of all employees.

#### B. CONCEPT OF THE SAFETY PROGRAM

Safety/Loss Prevention is based on analysis, identification, and the proper handling of the hazards which may cause serious injuries and/or material losses. The objective of Safety/Loss Prevention is to concentrate on specific corrective actions required to neutralize all factors interfering with the safety of an operation.

#### C. BACKGROUND

Loss prevention techniques, when consistently incorporated with other management skills, can have a dramatic effect on the reduction of on-the-job injuries, property damage, and production loss. It is a fallacy that accidents are inevitable in certain operations. A properly trained and supervised employee is less likely to be involved in an accident. The objectives of this program are focused upon this goal. A low experience of accident losses in any organization indicates top quality leadership at the managerial and supervisory levels. The Loss Prevention objectives are in accordance with Federal and State Occupational Safety and Health Rules and Regulations.

#### D. ELEMENTS OF OUR SAFETY PROGRAM

Our safety program includes, but is not limited to, the following functions and responsibilities:

1. Holding the individual responsible to act in a safe and prudent manner thereby avoiding injury to him/herself, others, and damage to equipment.
2. Assigning responsibilities to individuals or committees for safety activities. Designating one person in each Department as a safety liaison person.
3. Ensuring equipment, work areas, and working methods are safe.
4. Assigning personnel to jobs which they are qualified to safely perform.
5. Identifying hazards and eliminating them.
6. Encouraging employees to be interested in performing their duties in a safe and efficient manner.
7. Correcting unsafe work habits by adequate and effective supervision.
8. Providing proper protective equipment, training employees in its use, and making its use mandatory.
9. Educating and training employees to recognize the specific hazards of their jobs.

10. Investigating accidents to determine cause and implementing follow-up action to reduce accident recurrences.
11. Preparing and maintaining proper and complete accident records.
12. Adopting and enforcing safety rules, policies and procedures.

#### **E. APPLICATION**

Each employee shall carefully study the safety rules applying to his/her duties. Safety rules shall be followed and ignorance will not be accepted as an excuse for their violation.

If an employee is assigned a job which he/she considers hazardous and for which he/she is not properly protected, he/she shall inform the supervisor before commencing work. If questions arise, interpretation and responsibility rests with the supervisor.

Due to the wide diversity of County operations, as well as the variations in departmental organizational structures, it is fully realized that certain terminology and specific procedures are not contained in this manual. Therefore, Department Directors are required to formulate and implement safety and health policies and procedures specific to their operations and objectives. The rules set forth in this program are the minimum standard requirements that apply to everyone within Powhatan County government.

#### **F. RESPONSIBILITY**

Each County employee is fully responsible for implementing the provisions of the Safety and Loss Prevention Program as it pertains to operations under their control. The following responsibilities are "minimum." They are not to be construed as to limit individual endeavor in implementing a more comprehensive procedure and policy for curbing losses.

##### **1.) LOSS PREVENTION ELEMENT**

The Finance Director is responsible for the administration of loss prevention. The Finance Director and staff shall take actions through the Safety Committee to help produce a reduction in accidents. The Finance Department has full authority to stop hazardous jobs when prescribed safety precautions are not being enforced.

The Finance Department shall make every effort to:

- a) Maintain communication and direction through the Safety Committee.
- b) Conduct an aggressive loss prevention program.
- c) Incorporate into the program current policies and practices and philosophies adopted by the safety profession concerning injury prevention, occupational diseases, vehicle accidents, liabilities, damage and loss to equipment and material.
- d) Consult, as appropriate, with management personnel and employees on loss prevention matters, and provide assistance necessary to assure effective administration of this program.
- e) Attend Safety Committee meetings to promote maximum understanding of program objectives.
- f) Periodically evaluate compliance with the program within Departments.
- g) Coordinate through the Safety Committee, inspection of facilities for hazardous conditions and make frequent checks of field and shop areas to insure employee compliance with Federal, State and County work rules.
- h) Maintain an effective driver training program for County drivers.
- i) Maintain records on accidents for review with management.

- j) When consulted, research and recommend specific safety equipment.
- k) Investigate accidents resulting in death, hospitalization, lost time and property damage. Make recommendations to help prevent recurrences.
- l) Actively participate in community efforts of safety professionals and citizen groups striving to promote accident prevention.

## 2.) SAFETY COMMITTEE

The Safety Committee is an integral part of the Powhatan County Safety and Loss Prevention Program. Employees appointed to this function have an important and positive role toward the reduction of accidents and improvement of employee Health and Safety. The Safety Committee shall be comprised of the following individuals;

- Public Works Director
- Public Works Utility Manager
- Public Works Facilities Manager
- Representative from Sheriff's Department
- Powhatan Public Schools-Director of Facilities
- Powhatan Public Schools-Bus Garage Manager
- Community Development-Building Official
- Fire/EMS Representative
- Finance Department Representative

The safety committee will;

- Meet monthly
- Keep minutes of the meetings and forward copies to all committee members
- Detect hazards through job hazard assessments or workplace inspections
- Review and recommend additions or modifications to the safety program
- Review OSHA accidents or near misses as recommended by the Director or Manager of the department
- Recommend changes or modifications to work practices or safety measures in order to prevent recurring accidents
- Review suggestions or complaints to policy, procedures, or other practices that are alleged to be unsafe or unhealthy and make recommendations for proper corrective action.
- Review safety inspection reports, accident investigation reports, and statistical reports and make recommendations for improving unsafe conditions.

## 3.) DEPARTMENT DIRECTORS

Department directors are responsible for insuring the safety and well being of their employees and the public, and to protect Powhatan County property and equipment assigned to them. This responsibility includes but is not limited to employee training, providing required personal protective equipment, insuring that proper safe work procedures and safety rules are formulated and adhered to, and insuring that an orderly and safe environment is provided.

It is expected that an unrelenting effort will be directed towards preventing injuries, vehicular accidents, liabilities and the waste of materials. Each Department Director will insure that:

- a) The policies and procedures set forth in this program are complied with by all personnel under his/her control.
- b) All employees are familiar with all applicable County and Department safety policies.
- c) The leadership and direction required to maintain effective loss prevention policies is provided.

- d) One individual is appointed within each Department to act as safety representative and be the liaison to the Safety Committee.
- e) A portion of staff meetings is dedicated to review of departmental accidents and losses and discussion of methods to prevent recurrences.
- f) All hazardous tasks are covered by specific written work rules in order to minimize injury and property damage potential.
- g) All personnel are briefed and fully understand their Department's work procedures and safety policies.
- h) All employees are instructed and understand the use and need for protective equipment required for specific tasks.
- i) All employees do, in fact, use the prescribed safety equipment designated for each job.
- j) Safety suggestions from employees are encouraged, and those that are feasible are adopted. Those ideas with possible general application are forwarded to the Finance Director for review and analysis.
- k) All accidents are **thoroughly** reported, investigated, and recorded in accordance with existing directives.
- l) Immediate corrective action is taken whenever hazards are identified and unsafe acts observed.
- m) The Finance Department is called upon for assistance to promote more aggressive and effective loss prevention measures.
- n) An emergency action plan to ensure employee safety in the event of fire and other emergency is prepared, in writing, and reviewed with affected employees for each location. The plan includes the following elements: escape procedures and routes; critical Departmental operations; employee head count following an emergency evacuation; rescue and medical duties; means of reporting emergencies; persons to be contacted for information or clarification.

#### 4.) SUPERVISORY PERSONNEL

Supervisors have full responsibility for the safe actions of their employees and the safe operation of machines and equipment within their operating area. The supervisor has full authority to enforce the provisions of this manual and to take all actions necessary to keep losses in the area of his/her authority at a minimum. Each supervisor shall:

- a) Be accountable for preventable injuries and liabilities incurred by their employees. A supervisor's effectiveness is measured by the safety of his/her operation.
- b) Include an employee's safety record in the basic criteria used to judge each performance. An employee who causes accidents to himself or others has specific performance deficiencies that must be recognized, itemized, and corrected. To ignore the deficiency and reward unsafe performance is a disservice to the individual concerned and detrimental to the safety efforts of management.
- c) Insure that all management safety policies are fully implemented.
- d) Take the initiative in recommending correction of deficiencies noted in facilities and work procedures.
- e) Insure that each employee is fully trained for the assigned job. That the employees are familiar with the hazards of their work and all Department safety work rules.

- f) Fully cooperate with the Finance Department in correcting operations considered to be a danger to employees, members of the public, and/or County property.
- g) Be familiar with all Department and County safety policies and procedures and be fully informed of all accidents losses and abatement procedures in the area under his/her control.
- h) Be firm in enforcement of work policies by being impartial in taking disciplinary action against those who fail to follow safety rules and work procedures and by being prompt to give recognition to those who perform well.

5.) EMPLOYEES

Employees are required, as a condition of employment:

- To follow all safety procedures, rules and safe work practices;
- To exercise due care in the course of their work; and
- To prevent injuries to themselves and to their fellow workers.

Each employee shall:

- a) Obey all safety rules and follow all work instructions. If any doubt exists about the safety of doing a job, the employee should stop and get instructions from the supervisor before continuing work.
  - b) Operate only machines/equipment which he/she has been trained to operate.
  - c) Use only the prescribed equipment for the job and handle it properly.
  - d) Wear all required personal protective equipment including, but not limited to, gloves, safety shoes, safety vests, goggles, hardhats, respirators, seat belts, back belts and hearing protection whenever conditions make that equipment necessary.
- FAILURE TO WEAR AND/OR USE REQUIRED PERSONAL PROTECTIVE EQUIPMENT MAY RESULT IN A REDUCTION OF WORKERS' COMPENSATION BENEFITS IN THE EVENT OF AN ACCIDENT.**
- e) Take an active part in this safety program.
  - f) Promptly report to his/her supervisor all unsafe equipment, unsafe tools and/or hazardous conditions which may affect County employees, the work area or the general public.
  - g) Keep work areas clean and orderly at all times.
  - h) Report all accidents no matter how minor immediately to his/her supervisor.
  - i) Avoid engaging in any horseplay.
  - j) Refrain from the use of any substance that may affect job performance. Follow the County's policy on zero-use of any illegal drugs or alcohol. Report the use of any prescription or over-the-counter medication that may affect job safety.

## **GENERAL SAFETY**

### **A. SAFETY AND LOSS PREVENTION**

#### **1. Purpose**

Safety and Loss Prevention Programs are instituted to identify, analyze, and eliminate all hazards which may result in personal injury to employees, public liability, loss or damage to property, and loss or damage to equipment. Securing County property and equipment from loss due to fire, theft, vandalism, and abuse is the responsibility of every County employee. The Finance Department, at its discretion, will investigate any and all losses, and make recommendations to prevent future occurrences. All County employees shall cooperate fully with investigators. Various safety and loss prevention programs are defined in this document and in individual department safety manuals.

#### **2. Reporting Unsafe Conditions**

All Powhatan County employees are to keep alert for unsafe conditions. If an unsafe condition is identified, it is to be reported to a supervisor. The supervisor will evaluate the risk of personal injury, public liability, and damage to property or equipment, and initiate steps for immediate correction of the unsafe condition. If a supervisor is not available and the problem is not corrected in a timely manner or the hazard is not secured, the employee is to call the Public Works Director to report the unsafe condition.

#### **3. Safety Training**

All employees will be competently trained and capable of carrying out assigned tasks in a safe manner. Training on job competency, safety, inspection procedures, the correct use of personal protective equipment, and hazardous chemicals handling will be conducted prior to an employee starting operations. Employees will remain under close supervision until they have demonstrated competency. They will then be monitored periodically. All employee training shall be documented and filed. All training documentation is subject to review by the Finance Department and regulatory agencies.

### **B. UNIFORM SAFETY PROCEDURES**

#### **1. Safety Procedures Implementation**

Department procedures should reflect the following:

- a. Every Department should have a safety representative. All employees should be made aware of the name of the representative and how to contact that person. When an employee is appointed as a Department Safety Representative, the name of the selected person is sent to the Finance Director and the chairperson of the Safety Committee. The Department Safety Representative will serve as liaison between Loss Prevention and the Department and will be responsible for coordinating department safety matters.
- b. Every Department should have at least one person assigned to conduct or direct safety orientation for all newly assigned employees (assisted as required by the Finance Director). When an employee is appointed, the name of the selected person is sent to the Finance Director. This orientation must be documented for the employee's personnel file.
- c. A continuing job safety analysis is conducted for existing or newly acquired job functions. The purpose of this program shall be to define all possible safety hazards involved in the performance of the job, to establish safe work procedures and rules, and to determine if safety protective equipment or clothing is necessary for the employee performing the job.

- d. All required protective equipment/clothing, as determined by the Department, Safety Committee Representative is issued to and utilized by the employees performing job assignments requiring their use.
- e. A safety bulletin board or a designated place on an existing bulletin board is provided for the display of safety related materials, such as posters, memos, results of safety meetings, etc.
- f. All employees required to drive County vehicles are authorized to do so in accordance with provisions in this handbook.
- g. All Loss Prevention Inspection Reports are responded to in writing detailing corrective measures to be implemented. Written responses shall be forwarded to the Finance Director within ten (10) working days from the date of the report.
- h. All Commonwealth of Virginia, Commercial Insurer, and Local Fire Department Inspection Reports are responded to in writing detailing corrective measures to be implemented. Written responses shall be forwarded to the Finance Director within ten (10) working days from the date of the report, or by the required date stated in the report, whichever is sooner.

## **2. Required Inspections**

- a. Annual or semi-annual inspection of all fire extinguishing, prevention, alarm and detection systems.
- b. Annual inspection of all elevators.
- c. Annual and periodic inspection of all lifting or hoisting equipment, including cranes and boomed equipment (fixed or mobile).

## **3. Standards Compliance**

It is the responsibility of every Department to insure that all federal, state, county, and local standards and ordinances are complied with. This includes, but is not limited to:

- a. All electrical equipment has been approved by Underwriters Laboratories or Factory Mutual Laboratories.
- b. Electrical installations are in compliance with the National Electrical Safety Code.
- c. All fire protection and prevention devices meet the requirements set forth in the appropriate standards as adopted by the National Fire Protection Association.
- d. All chemicals and flammable liquids are handled and stored in accordance with the requirements of the National Fire Protection Association standards.
- e. All County facilities and operations are in compliance with OSHA and EPA standards.
- f. Department of Transportation Regulations for traffic control for work areas are adhered to.
- g. Required permits are obtained prior to beginning new construction or remodeling projects.

## GENERAL SAFETY PROCEDURES

### A. CONTROL OF ACCIDENT CAUSES

There are three main methods utilized to control accident causes. They are engineering, education and training, and enforcement. These three methods are sometimes referred to as the "three E's of safety" as outlined below.

1. **Engineering:** Causes of accidents, or unsafe conditions, can sometimes be eliminated through the application of engineering controls. When an operation is mechanically and physically safe, it is unnecessary to be as concerned about the uncertain behavior of people. Machines are less apt to fail than people. It may be necessary to make mechanical revisions or modifications to eliminate existing unsafe conditions and, in some cases, to prevent unsafe acts. Design of machine guards, automobile brakes, traffic signals, pressure relief valves, and hand rails are varied examples of safety engineering at work.
2. **Education and Training:** Just as safety engineering is the most effective way of preventing accident causes, safety education is the most effective tool in the prevention of human causes. Through adequate instruction, personnel gain useful knowledge and develop safe attitudes. Training is a particularly important accident prevention control; it gives each employee a personal safety tool by developing habits of safe practice and operation.
3. **Enforcement:** Usually, accidents can be prevented through adequate safety engineering and education. However, there are some people who are a hazard to themselves and others because of their failure to comply with accepted safety standards. It is these persons for whom the strict enforcement of safety practices is necessary, backed by prompt corrective action. No organized accident prevention effort can be successful without effective enforcement because accidents are frequently the direct result of violations of safety principles.

To be completely effective, accident prevention controls cannot be applied "hit or miss." All engineering, education, training, supervision and enforcement measures will be directed toward the solution of specific problems. These are based on the collection of facts relating to unsafe acts or unsafe conditions.

### B. ELIMINATION OF UNSAFE CONDITIONS

One of the most effective means of preventing accidents is the elimination of unsafe conditions. To stress safety while permitting unsafe conditions to exist is bound to create an obstacle to the cooperation required from employees. Employees are encouraged to report any unsafe conditions to their supervisors. The supervisor must take the initiative to correct unsafe conditions and protect employees and the public without the need for instruction from upper management. If correction is beyond the supervisor's scope of authority, the matter must be brought to the attention of the department director.

The following unsafe conditions must not be permitted to exist:

1. Obstacles or defects which hinder the safe movement of personnel, vehicles or machines, such as blocked fire exits.
2. Unsafe working and walking surfaces.
3. Worn, damaged or misused tools.
4. Failure to provide proper equipment and rigging for the hoisting and movement of heavy objects.
5. Operation of equipment with guards for moving parts of machinery removed and/or defeated.
6. Allowing employees to work without using required protective equipment such as goggles, gloves, hardhats, adequate foot wear or seat belts.
7. Worn and/or damaged or unguarded electrical wiring, fixtures and power cords.
8. Absence of required signage warning of particular hazards in the area.

The important factor in eliminating unsafe conditions is doing so before an accident occurs. Near-miss occurrences need to be investigated and corrected as they are a warning of a condition that may eventually lead to an accident. A near-miss occurrence is an example of an incident resulting in neither an injury nor property damage. However, a near-miss occurrence has the potential to inflict injury or property damage if its cause is not corrected.

All employees are to search out hazardous conditions and eliminate them before they bring about any injuries or cause work interruption. Too often an unsafe condition is allowed to exist simply because it has not caused an accident - - - **YET**.

### **C. REPORTING UNSAFE CONDITIONS**

All Powhatan County employees are to keep alert for unsafe conditions. If an unsafe condition is identified, it is to be reported to a supervisor. The supervisor will evaluate the risk of personal injury, public liability and damage to property or equipment. The supervisor will initiate steps for immediate correction of the unsafe condition. If the problem is not corrected in a timely manner or the hazard is not secured, the employee is to call the Finance Director to report the unsafe condition.

### **D. CORRECTING UNSAFE ACTIONS**

Regardless of the degree of safety built into a job, unsafe actions on the part of employees will always be a cause of injuries. Teaching employees safe work habits means showing them how to do their tasks with less risk to themselves, less spoilage of materials and less damage to equipment. Much of this instruction can be boiled down to a few simple principles or job rules. By concentrating on these safe habits, by showing "why" as well as the "how" of safety and by constantly supervising employees safe work habits, they will become the accepted method for the employee to perform tasks.

Actual demonstrations of the right way of doing tasks should be conducted, accompanied by the basis for preferring one work habit to another. Equally important as this initial instruction is the review of subsequent performance. When the right way has been presented and agreed to by the individual worker, it is essential that failure to comply be noted and corrected.

Flagrant or repeated disregard of safety rules should be met with appropriate disciplinary action. No matter how skillful an employee may be in performing his/her duties, if the employee does not perform them safely, that employee is placing him/herself and others at risk.

### **E. JOB SAFETY ANALYSIS**

By performing a Job Safety Analysis, job tasks are evaluated to identify the hazards involved. Procedures for a job safety analysis are as follows:

1. List sequence of job steps - the job is broken down into basic steps, describing what is to be done in a logical sequence.
2. Search for and list potential hazards - each step is analyzed for hazards that may cause an accident. The objective is to identify as many hazards as possible.
3. Decide on a recommended action or procedure. When the risks and potential hazards associated with each step are identified and their causes understood, then methods of eliminating them should be outlined. There are four basic methods by which this can be accomplished.
  - a. Substitution: Eliminate the process or operation and provide a substitute action.
  - b. Isolation: Isolate the process or operation in order to eliminate or minimize the hazard.
  - c. Protection: Provide mechanical guards to control access to hazards.
  - d. Personal Protective Equipment: Provide and enforce use of personal protective equipment to reduce the possibility of injury.

4. The data collected from all of the steps is used to create department specific safety policies and procedures. These are to be distributed to all affected employees. The policies and procedures assist supervisors in instructing employees in how to perform their job safely.

## **F. TRAINING**

Safety training is a critical component of the Powhatan County Safety Program. In many instances, the training required within specific safety programs is required by regulation and represents a potential violation of the law if the recommended schedules are not followed. Powhatan County does not simply view safety training as a means to comply with the law, this program provides the best opportunity to educate employees on any hazards they may encounter on the job and action steps to address the hazards. No one should assume a newly-hired, newly assigned, or reassigned employee knows all the required safe job procedures. They must be trained.

1. Define the employee's job and find out what they already know about it.
2. Get the employee interested in learning the safety aspects of their job.
3. Supervisors will insure all employees are competently trained and capable of carrying out assigned tasks in a safe manner.
4. Training on job competency, safety, inspection procedures, the correct use of personal protective equipment, and hazardous chemicals handling will be conducted prior to an employee starting operations.
5. Employee will remain under supervision until he/she has demonstrated competency.
6. All employee training shall be documented and filed. All training documentation shall be retained in departmental files and is subject to review by the Finance Director and regulatory agencies.

## **G. JOB SAFETY TRAINING**

Proper instruction instills employee confidence in his/her capabilities. Providing the employee with a copy of the work rules after initial and subsequent training affords a ready reference for review when needed.

Every employee must consider the maintenance of a safe working environment and safe working practices as an essential, vital, and primary part of his/her responsibilities. The direct supervisor has the most immediate and influential control over an employee's behavior. By their actions and supervision of subordinates, supervisors must demonstrate "safety."

It is essential for all supervisors to set a proper example by complying with all accepted safety practices that apply to assigned tasks. The effectiveness of employee injury and illness prevention depends upon the involvement of the first line supervisor.

All employees shall be provided safety training programs in the areas of:

1. General safety training for all new or reassigned employees.
2. Defensive driving for all County employees assigned to duties involving driving.
3. Safety hazard recognition and hazard elimination.
4. Special operational training for all specialized equipment or procedures.
5. Specialized areas as required by OSHA, NFPA, EPA and other standards such as:
  - Hazard Communication Standard.
  - Respiratory protection for employees required to work in hazardous atmospheres.
  - Hazardous Materials Handling.
  - Specific hazards for employees engaged in ARC welding and cutting and resistance welding operations.
  - First Aid if required.
  - Utilization of required protective equipment.

## H. SAFETY TRAINING SCHEDULE

- **New Employee Orientation.** One of the first activities that must be completed for any new hire is the new hire safety training. This training must be completed prior to assigning a new employee to job tasks. Depending on the job title and location, new employee orientation may include basic information on Virginia Workers Compensation, Powhatan General Safety Programs and/or general safety videos. Jobs related to construction and/or maintenance will require more detailed and specific training which will be provided through individual Departments.
- **Annual Training.** Department Directors and Managers shall develop an annual schedule for training classes and tracking an employees' attendance at these classes.
- **Monthly Toolbox Talks.** Monthly reading and discussion materials are available from the Public Works Department to assist Department Directors in selecting monthly safety talks relevant to their work tasks.

Each Department shall be responsible for documenting and maintaining training completed by department employees. Any certificates, written tests or sign-in sheets shall be provided to Human Resources for inclusion in the employee's file.

## I. REPORTING

### 1.) Injury and Illness Reporting-Worker's Compensation

Employees who are injured on the job must immediately contact the Company Nurse Injury Hotline 1-888-770-0925. The Company Nurse will instruct the employee if further medical care is necessary and instruct the employee to go to one of the panel physicians. Employees should also go to the nearest facility if drug testing is required after hours for a non-Workers Comp incident i.e. post-accident, random, reasonable suspicion. Employees must complete an incident form (Appendix A-Forms) and submit to their Department Director. The Department Director will forward a copy to the Human Resources and Finance Department.

- a. All Loss Prevention Inspection Reports are responded to in writing detailing corrective measures to be implemented. Written responses shall be forwarded to the Finance Director within ten (10) working days from the date of the report.
- b. All Commonwealth of Virginia, Commercial Insurer, and Local Fire Department Inspection Reports are responded to in writing detailing corrective measures to be implemented. Written responses shall be forwarded to the Finance Director within ten (10) working days from the date of the report, or by the required date stated in the report, whichever is sooner

## EMPLOYEE INJURY PROCEDURES

### A. EMPLOYEE INJURY PROCEDURES

If a co-worker is injured, employees are to:

1. Offer first aid to injured victim.
2. Call for emergency assistance, if necessary.
3. Notify supervisor immediately.
4. Secure the scene to prevent further injuries.
5. If a Supervisor is unavailable, call Human Resources at 598-5798 for treatment guidelines.

### B. REPORTING WORK RELATED INJURIES BY EMPLOYEES

Employees are required to report all work related injuries to their supervisor. The "Incident Report Form must be completed by the supervisor and employee and a copy forwarded to Human Resources within two working days of the injury/illness. The employee must contact the nurse hotline immediately to determine if additional medical treatment is necessary.

**C. RETURN TO WORK FROM INJURY OR ILLNESS**

**Before** an employee is allowed to return to work following an absence due to serious injury, illness or major surgical operation, whether work-related or not, the supervisor shall require the employee to present a written doctor's release indicating that the employee is physically qualified to resume his/her duties.

**D. ALTERNATE DUTY/RETURN TO WORK POLICY**

In the event that an employee's physician indicates that the employee is unable to return to full duty but may return to work with restrictions, Human Resources and the employee's department Director will review the restrictions to determine if modified duty is feasible. If modified duty is not available with the employee's current department, Human Resources will determine if modified duty is available in other County departments. If modified duty is not available the employee will be required to remain out on leave until the doctor releases the employee for full duty, until modified duty becomes available or until the employee exhaust FMLA protection.

## **SAFETY COMMITTEE REVIEW**

The most effective accident prevention measures are those which not only ascertain the cause of accidents, but prevent reoccurrences. The Safety Committee will be provided copies of all incident reports and information related to any work place injury/illness, all vehicle accident information and any loss claims. The Safety Committee will evaluate incidents and formulate recommendations for corrective action to prevent reoccurrence.

The primary purpose of the Safety Committee is to preserve the health and welfare of our employees and promote the County's goal to reduce personal injuries and accidental loss. The Safety Committee will recommend if "disciplinary action" is required based on the incident details and actions of the employee.

## **MOTOR VEHICLE SAFE PRACTICES**

### **A. INTRODUCTION**

All employees having the need to drive on County business will:

- Have a valid Virginia State Drivers License.
- Only operate vehicles for which they have the proper class license.
- Attend a Defensive Driving Course once every five years.
- Be trained and authorized to operate County vehicles, special purpose vehicles, and trucks.
- Not be certified as an authorized driver to operate a truck or special purpose vehicle until that employee has satisfactorily demonstrated complete familiarity with its functions. It is mandatory that the employee thoroughly understands the manufacturer's operating instructions, vehicle limitations, emergency procedures, and is able to successfully pass an operator's check-out test to the satisfaction of the supervisor.
- Be knowledgeable and understand County vehicle operating rules and safety regulations before driving a County vehicle.
- Inspect assigned vehicles daily for safety discrepancies, malfunctions, signs of abuse, unreported damage, and cleanliness. Have all repairs related to the safety and reliability of vehicles made as soon as possible.
- Not drive a vehicle if it is found to be unsafe. The employee will report it to his/her immediate supervisor.
- Wear a seat belt at all times while driving or riding in a County vehicle or driving their personal vehicle on County business. Failure to wear a seat belt will subject the employee to disciplinary action.

**NOTE:** Any employee who sustains a bodily injury as a result of a vehicle accident, and it is determined the employee was not wearing vehicle safety belts, may forfeit partial Workers' Compensation benefits.

- Report to his/her supervisor if evidence of accident damage is found, before leaving. Otherwise, the employee may be charged with the responsibility for an accident he/she did not have.
- Call police to investigate any accident involving County vehicles and report accident details to immediate supervisor and Human Resources as soon as possible.

### **B. DEFENSIVE DRIVER TRAINING**

New employees authorized to operate a vehicle on County business will be required to attend the next available Defensive Driving Training Program.

### **C. MOTOR VEHICLE SAFETY**

#### **1. General Safe Practices**

- Each driver is responsible for the safe and proper operation of his/her vehicle and shall check the following items daily before putting the vehicle into service.
  - fuel
  - coolant
  - oil
  - turn and stop lights
  - windshield wipers

- headlights
  - horn
  - tires
  - brakes
  - cargo
  - housekeeping
- Keep safety above expediency.
- Comply with all traffic ordinances and safe driving practices.
- Ensure the safety of the public and County employees.
- Drive to prevent accidents in spite of the incorrect actions of others and adverse conditions.
- Where there are two employees in or assigned to a vehicle, one employee shall be designated as a spotter and stationed where the driver can see and hear to direct the driver while backing. If a backing accident should occur, both the driver and spotter may be charged.
- No County employee shall operate a motor vehicle while wearing a headset, headphone, or other listening device, other than a hearing aid or instrument for the improvement of impaired hearing.
- No County employee driving or in charge of any motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, engaging the parking brake, and removing the key.
- Vehicles must comply with Virginia Statutes 46.2-1121 which requires a 12 inch square red flag or light on all loads extending 4 feet beyond the rear of a vehicle.
- Operators of County owned vehicles are responsible for checking all safety devices before driving the vehicle. Any defects found shall be reported to the immediate supervisor and the vehicle shall not be operated until made safe.
- No County vehicles and equipment will be used for transport of employees unless they are designed and equipped to safely carry personnel.
- All employees shall ride in the driver's compartment or cab with sufficient seating and seat belts.
- Tailgates shall be closed when the vehicle is in operation and not transporting long loads.
- Bodies of dump trucks shall be secured in the down position or the hoist lever secured in the lock position when the vehicle is in motion.
- Employees shall not ride on the top of side rails, tops of cabs or running boards of any vehicles. Each operator and passenger must have all necessary safety equipment.
- Drivers of emergency vehicles are not exempt from the duty to drive with due regard for the safety of all persons using the roadway.
- When a vehicle is towing a trailer or semitrailer by means of a trailer hitch, safety chains from the trailer or semitrailer to the vehicle shall also be attached. Safety chains shall be connected to the towing vehicle by crossing the chains under the tongue of the trailer. These safety chains shall be of sufficient strength to maintain connection of the trailer or semitrailer to the pulling vehicle under all conditions while the trailer or semitrailer is being towed by the vehicle. The provisions of this subsection shall not apply to trailers or semitrailers using a hitch known as a fifth wheel.
- Loads of all trucks, trailers and semitrailers must be covered or secured to the vehicle in which they are being transported to prevent escape.

**D. MOTOR VEHICLE ACCIDENTS**

Vehicular accident and property damage is defined as any accident occurring between a County vehicle (or private car when the employee is on official County business) and another vehicle, pedestrian, animal or fixed object.

Although police are called to investigate all County vehicle accidents, it is the responsibility of the employee to insure that all facts are obtained with respect to the other driver. **Under no circumstance should ANY County employee make any statement relative to guilt.**

1. **Vehicle Accident Reporting Procedures and Guidelines**

- Stop immediately and investigate even when the accident appears to be minor.
- If an emergency situation exists (bodily injury, chance of fire, etc.), call for emergency service assistance.
- Always call the police.
- Notify supervisor.
- Make no admission of liability or guilt.
- Do not argue with anyone.
- At the scene, make written notes of the details of the accident; obtain complete information on the other driver and vehicle.
- Call Finance as soon as possible at 598-5610
- At the scene, only discuss the facts with the police officer or authorized County official (such as your supervisor, Finance Director, etc.).
- After the fact, do not discuss the accident with insurance agents, the news media, adjusters, or attorneys without permission from Finance.
- Complete the Vehicle Incident Report with your supervisor.
- Drug and Alcohol testing must be performed on the employee involved in the accident as soon as feasibly possible following the incident. The Supervisor will bring the employee for testing following a vehicle accident. If injury or death occurs or any vehicle involved in the accident is towed from the scene, the employee must be immediately escorted for drug and alcohol testing. If the employee is injured, drug and alcohol screening will be done by the attending doctor/facility.
- The Vehicle Accident Report must be received by Finance within two (2) working days from the time of the accident. All information on the Vehicle Accident Report form must be provided.

**NOTE:** Each department head shall be responsible to see that the Vehicle Accident Reporting Procedures are followed.

## PERSONAL PROTECTIVE EQUIPMENT

### IT IS THE RESPONSIBILITY OF EACH EMPLOYEE TO USE PERSONAL PROTECTIVE EQUIPMENT!

#### A. EYE SAFETY

It is important to keep flying objects, dusts, rust, vapors, heat, and liquid splashes out of the eyes. Safety glasses, goggles or face shields are required whenever there is danger of exposing the eyes to flying particles, caustic substances or harmful light rays. Eye and face protection must be used whenever there is a possibility of something entering the eye. All eye protection must meet ANSI Z87.1 regulations. Welders are required to use the proper shaded lenses for the type of work they are performing. (See welding eye safety.)

In areas that are designated for eye protection, everyone must wear eye and face protection, including employees performing the job, those working nearby, and visitors.

Safety glasses, goggles or face shields must meet the following requirements:

- Provide adequate protection against particular hazards for which they are designed;
- Be reasonably comfortable when worn under the designated conditions;
- Fit snugly without interfering with the movements of the wearer;
- Be durable;
- Be capable of being disinfected;
- Be easily cleanable; and
- Be kept in good repair.

If you wear prescription eyeglasses to correct your vision, you must wear safety glasses with safety lenses that meet ANSI requirements. Safety glasses/spectacles require special frames. Combinations of normal-street wear frames with safety lenses are not in compliance.

Safety goggles/glasses worn over regular glasses must be comfortable and not disturb the adjustment of corrective lenses. All employees should check their safety glasses before each wearing.

- The brow protector should fit against the face. This helps protect against particles entering the eye from above the glasses.
- The glasses should fit snugly, not tightly, without eyelashes hitting the lenses.
- If there is a headband, it should fit snugly. Headbands that are slack should be replaced.
- Lenses should be clean. Clean with water or with special cleaning solution for eyeglasses.
- Lenses should be free of scratches, cracks or pitting.
- The brow and side protectors should be in good condition.

Contact lenses are not a substitute for safety glasses. Contact lenses pose a special threat. Hazardous dusts, gases, vapors, or liquids can get trapped between lenses and eyes. Contact lenses:

- Must not be worn in hazardous atmospheric conditions.
- Must not be worn under a full face respirators or SCBA (self-contained breathing apparatus).

According to OSHA 1910.151, where a person's eyes or body may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.

#### 1. Welding Eye Safety

Workers or other persons adjacent to the welding areas must be protected from the rays by noncombustible flameproof screens or shields -OR- they must wear appropriate welding safety goggles.

- Helmets or hand shields must be used during all welding or cutting operations.
- Helpers or attendants must be provided with the proper eye protection.

- All filter lenses and plates must meet ANSI Z87.1 standards for transmission of radiant energy.

## B. HEAD PROTECTION

Head protection equipment (hardhats) shall be worn where there is any possible danger of head injuries from overhead impact or falling objects. Hardhats must meet ANSI Z89.1 standards. Hardhats must be worn in designated hardhat areas.

- Wear your hardhat on your head!
- The shell and the suspension of the hardhat should be checked daily and maintained in good condition.
- Do not carry anything in your hardhat; do not use it as a bucket or step stool.
- Do not paint the shell. Solvents in the paint may soften the shell material.
- Do not wear ball caps or hats under your hardhat. In cold weather special liners will be provided.

## C. HAND SAFETY

Appropriate hand protection will be required where employees are exposed to injurious chemicals or abrasive materials that have the potential for hand injuries. Gloves of an appropriate type shall be worn when handling rough, sharp, and/or hot materials, as well as chemically active substances.

There are three types of hand injuries:

- Traumatic injury following an accident.
- Contact with substances that damage the skin.
- Repetitive motion problems caused by overuse of specific muscle groups in the hands.

### 1. Types of Gloves

- Rubber, vinyl, or neoprene gloves are for use with caustic chemicals such as acids, cleansers, and petroleum products.
- Leather gloves protect against sparks, rough surfaces, and scraping objects. The design depends on the job.
- Metal mesh gloves protect hands from knives, blades, or other sharp instruments.
- Plastic-film gloves protect against contact in injury from mild substances.
- Cloth gloves provide traction for holding slippery objects, insulate to protect against moderate heat or cold, and protect hands from sharp edges.
- Aluminized fabric or other special materials protect hands against the intense heat of molten material.
- Insulated gloves are often made of rubber and worn underneath leather gloves as protection against electrical shock and burns.

### 2. Other Hand Protection

- Hand Pads protect against rough materials when fine finger movement is not needed.
- Barrier creams protect against corrosive substances and can make cleanup easier, but are not substitutes for gloves.
- Forearm cuffs made of cloth or special fabrics protect against heat and keep sleeves out of the way.
- Wash hands frequently.
- Keep hands away from face when working with chemicals.
- Do not use hands for feeding materials into saws and other machinery.
- Do not use hands to sweep up metal or wood chips.
- Rotate tasks to give hands a rest, where possible.
- Do not wear jewelry when working around or operating rotating machinery and equipment.

#### D. **FOOT PROTECTION**

Safety shoes must be worn where they are required. Department Directors will determine which operations require foot protection. Safety shoes must meet ANSI Z41.1 standards.

- There are different types of safety shoes for different jobs.
- Wear shoes that fit properly.
- Steel toed shoes are required where employees work with heavy objects or machinery that could cause foot injury.
- Safety shoes with sole protection may be required in certain applications.
- Electricians should wear electrical hazard safety footwear.
- If the job does not require safety shoes, select sturdy work shoes that will give sufficient support.
- Inspect shoes regularly for damage such as: dampness or embedded metal that might impair electrical protection; cuts; cracks, etc. which might expose feet to danger and for anti-slip soles.
- Never wear defective footwear on the job.
- Employees should not repair their own safety shoes, i.e., never repair non-sparking footwear with metal nails.
- Chainsaw use requires a special metatarsal and shin protection.

#### E. **CLOTHING**

Employees will wear appropriate clothing for the type of work they are performing. The Director will determine acceptable attire. Many positions in the County are issued uniforms and laundry services. Employees issued uniforms are expected to keep uniforms in good condition, clean and presentable.

- Read and follow the manufacturer's instructions.
- Check for tears, leaks, punctures or signs of wear and tear before putting on.
- Be sure the clothing is not contaminated from the last use.
- Contaminated clothing should be decontaminated or discarded as soon as feasible.
- When operating machinery or working with machinery, make sure all clothing fits correctly. Loose fitting clothing can contribute to accidents.
- Beware of heat sickness. Clothing that keeps water and vapors out usually also keeps them in. Avoid dehydration.

#### F. **RESPIRATORS**

OSHA CFR Part 1910.134 on Respiratory Protection standard requires employers to establish and maintain a Respiratory Protective Program whenever respirators are necessary to protect the health of employees.

Respirators will be worn when working with chemicals or products that pose health hazards when inhaled or ingested in the form of dusts, vapors or mists. Each affected Department is responsible to have a written Respiratory Protection Program. Requirements for a minimal acceptable program are specified in OSHA 1910.134 (b)(1).

A minimal acceptable respirator program should include the following:

- Written Operating Procedures
- Proper Selection of the Respirators
- Training and Fitting
- Cleaning and Disinfecting
- Storage
- Inspection and Maintenance
- Work Area Surveillance
- Inspection/Evaluation of Program
- Medical Examinations
- Approved Respirators

- Standard procedures must be developed for respirator use. These should include all information and guidance necessary for their proper selection, use and care. Possible emergency use and routine use for the respirator should be anticipated and planned for. The correct respirator must be specified for each job.
- If the respirator has an air or oxygen cylinder, make sure it is fully charged according to the manufacturer's instructions.
- Respiratory protect devices fall into three classes:
  1. air-purifying;
  2. atmosphere or air supplying;
  3. combination air-purifying and air supplying.

#### 1. **Proper Selection**

- Respirators must be selected on the basis of hazards to which the worker is exposed.
- The respirator type is usually specified in the work procedures by a qualified individual supervising the respiratory protective program.
- The individual issuing them must be adequately instructed to insure the correct respirator is issued.
- Respirators must meet the guidelines of ANSI Z88.2-1969.
- OSHA recognizes an approved respirator if it has been jointly approved by National Institute of Safety & Health (NIOSH) and the Mine Safety and Health Administration (MSHA). NIOSH/MSHA approval for supplied-air and air-purifying respirators is valid only in atmospheres containing greater than 19.5 percent oxygen.
- If oxygen deficiency is not an issue, then the contaminant(s) and their concentrations must be determined.

#### 2. **Training and Fitting**

- The user must be instructed and trained in the selection, use and maintenance of the respirator.
- Every respirator user must receive fitting instructions including demonstrations and practice in how the respirator should be worn, how to adjust it, and how to determine if it fits properly.
- Respirators must have a good seal around the face to prevent contaminated air from getting in.
- Beards and sideburns that interfere with the facial seal are prohibited.
- The face piece fit must be checked by the wearer each time the respirator is put on.
- Corrective glasses with long temple bars may interfere with the seal. Wearing of contact lenses in contaminated atmospheres is not allowed.

A good fit and seal includes:

- Fits securely but not too tightly around the chin;
- Does not pinch the nose;
- Does not slip;
- Leaves room to move the head and to talk.

#### 3. **Cleaning and Disinfecting**

- Respirators must be regularly cleaned and disinfected.
- Respirators should be inspected during cleaning.
- Respirators issued for the exclusive use of one worker should be cleaned after each day's use or more often if necessary.
- Routinely used respirators must be collected, cleaned and disinfected as frequently as necessary to insure that proper protection is provided for the wearer.

#### 4. **Storage**

- Respirators must be stored in a convenient, clean, and sanitary location.
- Store in such a manner as to protect against dust, harmful chemicals, sunlight excessive heat and moisture.

- Emergency use respirators must be kept in a convenient place and accessible.

#### 5. **Inspection and Maintenance**

- Respirators used routinely must be inspected before each use.
- Worn or deteriorated parts must be replaced.
- Respirators for emergency use such as SCBA must be thoroughly inspected after each use.
- According to OSHA regulations, SCBA's must be inspected every thirty days. A signed and dated inspection form must be kept by the SCBA to show the inspection record.
- Check for holes, cracks or any sign that the respirator may not be providing the best protection.
- The employee will refer to the information on the product label or the Material Safety Data Sheet for specific information as to what type of respirator and/or appropriate chemical cartridge is required for protection.
- Respirators will be worn when working with chemicals or products that pose health hazards when inhaled or ingested in the form of dusts, vapors, or mists.

#### 6. **Medical Program**

Employees should not be assigned tasks requiring use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. A physician must determine what health and physical conditions are pertinent. The respirator user's medical status should be reviewed periodically, usually annually.

#### G. **HEARING PROTECTION**

Noise is more than just a nuisance, it is a hazard. Hearing can be damaged temporarily or permanently. **Frequency** is the pitch (high or low) of a sound - the number of complete sound wave cycles each second. **Intensity** is the loudness of a sound, it is measured in decibels.

There are three Basic Types of Hearing Protection:

1. Earplugs
  - a. Formable earplugs – disposable or semi-disposable
  - b. Pre-molded earplugs – universal type or multi-size type
  - c. Custom-molded earplugs
2. Canal Caps – made of a soft, rubber-like substance
3. Earmuffs

- Hearing protection must be worn in designated areas.
- Any type of approved hearing protection should have a noise reduction rating (NRR) expressed in decibels. This indicates the amount of noise reduction that the device provides.
- Ear plugs and ear muffs provide important protection against noise.
- Follow manufacturer's instructions for cleaning and storage.
- Proper fit is essential!
- Only OSHA approved hearing protection shall be used on the job
- Employees are not permitted to operate machinery while using personal listening devices, i.e., walkman, etc.

#### H. **VESTS, LIFELINES AND SAFETY NETS**

In jobs involving potential fall hazards, safety belts, buoyant work vests, lifelines, body harnesses, and/or lanyards must be used.

- If there is a danger of falling into water while working, a Coast Guard-approved life jacket or buoyant vest must be used.
- Personal floatation devices must be maintained in a safe condition. They must be taken out of service when they are damaged so as to affect buoyancy or fastening capability.

- Where working surfaces at river banks slope so steeply that an employee could slip or fall into the water, the outer perimeter of the working surface must be protected by posting or other portable protection such as roping off. Employees must wear an approved personal floatation device.
- Flagmen and night workers, who might be struck by moving vehicles, need suits or vests designed to reflect light. Class 3 Reflective clothing must be worn, including jacket/vest, pants and hardhat reflective stickers.
- Always inspect lifelines and safety belts carefully before each use. Check for signs of deterioration such as torn fibers. Inspect lifeline attachments carefully.
- If lifelines are used where they may be cut or damaged accidentally, such as by contact with sharp edges, they must be padded or protected.
- Body harnesses are recommended for fall arrest systems.
- Lanyards must be at least 1/2 inch nylon or the equivalent and should be short enough to allow a fall of less than six feet. They must be firmly secured above the working surface.
- Nets should be used when a lifeline or a safety belt is not practical. Forged steel, safety hooks, or shackles should be used to fasten a net to its supports. The mesh should be no larger than 6 inches by 6 inches.
- The nets should extend beyond the edge of the work surface. Safety nets should be tested to ensure that they are tight enough to prevent an employee from making contact with any surface or structure.
- Rope should have strength of 5,400 pounds.

**ALWAYS WEAR THE REQUIRED PROTECTIVE GEAR - EVEN IF THE JOB WILL "ONLY TAKE A MINUTE." \*\* NEVER TAKE SHORTCUTS!!**

## GENERAL SAFETY RULES

The following general safety rules apply to all County personnel. **THESE RULES DO NOT PROHIBIT DEPARTMENT HEADS FROM ESTABLISHING MORE STRINGENT OR SPECIFIC RULES AND REGULATIONS RELEVANT TO THEIR PARTICULAR OPERATION.**

Each and every employee has an obligation to perform his/her duties in a safe and efficient manner and to report any and all unsafe acts or situations to his/her supervisor immediately. In addition to these general safety rules, all state, local and federal rules and regulations apply.

### A. GENERAL HOUSEKEEPING

Good housekeeping shall be of primary concern to all employees. The following rules shall be observed by all **EMPLOYEES**:

- Good housekeeping practices shall be a part of the daily routine, with cleanup being a continuous procedure.
- Aisles and passage-ways will not be used for the storage of hand trucks, stock, equipment or materials.
- Oil, grease, or other liquids when spilled on the floor or work surfaces should immediately be wiped up or sprinkled with absorbent floor material. Spill areas should be marked and barricaded.
- Gather up tools and return them to their proper place. Make sure that no tool or other appliance has been left in any machine or other place where it might fall or cause damage when the power is turned on.
- Return all surplus materials to stock or storage areas.
- All employees are required to keep the work area to which they are assigned clean and neat. Keep all tools and equipment in a safe, orderly manner.
- Welding leads, electric, steam, and air lines should be kept off floors by use of trees and hooks wherever possible.
- Scrap material and rubbish shall be placed only in containers provided for that purpose.
- Metal stock, lumber, and cased or crated goods should be stored in a neat, safe, and orderly manner. Round stock should be blocked to prevent rolling, gas cylinders secured by chains in an upright position and tiered material cross-tied. Pallets should never be stacked and height of items stacked on a pallet shall not exceed 5 feet.
- **DO NOT** hang clothing, towels, rags, or other combustible materials on radiators, hot lines, near floors or hot surfaces.

### B. OFFICE SAFETY

The following guidelines shall be observed by all Powhatan County employees:

- Good housekeeping is a must in every office.
- Horseplay is unacceptable.
- If you spill or observe spilled liquids on the floor, arrange for cleanup immediately to prevent a slip or fall.
- Pick up any items that have fallen on the floor as they could easily be the cause of a slip or fall accident. Even if the item is not yours, pick it up as someone may have dropped it without realizing.
- All defective equipment should be immediately reported to a supervisor. The supervisor is responsible to take steps to correct the unsafe condition.
- Desk and cabinets should be kept clean and orderly.
- An open drawer of a desk or cabinet is a hazard which can cause trips or falls. Keep drawers and cabinet doors closed.
- Use handles when closing desk drawers, file cabinets, safes, and doors. Avoid curling fingers around tops and sides of drawers where they may be cut or injured when closing the drawer.
- Position all desk equipment to allow a 2 inch border at the edge of the desk. This will help prevent items from falling to the floor where they can be tripped/slipped on or damaged.

- All chairs should be used for sitting only. Do not lean back to the extent that the front legs are lifted off the floor.
- Carry pencils, scissors, and other sharp objects with the point down to prevent stabbing accidents to yourself and others.
- Sharpened pencils should be placed point down in pencil holders or kept in desk drawers.
- Sharp or pointed objects, such as scissors, letter openers, and tacks, should be kept in protective containers in desk drawers. This would help prevent hand injuries when rummaging through drawers.
- **DO NOT** leave open scissors lying on top of a desk or in a desk drawer.
- If items are stored above eye level, use a ladder to retrieve or store them. Avoid standing on a chair or other type of makeshift ladder.
- **DO NOT** place file cabinets so that open drawers will block doors or passageways.
- The standard four-drawer filing cabinet can cause injury if it is upset, usually as a result of opening a heavily loaded top drawer. Open only one drawer at a time. When possible load heavy ledgers and files in the bottom drawers. Always fill a cabinet from the bottom drawers to the top drawers to maintain the lowest possible center of gravity in the cabinet.
- Where the possibility exists that a cabinet may tip when opened, request General Services to secure the cabinet to the floor or adjacent cabinets.
- **DO NOT** place two drawer cabinets on top of each other to make a four drawer cabinet. The cabinets should be replaced with one four drawer unit or bolted together.
- Electrical and telephone cords are to be located out of the passageways and walkways where they would create a tripping hazard.
- **DO NOT** overload electrical outlets.
- Notify General Services of any observed defects in electrical appliances.
- **DO NOT** remove the ground prong on three-prong plugs. Electrical equipment with ground pin requires a three-prong receptacle. In the event an electrical outlet is not the three-prong type, request General Services to replace the units.
- **DO NOT** use extension cords, adapter, gang or "cheetah plugs."
- Check that electric wires and plugs are in good condition, with no frayed or worn areas.
- Turn off electrical equipment at end of work day.
- Avoid standing in front of closed doors that may suddenly open.
- When using stairways, take one step at a time. Stair rails or wall rails should be used to prevent falls when ascending or descending stairs.
- **DO NOT** stop and talk on stairs. Use landings.
- Check that floor surfaces are in good condition. Report slippery areas or torn carpets.
- Keep hands and fingers on the handle of the paper cutter before pressing down.
- Keep paper cutter handle in closed/locked position when not in use.
- Keep fingers away from ejecting slot when loading or testing stapling devices.
- **DO NOT** place objects on window sills.
- Know how to call 9-1-1. Are you required to call 9 to get an outside line? Then call 9-9-1-1.

#### C. **VIDEO DISPLAY TERMINALS (VDT) WORKSTATION LAYOUT**

Many employees use computers. Some employees use computers the entire day, others part of the day, and some use them occasionally. Whatever the frequency of use of the computer is, there are some basic health and safety procedures to help prevent injuries. No matter how comfortable your workstation is, sitting still for long periods of time can be tiring and stressful.

- Stretch occasionally and look away from the work frequently.
- If possible, get up from the terminal and do other tasks.
- Alternate different tasks throughout the work day to vary work rhythms. Take time out to collate papers or deliver completed work. This will keep strain and tension from building up.

## 1. **How to Adjust Your Workstation**

Many workstations are not ideal; some simple adjustments can usually improve them.

### a. **Keyboard Height**

The keyboard height should be comfortable - about 2 1/2 inches from the top of the table to the top surface of the space bar and bottom row of keys. At that height, the desk top can give the needed support to the operator's wrists. If the desk top is the right height, approximately 24 to 28 inches, the upper and lower arms form a comfortable angle of approximately 90 degrees. Upper arms will then hang comfortably at ones sides, taking the strain off the upper back and shoulders.

If the keyboard is not adjustable, and it is too high for comfort, try placing pads under the wrists to elevate them to a more comfortable position. Keyboards are rarely too low, but a low keyboard can be adjusted. Try a pad of paper or flat piece of wood under the keyboard.

### b. **Screen Face Angle and Screen Height**

The face of the screen should be tilted back about 10 to 20 degrees for easier viewing - provided this does not increase the glare on the screen. The top of the screen should be no higher than eye level to minimize eye movement. For comfortable viewing, the screen should be about 18 inches from the eyes. If the angle of the screen is not adjustable, and the screen is too vertical, you can place a small wedge under the front of the monitor to tilt it back.

### c. **Chair Height**

Good posture is essential. To prevent neck and back strain, keep the spine and head upright. Sit well back into the chair. The chair is at a comfortable working height when one does not feel excessive pressure on the legs from the edge of the seat. Pressure from the seat front could make the legs go to sleep. The backrest should fit comfortable at the small of the back to give good support.

Use the following methods to determine the correct chair height:

- Sit with the soles of the shoes flat on the floor. Keep the shins perpendicular to the floor and relax the thigh muscles.
- Measure the distance from the hollow of the knees to the floor.
- Subtract 1 to 3 inches.
- The resulting measurement is the correct height for the top of the chair seat.

### d. **Glare**

Sometimes glare and poor lighting make it difficult to read the VDT screen or the copy. The following are some hints in improving the workstation lighting. To control glare:

- Adjust the screen's brightness and contrast controls to compensate for reflections on the screen.
- Close the blinds or pull the shades to block daylight coming through a window from behind the terminal.
- Try to eliminate or adjust any intense light source shining directly into the eyes.
- Adjust the angle of the screen to minimize the glare.

One can minimize the strain of reading in a dimly lit room by using a small task light. Make sure the light is positioned so it does not cause glare or reflect on the screen.

## D. **CHEMICALS SAFETY/HANDLING CHEMICALS**

- All personnel handling or working with acid, caustics, solvents, or petroleum products shall follow safe work practices and all safety rules.
- Wear **ALL** necessary personnel protective equipment such as goggles, gloves, and proper clothing when working with acids or other corrosive materials.
- No food or drink shall be stored or consumed in the area where potentially toxic substances are stored, mixed or otherwise handled.
- Employees will use due care to avoid spills or splashes when handling chemicals. Spilled chemicals must be cleaned up immediately. Use absorbent materials and proper disposal procedures indicated on the Material Safety Data Sheet when spills occur.
- All containers of chemicals or substances shall be clearly labeled to indicate the hazards and all precautionary measures to be observed.
- Handle tools carefully while working around acid or other chemicals to avoid dropping them. They may cause a splash.
- After tools have been used around corrosive chemicals, clean them thoroughly.
- In mixing acid and water, always pour the acid into water slowly. **Never pour water into acid; it may splash.**
- If contact is made with caustic or corrosive chemicals, take immediate action by flushing the affected part with water. If swallowed, check the chemical warning label on container or the Material Safety Data Sheet and immediately contact Poison Control **1-800-222-1222**

**If caustic or corrosive chemicals enter eyes, flush eyes with water for a minimum of 15 minutes.** In the event an eye wash system is not available, use a garden hose or any source of potable water that is immediately available.

#### E. **BLOODBORNE PATHOGENS STANDARD**

OSHA 29 CFR Part 1910.1030 Bloodborne Pathogens Standard requires employers to determine who has occupational exposure to establish methods to reduce workplace exposure to bloodborne diseases. To minimize the risk of occupational exposure to potentially contaminated blood and body fluids a combination of education, PPE, vaccinations, engineering controls, and an application of recommended work practices will be used.

##### 1) Exposure Determination

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employee are considered to be exposed even if they wear personal protective equipment).

Job classifications in which all employees have occupational exposure;

Utilities  
 Sheriff  
 Fire/EMS  
 Social Services

Job classification in which some employees have occupational exposure;

Facilities  
 Parks and Recreation  
 Schools  
 Convenience Center  
 Grounds

OSHA requires a listing of tasks in which some employees may have occupational exposure. Since not all the employees of Powhatan County would be expected to incur exposure to blood or other potentially infectious materials, tasks or procedures that would cause employees to have occupational exposure are also required to be listed in order to clearly understand which

employees are considered to have occupational exposure. Tasks and procedures which have occupational exposure;

- Performing CPR & First Aid
- Disposal of contaminated sharps
- Clean-up and disposal of bio-hazard spills
- Repairing, operating, and maintaining wastewater systems
- Inspection of wastewater collection systems
- Laboratory handling of un-disinfected wastewater samples
- Janitorial Services

## 2) Implementation Schedule and Methodology

- a) Universal precautions will be observed at Powhatan County in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.
- b) Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees of Powhatan County. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized.
- c) All engineering and work practices will be examined, reviewed, and maintained on a regular schedule.
- d) Hand-washing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. If hand-washing facilities are not feasible, Powhatan County will provide either antiseptic cleanser in conjunction with a clean cloth/paper towels or antiseptic wipe. If these alternatives are used then the hands are to be washed with soap and running water as soon as feasibly possible.
- e) After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area IMMEDIATELY or as soon as feasibly possible with soap and water.
- f) If employees incur exposure to their skin or mucous membranes then those areas shall be washed or flushed with water as appropriate as soon as feasibly possible following contact.

## 3) Sharps

Contaminated needles and other contaminated sharps may be encountered as waste products in the sewer system and or solid waste materials (trash, waste baskets etc.). Employees who may encounter contaminated sharps will not bend, cap, or purposely break materials due to the risk of cuts and abrasions that may lead to exposure. When encountered, these materials should be handled with appropriate tools (tongs, shovel, broom, dust pan, suction) and containerized for disposal. When removing trash bags, NEVER compact trash by pressing on the trash bag or trash as sharps could be improperly disposed of and concealed in the trash material.

## 4) Work Area Restrictions

In areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials such as the restrooms, convenience center, wastewater treatment plant, employees are not to eat, drink, apply lip balm, smoke or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets or on the counter tops or bench tops where blood or other potentially infectious materials are present.

Mouth pipetting/suctioning of wastewater or other potentially infectious materials is prohibited.

All procedures will be conducted in a manner that will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.

#### 5) Contaminated Equipment

Equipment which has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible.

#### 6) Personal Protective Equipment

All Personal Protective Equipment (PPE) used by Powhatan County employees will be provided without cost to employees. PPE will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through and reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Masks, eye protection, and face shields, masks in combination with eye protection devices such as goggles or glasses with solid side shields, or chin length face shields, shall be worn whenever splashes, sprays, splatters, or droplets of blood or potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be expected.

All garments that are penetrated by blood shall be removed immediately or as soon as feasibly possible. All PPE will be removed prior to leaving the work area.

Gloves shall be worn where reasonably anticipated that employees will have hand contact with blood, or other potentially infectious materials, non-intact skin, and mucous membranes.

Disposable gloves used at the County are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasibly possible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibits other signs of deterioration or when their ability to function as a barrier is compromised.

#### 7) Decontamination

Decontamination will be accomplished by utilizing a bleach solution of the ratio of 1 part bleach to 10 parts water or other OSHA approved disinfectant.

All contaminated work surfaces will be decontaminated after completion of procedure and immediately or as soon as feasibly possible after any spillage of blood or other potentially infectious materials, as well as at the end of the work shift if the surface may have become contaminated since the last cleaning.

#### 8) Regulated Waste Disposal

All contaminated sharps shall be discarded as soon as feasibly possible in sharp containers that are located in the facility.

Regular waste other than sharps shall be placed in appropriate bags identified for collection of bio-hazard materials. All biohazard materials will be taken and destroyed by an authorized contractor certified to collect and dispose of the waste.

#### 9) Laundry Procedures

Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in appropriate marked bags at the location where it was used. Such laundry will not be sorted or rinsed in the area of use.

All employees who handle contaminated clothing or laundry will utilize PPE to prevent contact with blood or other potentially infectious materials. The laundry will be picked up and processed by a contractor authorized to clean the contaminated laundry.

#### 10) Post Exposure Evaluation and Follow-up

When an employee incurs an exposure incident, it should be reported to their Supervisor immediately. All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with OSHA standards.

The follow-up will include the following;

- Documentation of the route of exposure and the circumstances related to the incident
- If possible, the identification of the source individual and if possible, the status of the source individual will be tested (after consent is obtained) for HIV/HBV infectivity
- Results of the testing of the source individual will be made available to the exposed employee with the exposed employee informed about the applicable laws and regulations concerning disclosure of the identity and infectivity of the source individual.
- The employee will be offered the option of having their blood collected for testing of the employee HIV/HBV serological status. The blood sample will be preserved for up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status. However, if the employee decides prior to that time that testing will or will not be conducted then the appropriate action can be taken and the blood sample discarded.
- The employee will be offered post exposure prophylaxis in accordance with the current recommendations of the U.S Public Health Service
- The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.

#### 11) Training

Training for all employees will be conducted prior to initial assignments for tasks where occupational exposure may occur and annually thereafter.

#### 12) Recordkeeping

All records of training required by OSHA will be maintained in the Human Resources files.

### G. **CONFINED SPACE ENTRY**

OSHA 29 CFR Part 1910.146 Confined Space Entry Standard provides a broad definition of confined space as one which has limited access or egress (exit), is not normally used for employee occupancy, and where a hazardous atmosphere may naturally exist or be created by work procedures or processes. A hazardous atmosphere is further defined as one that contains one or more of the following:

- Combustible gases or vapors in excess of 10% of the lower explosive limit (LEL) for those gases or vapors.
- Oxygen deficiency where the atmosphere contains less than 19.5% oxygen or more than 22.0%.
- Toxic gases and vapors present in a quantity that exceeds the threshold limit value (TLV).

Tanks, pits, boilers, manholes and sewers are some examples of common confined spaces.

1) Definitions:

- **Attendant:** means an individual stationed outside one or more permit spaces who monitors the authorized entrants and performs all attendant's duties assigned in the employer's permit space program. The Attendant has the right and responsibility to stop work and evacuate entrant at any time they feel there is a danger or imminent danger to entrant.
- **Authorized Entrant:** means an employee who is authorized by the employer to enter a permit space.
- **Authorized Employees:** All employees that participate in confined space entry must be fully knowledgeable and capable to perform confined space duties in a safe manner. Departments that are allowed to enter into confined spaces;
  - Utilities
  - Facilities
  - Grounds
  - Fire/EMS
- **Bump test:** means checking an air monitor for proper response and operation in the field or prior to use each day. If adequate operation is not received within 10%, the equipment will not be used, but removed from service (tagged to indicate), and adjusted or repaired by a properly trained and qualified technician. See Bump Test Section in Appendix for more details.
- **Confined Space:** means a space that; is large enough and so configured than an employee can bodily enter and perform assigned work; and has limited or restricted means for entry or exit (for example: tanks, vessels, silos, storage bins, hoppers, vaults and pits); and is not designated for continuous employee occupancy.
- **Emergency:** means any occurrence (including any failure of hazard control or monitoring equipment) or event internal or external to the permit space that could endanger entrants.
- **Engulfment:** means the surrounding and effective capture of a person by a liquid or finely divided (flowable) solid substance that can be aspirated to cause death by filling or plugging the respiratory system or that can exert enough force on the body to cause death by strangulation, constriction, or crushing.
- **Entry:** means the action by which a person passes through an opening into a permit-required confined space. Entry includes ensuing work activities in that space and is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space.
- **Entry permit:** means the written or printed document that allows a controlled entry into a permit space and that contains pertinent safety information. See Entry Permit form.
- **Entry Supervisor:** means the person (such as the employer, foreman, or crew chief) responsible for determining if acceptable entry conditions are present at a permit space where entry is planned, for authorizing entry and overseeing entry operations, and for terminating entry as required by this policy.

**NOTE: An Entry Supervisor also may serve as an Attendant or as an Authorized Entrant, as long as that person is trained and equipped as required by this program for each role he or she fills. In addition, the duties of Entry Supervisor may be passed from one individual to another during the course of an entry operations.**
- **Hazardous atmosphere:** means an atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from a permit space), injury, or acute illness from one or more of the following causes;
  - Atmospheric oxygen concentration below 19.5% or above 23.5%
  - Flammable gas, vapor, or mist in excess of 10 percent of its lower explosive limit (LEL)
  - Airborne combustible dust at a concentration that meets or exceeds its LEL
  - Atmospheric concentration of any substance for which a dose or a permissible exposure limit is published in 29 CFR Part 1910 Subpart G, Occupational Health

and Environmental Control, or in Subpart Z, Toxic and Hazardous Substances, and which could result in employee exposure in excess of its dose or permissible exposure limit

**NOTE: An atmospheric concentration of any substance that is not capable of causing death, incapacitation, impairment of ability to self-rescue, injury, or acute illness due to its health effects is not covered by this provision.**

- Any other atmospheric condition that is immediately dangerous to life or health.

**NOTE: For air contaminants for which OSHA has not determined a dose or permissible exposure limit, other sources of information, such as Safety Data Sheets that comply with the Hazard Communication Standard, Section 29 CFR Part 1910.1200, published information, and internal documents can provide guidance in establishing acceptable atmospheric conditions.**

- Hot Work Permit: means the employer's written authorization to perform operations (for example, riveting, welding, cutting, burning, and heating) capable of providing a source of ignition.
- IDLH (Immediate Danger to Life or Health): means any condition that poses an immediate or delayed threat to life of that would cause irreversible adverse health effects or that would interfere with an individual's ability to escape unaided from a permit space.
- Isolation: means the process that a permit space is removed from service and completely protected against the release of energy and materials into the space by such means as: blanking or blinding; misaligning or removing sections of lines, pipes, or ducts; a double block and bleed system; lockout or tagout of all sources of energy; or locking or disconnecting all mechanical linkages.
- Non-Entry Employees: Departments or employees that may have confined spaces in their work environment, but have made the decision not to enter them must have a policy identifying permit-required confined spaces and the non-entry policy.
- Non-permit Confined Space: means a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm.
- Oxygen deficient atmosphere: means an atmosphere containing less than 19.5 percent oxygen by volume.
- Oxygen enriched atmosphere: means an atmosphere containing more than 23.5 percent oxygen by volume.
- Permit-required confined space (permit space): means a confined space that has one or more of the following characteristics;
  - Contains or has a potential to contain a hazardous atmosphere;
  - Contains a material that has the potential for engulfing an entrant;
  - Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross section;
  - Contains any other recognized serious safety or health hazard.
- Rescue Service: means the personnel designated to rescue employees from permit-spaces.
- Retrieval system: means the equipment (including a retrieval line, chest or full-body harness, wristlets, if appropriate, and a lifting device or anchor) used for non-entry rescue or persons from permit spaces.

## 2) Inventory and Identification of Confined Spaces

Confined Spaces:

- Sewer Manholes > 4ft (able to bodily enter)
- Water Vaults > 4ft (able to bodily enter)
- Chemical Tanks
- Water Tanks/Towers

- Sewer Lift Stations
- Water Pump Stations
- Sludge Holding Tanks
- Wastewater Treatment plant digesters

Identification of Confined Spaces will be through posted danger signs (primary) and confined spaces that are not feasible to be posted will be identified through training/education or restricted access by fencing, locked and/or bolted access doors

- Danger Signs “DANGER-CONFINED SPACE entry by Permit Only” will be placed on the following confined spaces where feasible’
  - Chemical Tanks
  - Digesters
  - Lift and Pump Stations
  - Vehicle tanks

- Sewer Manholes and water vaults will be identified through training and education

**NOTE: All confined spaces should be considered permit-required until proven otherwise. Documentation must be obtained and maintained to defend each decision.**

### 3) Roles and Responsibilities

#### a) Non-entry Divisions

- Identify and maintain an updated list of confined spaces in the workplace, and ensure that all employees are trained not to enter them.
- In the event that an entry is needed, the department must contact a Department authorized to enter.

#### b) Authorized Entry Divisions General Requirements:

- Identify and maintain a list of confined spaces in the workplace, and inform affected employees.
- Designate Entry Supervisors, Attendants, and Entrants and ensure they are properly trained.
- Maintain and review completed job entry permits for one year.
- Follow all safety procedures and periodically observe procedures to provide training through feedback.

#### c) Entrants:

- Understand the hazards, physical and environmental, that may be faced during entry.
- Can identify signs or symptoms of exposure to possible contaminants and any behavioral effects to look for should an overexposure occur.
- Uses equipment properly and perform all duties in a safe manner.
- Has the ability to communicate with the attendant at all times.
- Alerts the attendant whenever an entrant detects a dangerous or prohibited condition.
- Exits from the space whenever;
  - An atmosphere monitor alarm sounds
  - Any warning sign, symptom of exposure or exposure to a dangerous situation is recognized.
  - An evacuation is activated by an attendant or entry supervisor
  - Any prohibited condition is recognized
- Maintains current certification in first aid and CPR.

#### d) Attendants

- Understand the hazards, physical and environmental, that may be faced during entry.

- Can identify signs or symptoms of exposure to possible contaminants and any behavioral effects to look for should an overexposure occur.
- Continuously maintain an accurate count of authorized entrants in the permit space.
- Remains outside the permit space during entry operations until relieved by another attendant.
- Can continually communicate with entrants to monitor entrant status and to alert entrants if evacuation is needed.
- Monitors activities inside and outside the space to determine if it is safe for entrant to remain in the space and to evacuate the permit space immediately under any of the following conditions;
  - An atmosphere monitor alarm sounds
  - Any prohibited condition is detected
  - Behavioral effects of hazard exposure in an entrant(s) are detected
  - A situation outside the space that could endanger entrants is identified
  - The attendant cannot effectively and safely perform all duties required
- Does not allow unauthorized individuals in the area of the entry operation or entrance into the space.
- Performs no duties that might interfere with the Attendant's primary duty to monitor and protect the Authorized Entrants.
- Make certain that all aspects of the entry procedure are completed and correct. This includes the permit system, equipment and its integrity, placing emergency rescue services on standby, air monitoring etc.
- Summon rescue and other emergency services as soon as the attendant determines that entrants may need assistance to escape from permit space hazards or medical assistance following self-rescue.
- Perform non-entry rescues
- Maintain current certification in first aid and CPR.

e) Contractor Requirements

These procedures apply to contract jobs and are to include long-term contracts.

- Inform the contractor of the type and location of all permit-required confined spaces at the work-site.
- Inform the contractor that permit space entry can only be accomplished with compliance to a program according to OSHA regulations (29 CFR 1910.146)
- Inform the contractor of hazards and conditions identified with the space that make it permit-required.
- Inform the contractor of procedures and/or precautions used to protect employees
- Coordinate any entry operations that Powhatan County personnel and contractor will both enter.
- Debrief the contractor after entry operations are completed to note any hazards encountered in order to update the program.
- Do not lend confined space entry and rescue equipment to contractors.

4) Hazard Identification, Elimination, and Control

There are many hazards that may be encountered in a confined space. Examples are atmospheric, engulfment, configuration hazards, and other serious recognized hazards. The first objective of this

confined space program is to eliminate hazards to protect employees. When all hazards cannot be eliminated, control measures will be instituted to protect all personnel (employees and contractors).

- a) Means, procedures, and practices must be implemented as necessary for safe permit space entry operations, including, but not limited to the following;
- Isolating the permit space through lock out/tag out, or other means if necessary;
  - Purging, inerting, flushing, or ventilating the space as necessary to eliminate/control atmospheric hazards;
  - Providing pedestrian, vehicle, or other barriers as necessary to protect entrants from external hazards;
  - Ensuring trenching/excavation protection is implemented in order to protect employees;
  - Verifying that conditions in the permit space are acceptable for entry and work throughout the duration of the entry permit.

b) Atmospheric Hazards & Control:

- All confined spaces will be tested for atmospheric hazards before and continuously during entry. In order to accomplish this;
  - Air monitors must be properly tested, calibrated and maintained according to manufactures instructions
  - Air monitors will be bump tested before each use (see Bump-testing procedure)
  - The air must be monitored at the opening and at different levels
  - If feasible a continuous sampling monitor is to be worn in the space by at least one entrant in each area where any work is taking place
- Air Monitoring-the following must be tested for and in the order listed. If any of the criteria below is not met, the atmosphere is considered to be an Immediate Danger to Life and Health (IDLH) and will not be entered;
  - The oxygen concentration must be above 19.5% and below 23.5%
  - Flammable gas, vapor, or mist must be less than 10% of its explosive limit (LEL)
  - Toxic atmospheres must be identified;
    - Hydrogen Sulfide (H<sub>2</sub>S) – must be less than 10ppm
    - Carbon Monoxide (CO) – must be less than 35ppm
    - Any other toxic substances that may potentially exist. OSHA's Permissible Exposure Limits (PEL's) should be referred to as needed.

**NOTE: If there is any doubt of the IDLH status of the space, it is assumed IDLH and the space will not be entered. Entry into any IDLH confined space is prohibited.**

c) In trenching and excavation operations, atmospheric monitoring will be accomplished initially and continuously when conditions present potential for a hazardous atmosphere.

d) Ventilation to Control Atmospheric Hazards – Continuous forced air ventilation shall be used as follows;

- An employee may not enter the space until the forced air ventilation has controlled any hazardous atmosphere (confirmed by documented testing)
- The forced air ventilation shall be so directed as to ventilate the immediate areas where an employee is or will be present within the space and shall continue until all employees have left the space

- The air supply for the forced air ventilation shall be from a clean source and may not increase the hazards in the space
- The atmosphere within the space shall be tested to ensure that the continuous forced air ventilation is preventing the accumulation of a hazardous atmosphere.

**NOTE: Control of atmospheric hazards through forced air ventilation does not constitute elimination of hazards.**

- e) Fall Protection-Confined Space area is more than 5 feet vertical depth;
- Mechanical device (tripod) must be available to retrieve employees from space.
  - All employees entering the Confined Space shall have a retrieval line attached to a full body harness in the back D ring.
  - If a ladder or steps are not provided in the Confined Space a secondary retrieval line (fall limiter) must be used and attached to an employee's full body harness and outside fixed point (tripod).
  - All other entry conditions are verified and acceptable from Confined Space Permit.

## 5) Entry Procedures

### a) Entry Permit:

- A permit shall be completed for each permit-required entry
- The entry supervisor shall review each entry permit and ensure conditions are acceptable and no prohibited conditions exist before entry is made. The Entry Supervisor shall then sign the permit.
- No entry is permitted when an IDLH condition exists
- The duration of the permit may not exceed the time required to complete the assigned task or job identified on the permit and no permit shall exceed 12 hours.
- Each affected employee will review and sign the permit
- The permit shall remain at the site and be available to all affected personnel.
- The permit must be cancelled when entry has been completed or a prohibited or unsafe condition arises in or near the space.
- Permits must be retained for a minimum of one year from the date of issue for review. Permits will be retained with the Public Works Department.

### b) Entry Procedures:

- Identify the work to be performed and individuals on the entry team identifying their assigned roles (entry supervisor, attendant etc.)
- Be able to call 911 for rescue services immediately
- Eliminate any condition(s) that may cause removal of an entrance cover unsafe
- Guard the opening of the space to eliminate objects from falling on entrants
- Determine the types of hazards associated with the space and obtain necessary equipment for safe entry, including fall protection.
- Review all hazards and requirements for safe entry with all affected personnel.
- Test internal atmosphere throughout the space following testing procedures using calibrated monitor(s) in this order;
  - Oxygen content
  - Flammable gases and vapors
  - Toxic contaminants
- Protect employees from engulfment from contents, configuration hazards associated with the space to be entered or any other recognized hazard where applicable
- Complete the confined space permit

- x. Each individual involved in the entry will review and verify the permit for completeness and accuracy. Members of the entry team must sign next to their printed name on the permit prior to entry.
  - xi. Maintain continuous communication between entrants and attendants
  - xii. Note pertinent comments or conditions that may enhance safety of future entry operations on the permit.
- c) Specific Entry Procedures;
- i. Sewer Manholes-Any of the following conditions will require an additional Attendant at the job site;
    - Sewer lines deeper than 10 feet
    - Entry into sewer with 36 inch main trunk line or larger
    - Extra work required outside the confined space i.e. mixing mortar, getting tools etc.
    - Duration of confined space work exceeds 30 minutes
  - ii. Entry into any basins classified as Non-permit Required Confined Spaces will not require completion of permit, but continuous air monitoring is required.
- d) Alternate Entry Procedures;

Confined spaces can be entered without a permit or attendants provided that the space can be maintained in a safe condition for entry by mechanical ventilation alone as provided by 1910.146 c 5 i. A permit required space may be entered under alternate procedures if;

- i. The specific space is specified as a candidate for alternate entry procedure consideration.
- ii. It can be demonstrated that the only hazard posed is the actual or potential hazardous atmosphere and continuous forced air ventilation alone is sufficient to maintain the permit-required space for entry
- iii. Control of atmospheric hazards through air ventilation can be documented through a history of monitoring and inspection data for at least 1 year. Discretion must be utilized to ensure measurements are taken at the anticipated peak times
- iv. If entry is required to obtain the air monitoring data, permit-required confined space requirements must be followed.
- v. The data must be made available to each employee involved in the entry operation
- vi. The space is then verified to be a candidate for alternate procedures and atmospheric history shows no hazardous atmosphere
- vii. Condition making it unsafe to remove an entrance cover shall be eliminated before the cover is removed
- viii. Guard the opening of the space to prevent fall hazard to entrants and to keep objects from falling on entrants
- ix. Before an employee enters the space, the internal atmosphere shall be tested as specified in the entry procedure and air monitoring sections of these procedures.
- x. There may be no hazardous atmosphere within the space whenever any employee is inside.
- xi. Continuous air ventilation shall be used as equipped as available
- xii. The atmosphere within the space shall be tested and continuously monitored to ensure that the continuous air ventilation is preventing the accumulation of a hazardous atmosphere.
- xiii. Documentation must be completed verifying these measures are completed and the space is safe for entry
- xiv. Documentation is completed before entry, available and reviewed with personnel.
- xv. If a hazardous atmosphere is detected during entry;
  - Each employee shall leave the space immediately

- The space shall be evaluated to determine how the hazardous atmosphere developed; measures shall be implemented to protect employees from the hazardous atmosphere before subsequent entry takes place.
- xvi. Under the following conditions self-rescue equipment and an additional attendant are required;
- Manhole opening on water vault that is more than five feet deep
  - Single door opening 3 feet by 3 feet that is more than five feet deep
  - Double door opening on a vault that is more than six feet deep.

e) Reclassification:

A space classified as a permit-required confined space may be reclassified as a non-permit confined space under the following procedures and conditions;

- i. The space is a candidate for reclassification consideration
- ii. If the permit space poses no actual or potential atmospheric hazards and
- iii. If all the hazards within the space are eliminated without entry into the space;
  - If it is necessary to enter the permit space to eliminate hazards, entry shall be performed according to permit-required confined space entry procedures.
- iv. If hazards arise within the space that has been reclassified to a non-permit space;
  - Each employee in the space shall exit the space
  - The space will be evaluated to determine whether it must be reclassified as a permit space.
  - Employees may re-enter only if the appropriate procedures are followed to ensure safety.
- v. Documentation will be kept that contains the date, location of the space, verification determining no atmospheric or other hazards, and the signature of the person making the reclassification determination.
- vi. Reclassification certification shall be made available and reviewed with each employee involved.

## 6) Rescue and Emergency Services

The following requirements apply to personnel who enter permit spaces to perform rescue services

- a) Ensure that each member of the rescue service is provided with and is trained to use properly the personal protective equipment and rescue equipment necessary for making rescues from each of the permit spaces to be entered.
- b) Each member of the rescue service shall be trained to perform the assigned rescue duties. Each member of the rescue service shall also receive the training required of Authorized Entrants under the “duties of Authorized Entrants”.
- c) Each member of the rescue service shall practice making permit space rescues at least once every 12 months, by means of simulated rescue operations in which they remove dummies, mannequins, or actual persons from the actual permit spaces or from representative permit spaces. Representative permit spaces shall, with respect to opening size, configuration, and accessibility, simulate the types of permit spaces from which Powhatan employees may be expected to enter.
- d) Each member of the rescue service shall be trained in basic first aid and in CPR. At least one member of the rescue service holding current certification in first aid and in CPR shall be available.
- e) To facilitate non-entry rescue, retrieval systems or methods shall be used whenever an

entrant enters a permit space, unless the retrieval equipment would increase the overall risk of entry or would not contribute to the rescue of the entrant. Retrieval systems used shall meet the following requirements;

- i. Each authorized entrant shall use a chest or full body harness, with a retrieval line attached at the center of the entrants back near shoulder level, or above the entrant's head. Wristlets may be used in lieu of the chest or full body harness if it is demonstrated that the use of a chest or full body harness is infeasible or creates a greater hazard and that the use of wristlets is the safest and most effective alternative.
- ii. The other end of the retrieval line shall be attached to a mechanical device or fixed point outside the permit space in such a manner that rescue can begin as soon as the rescuer becomes aware that rescue is necessary. A mechanical device shall be available to retrieve personnel from vertical type permit spaces that are more than 5 feet deep.
- iii. Entry into a vertical type permit space requires two forms of fall protection. Fall protection can consist of a ladder, mechanical retrieval/lowering device, or a Self-Retracting Lifeline (SRL). Any additional life lines (i.e. SRL) require an additional attachment other than center of full body harness. A sling or yoke attached to shoulder D rings must be used.

f) If the non-entry rescue retrieval system is not used because it would increase the overall risk of entry, a stand-by rescue service shall be on-site available for immediate entry into the confined space for rescue.

g) If an injured entrant is exposed to a substance for which a Safety Data Sheet or other similar written information is required to be kept at the worksite, that SDS or written information shall be made available to the medical facility treating the exposed entrant.

## 7) Training

The employer shall provide training so that all employees whose work is regulated by this program acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned.

Training shall be provided to each affected employee;

- a) Before the employee is assigned duties
- b) Before there is a change in assigned duties
- c) Whenever there is a change in permit space operations that present a hazard about which an employee has not previously been trained.
- d) Whenever there is reason to believe either that there are deviations from the permit space entry procedures or that there are inadequacies in the employee's knowledge of confined space entry safety.

Training shall establish employee proficiency in duties required and shall introduce new/revised procedures. Non-entry departments will provide employees awareness training to cover identification of confined spaces and department policy.

Documentation of training and authorization shall contain the employees printed name and signature, the printed names and signatures or initials of the trainers, the dates of training and content. Documentation records shall be available for review by any affected employee.

## H. LOCK-OUT/TAG-OUT

### 1) INTRODUCTION

OSHA 29 CFR Part 1910.147, the Control of Hazardous Energy (Lock-Out/Tag-Out) standard covers the servicing and maintenance of machines and equipment in which the unexpected energization or start-up of the machines or equipment could cause injury to employees. According to OSHA, an energy source is any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or other energy. This program establishes the minimum requirements to protect employees from such hazards.

## 2) APPLICABILITY OF PROGRAM

Servicing and/or maintenance which takes place during normal production operations is covered by this program if;

- An employee is required to remove or bypass a guard or safety device; or
- An employee is required to place any part of his or her body into an area of the machine, piece of equipment where work is actually performed upon the material being processed (point of operation), or where an associated danger exists during a machine cycle.

Minor tool changes and adjustments (e.g. clearing jammed paper from a copier or printer and other minor servicing activities, which are routine, repetitive, and take place during normal production operations, are not covered by this program. This type of maintenance must be completed using alternate safety measures (e.g. proper use of manufacturer-required and recommended machine guards).

This program also does not apply to work on cord and plug connected electrical equipment for which exposure to the hazards of unexpected start-up is controlled by unplugging it from the energy source if the plug is under exclusive control of the employee performing the service.

## 3) RESPONSIBILITY

Powhatan County is dedicated to providing safe work facilities for employees, and complying with Federal and State Occupational Health and Safety standards. Administrators, Managers, Supervisors and Staff all share a responsibility to reduce hazards due to unintentional release of hazardous energy.

The lock-out/tag-out program shall be implemented for all Powhatan County facilities where there is a need to perform maintenance or provide routine service to machinery and equipment. Servicing of all electrically, chemically, pneumatically, thermally and/or hydraulically powered machinery is included in this program. Contractors who work on Powhatan County equipment shall also be required to demonstrate that they have a program equal to or more stringent than this policy. Within this policy, the following specific responsibilities are assigned;

### a) Department Directors/Managers:

- i) Designate supervisors to implement lockout/tag-out procedures
- ii) Select appropriate locking and tagging devices for their respective department.

### b) Supervisors

- i) Implement all provisions of the lockout/tag-out program for work areas under their control
- ii) Inventory and identify all potentially dangerous equipment capable of releasing hazardous energy during maintenance in work areas or facilities under their control;
- iii) Prepare specific lockout/tag-out and emergency procedures for hazardous machinery (use the Lock-out Tag-out Procedure Form at the end of this section.
- iv) Identify persons authorized to implement lockout/tag out procedures and assure that each person attends training provided by the County.
- v) Report all workplace injuries, unsafe conditions and near-misses to the Safety Committee.
- vi) Instruct authorized lockout/tag out personnel regarding the applicability of this program to their respective work area(s).
- vii) Provide proper locking and tagging equipment including locks, tags, multiple lock holders etc.
- viii) Direct periodic safety audits of lockout/tag out procedures to determine regulatory compliance, and recommend action to correct conditions of non-compliance.

- x) Comply with necessary documentation requirements.
- c) Authorized Employees
  - i) Adhere to the requirements of the lockout/tag out program.
  - ii) Follow guidelines referenced in this program to protect themselves and others from the release of hazardous energy.
  - iii) Ensure the security of their locking devices.
  - iv) Complete all safety training requirements and comply with documentation procedures.
- v) Report all workplace injuries, unsafe conditions and near misses to their supervisor.
- d) Affected Employees
  - i) Notify the appropriate persons when equipment needs servicing
  - ii) Follow lockout/ tag out instructions given by the authorized employees.

#### 4) DEFINITIONS

a) Affected personnel: Persons that may use the machine being serviced during the course of their workday and may attempt to activate machinery while service is being done. Affected persons also include those persons whose job requires working in an area while servicing or maintenance is being performed.

b) Authorized personnel: Persons that have received training in the use of lockout/tag out equipment and are authorized to perform maintenance. Authorized personnel also include those persons responsible for properly locking and tagging machinery that is to be serviced. (Affected personnel may also be authorized personnel when those employee's duties include servicing or maintenance of machinery).

c) Blank: A disk inserted into the space between two pipe flanges to prevent the passage of liquid or gasses through the pipe.

d) Bleed: The release of stored hydraulic, electrical or pneumatic energy.

e) Energy Sources: Any source of electrical, pneumatic, thermal, chemical or other type of energy.

f) Lock: Keyed device, specified in type and color by the department completing the service, used to secure equipment. Keys for the lock shall be kept by the person completing the service only. Locks issued for use with this program shall not be used for other purposes. Additionally, locks shall be able to withstand the environment in which they are being used.

g) Lock-out: A system in which a lock, when properly attached to a power or energy source, prevents the unintentional activation of equipment. The lock physically holds the switch or handle in the "off" position until it is removed by the authorized personnel.

h) Lockout/Tag out (LOTO): A list of procedures, abbreviated as LOTO, designed and implemented to protect employees from an accidental discharge of energy. LOTO is used interchangeably with "Control of Hazardous Energy".

i) Servicing and/or Maintenance: Constructing, repairing, installing, adjusting, inspecting, modifying, lubricating, cleaning and/or clearing jammed equipment.

j) Tag-out: A tagging procedure, intended to act only as a warning device, used to prevent the unintentional activation of equipment. The tag used will contain the name, title of authorized employee, and read "DO NOT OPERATE". Tag out device attachment shall be of a non-reusable type, attachable by hand, self-locking, and non-releasable with a minimum locking strength of no less than 50 pounds. All tags and attachment means shall be made to withstand the environment that they are being used in.

## 5) LOTO REQUIRMENTS

The following are minimum requirements for the use of energy isolating devices whenever maintenance or servicing is done. They shall be used to ensure that the machine or equipment is stopped and isolated from all potentially hazardous energy. Additionally, they will serve as an outline to protect workers from the inadvertent release of hazardous energy.

a) Locking devices and tags shall be used when employees are performing maintenance or service to any machine or system where unexpected or unintentional motion could cause harm. Locking devices shall also be used when guards or other safety devices must be removed during service or when moving or energized parts put any part of the employee's body at risk of injury. Examples of conditions where locking and tagging should be used may include, but are not limited to;

- i) Clearing blocked or jammed mechanical equipment
- ii) Maintenance or repair on equipment with moving parts;
- iii) Confined space entries (see Confined Space Program)
- iv) Repairs or installation of electrical equipment.

b) If the equipment being serviced must be temporarily re-activated (for example, to test the equipment as part of the installation) all start-up and lock-out procedures must be followed.

c) Specific Instructions for Hazardous Machinery- Specific instructions shall be developed for the locking and tagging of machinery or equipment under the following conditions;

- i) When the machine being serviced has the potential for stored or residual energy or the re-accumulation of stored energy after shut down.
- ii) When the machine has multiple energy sources.
- iii) When the isolation and locking of the machine will not completely deactivate it.
- iv) When the machine cannot be locked-out.
- v) When a single lock-out device will not achieve a lock-out condition.
- vi) When the lock-out device will not be under the exclusive control of the authorized employee performing the service.

**Note: The Lockout-Tag out Procedure Form found at the end of this section can be used to assist the supervisor in preparing specific procedures.**

d) Working Without a Lock: If a lock cannot be applied to the equipment, and the supervisor can demonstrate that the tagging procedure will provide a level of safety equivalent to that obtained by the use of the lock, a tag may be used instead. A tag used without a lock shall be supplemented by one additional safety measure that provides a level of safety equivalent to that obtained by the use of the lock. Additional safety methods may include the removal of an isolating circuit element, blocking of a control switch, opening of an extra disconnecting device or the removal of a valve handle to reduce the likelihood of inadvertent activation. The tag-out device shall be attached to the same location that the lock-out device would have been attached.

e) If the authorized employee is absent from the work place then the lock or tag can be removed by a qualified person designated to perform this task provided that the immediate supervisor;

- i) Verifies that the employee is not present and therefore unable to remove the lock;
- ii) Makes all reasonable efforts to inform the authorized employee that the lockout/tag out device has been removed; and
- iii) Ensures that the authorized employee knows the lockout/tag out device has been removed before work resumes.

f) If the work is to extend beyond a work shift and/or maintenance personnel will be changing, the replacement crew must first place their locks on the energy sources before the previous shift's locks can be removed. Supervisors from both shifts will coordinate circumstances where locks will be removed and changed.

## 6) LOTO PROCEDURES

Employees shall implement an orderly shutdown of machinery to avoid any additional or increased hazards resulting from sudden equipment stoppage. The following is a list of steps to be used during shutdown by authorized employees only;

### a) Preparing for Shutdown

- i) Identifying the types of energy sources: Determine where and how equipment is being energized. Since some equipment is powered by several sources (e.g. electrical, mechanical, pneumatic, chemical, thermal and hydraulic), all energizing sources shall be identified. For complex equipment, refer to the manufacturer's control diagram detailing the locations of all the isolating points. These points may include breaker panels, switches, and valves. Furthermore, possible residual energy and methods used to dissipate or restrain that energy shall be identified. In addition to identifying energy sources, the employee must determine the magnitude of the energy, the hazard of the energy to be controlled and the methods or mean to control the energy. If authorized employees are unable to determine each form of energy, they must consult their supervisor before work is started.
- ii) Notify affected employees of intent to service equipment: Affected employees must be notified by authorized personnel of the intent to service equipment. Notification shall be given before LOTO controls are applied and should contain the name and job titles of authorized employees, location of equipment being serviced, and duration/date of service.

### b) Shutting down the equipment

- i) Turn off Equipment. If the machine or equipment is operating, employees shall shut it down by the normal stopping procedure (depress the stop button, open the switch, close the valve etc.)
- ii) Deactivate Energy. Disconnect the device from all energy sources and release all residual energies that may present a hazard. Inspect the equipment to ensure all energy sources are disconnected.
- iii) Release all stored or residual energy. Release stored or residual energy, in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems and pressurized systems (air, gas, steam, or water). If energy is incapable of being released, the employee shall reposition, block, or utilize some other protective measure to prevent the release of residual energy while service is in progress.
- iv) Attach locking and tagging devices. Attach a lock and tag, of designated color, type, and descriptive warning, on each disconnecting means used to de-energize circuits and equipment on which work is to be performed. The lock shall be attached to prevent persons from operating the equipment. Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use. Additionally, tag shall be attached to all points where equipment or circuits can be energized. If multiple employees are servicing the same equipment, each shall attach their own lock to a multiple lock plate. Each lock shall be removed by the authorized employee that applied it or under his/her direct supervision.

**NOTE: No attempt shall be made to remove another employee's lock unless the requirements listed in Section 5.e of this chapter are satisfied.**

**NOTE: All employees should consider equipment operable at all times except when they have personally locked it out.**

- v) Verify that equipment is secure and deactivated. Test the deactivation of the equipment to ensure that equipment cannot be energized and potential energy sources are secure. Check

pressure gauges to ensure de-pressurization of lines and inspect electrical circuits to confirm zero voltage.

**c) PREPARING TO RETURN EQUIPMENT TO SERVICE**

- i) Remove all tools from the equipment. Inspect the machine(s) to ensure that non-essential materials have been removed and the machine is in operating order. Visual inspections shall be conducted to ensure: tools and equipment are removed and secure safe guards are in place; and blocks, pins, chains (used during the lockout) are removed. Additionally, employees shall verify all equipment components are fully assembled and operational. Finally, employees shall inspect the work area to ensure that all employees have been safely positioned or removed from the area.
- ii) Inspect the controls to verify they are in the "off" position.
- iii) Remove all locking and tagging devices.
- iv) Re-energize the equipment.
- v) Notify affected employees when machine is back in service. Notify affected employees that the servicing or maintenance is completed, and the machine or equipment is ready for use.

**7) INFORMATION AND TRAINING**

All Powhatan employees must assume an active role in maintaining a safe working environment by reporting any problems or non-compliance with policies to their supervisor. All employees are expected to assist their peers and should fully utilize any information provided during formal and informal training sessions. Any staff member who does not understand a policy or procedure should consult their supervisor for clarification.

All employees required to service machinery that has the potential for release of hazardous energy shall be provided with information and training regarding the LOTO Program. Employees shall be informed of:

- The contents of the OSHA standard
- The location and availability of the LOTO Program
- The procedure covered by the LOTO Program including
  - Explanation of provisions
  - Description of physical hazards common and appropriate locking and tagging of machinery
  - Description of hazardous energy sources common to Powhatan County
  - Review of measures to protect employees from the inadvertent release of hazardous energy.
  - Discussion of procedures to de-energize equipment and release or secure all residual energies.
  - Location of reference materials on the control of hazardous energy.
- Evaluation technique to determine if energy hazards are present.
- The individual department managers/directors shall be responsible for ensuring that their supervisors provide training of all authorized employees in the specific operations, safety equipment, and emergency procedures used by their respective departments.
- Documentation of general LOTO training shall be maintained by the Department Directors. Documentation of department specific training provided by department managers and supervisors shall be maintained at their department and a copy provided to Human Resources.
- Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignment, a change in machines, equipment or processes that present new hazards, or when there is a change in the energy control procedure. Retraining shall also be conducted whenever a periodic inspection reveals deficiencies in the program.

## LOCK-OUT AND TAG-OUT (LOTO) PROCEDURE FORM

Employee/Team Completing Form: \_\_\_\_\_

Signature of Individual or Supervisor of Team: \_\_\_\_\_

Division/Department: \_\_\_\_\_

LOTO Procedure No: \_\_\_\_\_ - \_\_\_\_\_

Machinery, Equipment or Process: \_\_\_\_\_

Date Approved/Implemented: \_\_\_\_\_

### EQUIPMENT NUMBER COVERED


1. Energy Sources, check all energy sources that are present and their magnitude/force?

Electrical      \_\_\_      \_\_\_\_\_

Hydraulic      \_\_\_      \_\_\_\_\_

Gases            \_\_\_      \_\_\_\_\_

Pneumatic      \_\_\_      \_\_\_\_\_

Other            \_\_\_      \_\_\_\_\_ Explain: \_\_\_\_\_

2. Location of Power/Energy sources?

Main Source Location:

\_\_\_\_\_

\_\_\_\_\_

Machine/Equipment Energy Source Location:

\_\_\_\_\_

\_\_\_\_\_

3. How many of each Power/Energy sources are involved?

Electrical      \_\_\_ One(1) \_\_\_ Two(2) \_\_\_ Three(3) \_\_\_ Four(4) \_\_\_ Five(5)

Hydraulic      \_\_\_ One(1) \_\_\_ Two(2) \_\_\_ Three(3) \_\_\_ Four(4) \_\_\_ Five(5)

Gases            \_\_\_ One(1) \_\_\_ Two(2) \_\_\_ Three(3) \_\_\_ Four(4) \_\_\_ Five(5)

Pneumatic      \_\_\_ One(1) \_\_\_ Two(2) \_\_\_ Three(3) \_\_\_ Four(4) \_\_\_ Five(5)

Other: \_\_\_\_\_ One(1) \_\_\_ Two(2) \_\_\_ Three(3) \_\_\_ Four(4) \_\_\_ Five(5)

4. What type of lockout procedure will be used or combination thereof?

Electrical    \_\_\_ Keyed Lock    \_\_\_ Tag    \_\_\_ Blanks    \_\_\_ Wedges/Blocks    \_\_\_ Chains/Cable    \_\_\_ Other: \_\_\_\_\_

Hydraulic    \_\_\_ Keyed Lock    \_\_\_ Tag    \_\_\_ Blanks    \_\_\_ Wedges/Blocks    \_\_\_ Chains/Cable    \_\_\_ Other: \_\_\_\_\_

Gases        \_\_\_ Keyed Lock    \_\_\_ Tag    \_\_\_ Blanks    \_\_\_ Wedges/Blocks    \_\_\_ Chains/Cable    \_\_\_ Other: \_\_\_\_\_

Pneumatic    \_\_\_ Keyed Lock    \_\_\_ Tag    \_\_\_ Blanks    \_\_\_ Wedges/Blocks    \_\_\_ Chains/Cable    \_\_\_ Other: \_\_\_\_\_

Other        \_\_\_ Keyed Lock    \_\_\_ Tag    \_\_\_ Blanks    \_\_\_ Wedges/Blocks    \_\_\_ Chains/Cable    \_\_\_ Other: \_\_\_\_\_

5. Describe the lockout procedure:

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6. Does the LOTO procedure involve a circuit breaker or motor control center (MMC)? List the equipment number, the identification number of the circuit breaker or MMC, and the specific breaker number or disconnect that must be turned off and locked and tagged out. Complete additional LOTO procedure form if needed:

Machine Number	Circuit Breaker or MMC	Specific Circuit/Disconnect
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Does the LOTO procedure require multiple locks to be placed by one person? \_\_\_ YES \_\_\_ NO

8. Where are the multiple locks located? \_\_\_\_\_

9. Is stored energy present on this LOTO procedure? What are the methods to dissipate or restrain? \_\_\_\_\_

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10. If this LOTO procedure can not be locked out, what steps will be taken to secure machinery? \_\_\_\_\_

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11. How will affected employees be notified? \_\_\_\_\_

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## I. HAZARD COMMUNICATION PROGRAM

Powhatan County is dedicated to providing safe and healthy facilities for all employees and complying with all Occupational Safety and Health standards/regulations. This Hazard Communication Safety Program has been established to provide guidelines for all employees and for Powhatan County to meet the requirements of the Hazard Communication Standard 29 CFR 1910.1200. The program applies to any hazardous chemical(s), which is known to be present on the premises, that employees may be exposed under normal conditions of use or in a foreseeable emergency. The program will be available to all employees in this Safety Manual and within SDS stations for review.

- 1) **Hazardous Chemical List**  
Powhatan County has established and will maintain a list of all the hazardous chemicals used at each separate and specific Department location. Departments will be made responsible for the maintenance of their specific Master Chemical List.

- 2) **Labeling of Hazardous Chemicals**

Each container containing a hazardous chemical will be labeled with the identity and the appropriate hazard warning of the contents. In addition, those containers containing hazardous chemical(s) when received from a supplier or shipped to a customer will also have the name and address of the manufacturer or the responsible party.

It is the responsibility of end user to assure that the identity and the hazard warnings are placed on all containers that have been transferred from the original drum or container. In addition, it is the responsibility of the purchaser/receiver to assure that the identity, the hazard warnings and the name and address of the supplier are on the received/shipped container(s).

Portable Safety Can containers of fuel will be identified by color with name of content on container being color coded as follows: red container is Gasoline, yellow container is Diesel, and blue container is Kerosene.

Hazardous chemicals used in labs or treatment plants will be handled and labeled per their specific Chemical Hygiene Plan.

- 3) Each Department will maintain a SDS (Safety Data Sheets) file based on their Master Chemical List. This SDS file will contain an SDS for every hazardous chemical used on the premises. These sheets will be available to employees at all times. When ordering a new hazardous chemical, it is the responsibility of the purchaser and receiver to assure that the SDS file is kept up to date. Employees wishing to gain access to a copy of a SDS for a specific chemical(s) or view the Master Chemical List should contact the Department Director for assistance.
- 4) It is the policy of Powhatan County to provide an information and training program to all employees, at the time of a new employee's initial assignment, annually thereafter and on the job training whenever a hazard is introduced into the work place. The information and training will include;
  - Requirements of 29 CFR 1910.1200
  - Location and availability of the written Hazard Communication Program, the Master Chemical List and SDS Sheets.
  - Means of detecting the presence or release of hazardous chemicals in the work area.
  - Physical and health hazards of the chemicals in the area.
  - Measures employees can take to protect themselves from these hazards.
  - Explanation of the labeling system and the SDS.
  - Emergency procedures.

- Details of the written Hazard Communication Program developed by the employer.
- Description of any operation in employees' work areas where hazardous chemicals are present.

It will be the responsibility of the Safety Committee to implement and maintain the information and training program. The training format will include a video for general description of the Hazard Communication Program with demonstration of specific SDS and label for review.

5) Contractor Work

When it is necessary for an outside contractor to perform work for Powhatan County at a work location where a chemical hazard may exist, it shall be the responsibility of the project supervisor to inform the contractor of the identity of any hazardous chemicals to which the contractor may be exposed. The procedure for informing the contractor will include the following;

- Making the Powhatan Hazardous Communication Program available to the contractor and advise the contractor of the labeling system.
- Making SDS's of the identified hazardous chemicals in a designated work area available to the contractor.
- Making the contractor aware of the appropriate protective measures taken by Powhatan employees in a designated work area.

It is also the responsibility of the project supervisor to determine if the contractor will be using any hazardous chemicals and, if so, to take appropriate actions to assure the protection of Powhatan County employees.

6) Prior to starting work on hazardous non-routine tasks, every affected employee will be given information by their supervisor about the hazardous chemical(s) to which they may be exposed. Such information will include, but not limited to specific hazards associated with the chemical(s), protective measures (i.e. personal protective equipment, work practices, engineering controls etc.) and emergency procedures.

7) It is the responsibility of each supervisor, manager and director to ensure their employees have appropriate access to SDS's at mobile work locations. Mobile crews carrying multiple hazardous chemicals will maintain a SDS binder per vehicle. Hazardous chemicals used on the mobile worksites will also be maintained at their main SDS location and inventoried on the Master Chemical List.

**J) MATERIALS HANDLING**

- All personnel engaged in handling materials of any type shall be instructed in the proper method of lifting heavy objects. Employees are required to follow all safe work practices involved with lifting and material handling.
- Proper lifting involves: use the large muscles of your legs rather than the small muscles of your back. Always, take a firm grip, secure a good footing, place the feet at a comfortable distance apart, keep the load close to your body, keep your back straight, bend your knees and lift your legs. Always plan the lift and placement of the load.
- If the load is too heavy, get help. **DO NOT** strain.
- When working with another person and carrying loads such as pipe, etc., let your partner know before dropping an end or doing anything which might create an accident.
- Fingers and toes shall be kept in the clear before setting down any materials or equipment.
- When a crane is used to lift heavy or bulky objects, remember to stand clear of the suspended or overhanging load.
- All materials must be loaded on motor trucks and secured so they will not fall off in transit. If necessary, tie the load to the truck.
- Materials shall be stored or placed only in authorized areas.

- Defective or broken strappings on materials shall be removed, repaired, or replaced before handling.
- Materials shall not be thrown from elevated places to the floor or ground. Suitable lowering equipment should always be used for this purpose.
- Neckties, finger rings, loose clothing, and other such items should not be worn by personnel working on or near any rotating machinery.
- Lifting and lowering operations being performed by several persons shall be done on signal from one person chosen to be the group coordinator and only after everyone's hands and feet are in the clear.
- Wheelbarrows, hand trucks and other similar devices shall not be over loaded or unbalanced.
- All stacked materials, cargo, etc. shall be examined for sharp edges, protruding points, signs of damage, or other factors likely to cause injury to persons handling objects. These defects should be corrected before proceeding with the operation.
- When removing bulk material from piles, or when excavating, never undercut the pile so one would have to work under overhanging material.
- Hand trucks should be in safe operating condition.
- Material Safety Data Sheets should be available to employees handling hazardous substances.
- Pallets should be checked before being used.
- Trailers and trucks should be secured from movement during loading and unloading.

#### J. **WELDING, CUTTING AND BRAZING**

- Only authorized and trained personnel should operate welding equipment.
- Compressed gas cylinders should be examined regularly for signs of defects, deep rusting or leakage.
- Only approved apparatus - torches, regulators, safety valves - must be used.
- Welders must be certain approved fire fighting equipment is nearby before commencing welding operations when working in the vicinity of flammable materials.
- There must be adequate ventilation in and where welding or cutting is performed.

**SIGNS MUST BE POSTED: DANGER - NO SMOKING, MATCHES OR OPEN FLAMES.**

##### 1. **Welding Eye Safety**

Workers or other persons adjacent to the welding areas must be protected from the rays by noncombustible or flameproof screens or shields **OR** they must wear appropriate welding safety goggles.

- Helmets or hand shields must be used during all welding or cutting operations.
- Helpers or attendants must be provided with the proper eye protection.
- All filter lenses and plates must meet ANSI.Z87.1 standards for transmission of radiant energy.

#### K. **HANDLING OF COMPRESSED GAS CYLINDERS**

- Compressed Gas cylinders must not be stored in direct sunlight, near a heat source or any hot place.
- Employees must not use a cylinder of compressed gas without reducing the pressure through a regulator attached to the cylinder valve.
- Oil and grease will not be used as a lubricant on valves and attachments of oxygen cylinders. Keep oxygen cylinders and fittings away from oil and grease, and do not handle such cylinders or apparatus with oily hands, gloves, or clothing.
- Oxygen shall not be used as a substitute for compressed air in pneumatic tools, in oil preheating burners to start internal combustion engines, or to dust clothing.
- Cylinders of oxygen, when stored indoors, shall be kept in areas separate from flammable gases.
- Cylinders must be kept in racks or stands, or set in an upright position, and chained to prevent their being knocked over.
- The valve protection cap must be kept in place whenever cylinders are not in use.
- Cylinders must never be used for other than their designated kind of gas.
- Do not stand in front of gauges when opening the discharge valve.
- Handling of cylinders by cranes must be done only when the proper racks are used. Rope or wire slings are prohibited.

- It is prohibited to use cylinders as rollers or supports.
- Remove regulators and place caps over valves when transporting cylinders by other than regular cylinder trucks.
- Cylinders must never be dropped or treated roughly.
- Leaky cylinders must be placed in the open immediately upon notice.
- Inspect hose lines frequently for leaks. Do not place torches in cans or leave in unventilated places.

#### L. **OVERHEAD CRANES**

- The rated load must be visible. Do not lift more than the rated load.
- The hoist controls must be plainly marked indicating the direction of travel.
- An inspection sheet showing the date of inspection and who inspected the crane must be visibly posted.

##### 1. **Overhead Crane Inspection**

DAILY INSPECTION REFERS TO EVERY DAY THAT THE CRANE IS USED.

- a. Conduct frequent inspections from a daily to one month interval for the following conditions:
  - All functional operating mechanisms for maladjustment interfering with proper operation.
  - All functional operating mechanism for excessive wear of components.
  - All safety devices for malfunctioning.
  - All hoist and travel limit switches should be checked without a load on the device at the beginning of each work shift. Each motion should be inched into its limit switch with extreme care.
  - Deterioration or leakage in lines, tanks, valves, drain pumps or other parts of air or hydraulic systems.
  - Frequent inspection procedure for overhead hoists as specified in ANSI B30.16.
  - Frequent inspection procedure for hooks as specified in ANSI B30.10.
- b. Conduct periodic inspections from one to twelve month intervals for the following conditions:
  - Loose bolts and rivets.
  - Deformed, cracked or corroded structural members.
  - Cracked or worn sheaves.
  - Worn, cracked or distorted parts such as pins, bearings, wheels, shafts, gears, rollers, clamping devices, bumpers switch baffles, interlock bolts, and trolley stops.
  - Wear on brake system parts, linings, pawls and ratchets.
  - Wear on chain sprockets and chain stretch chain.
  - Electrical apparatus for signs of pitting or deterioration of control contractors, limit switches, and pushbutton station.
  - Worn drive tires.
  - Wear on lower load carrying flange of all track sections in the system both straight and curved.
  - Periodic inspection procedure for overhead hoists as specified in ANSI B30.16.

#### M. **FORKLIFTS**

- Only authorized and trained personnel may operate a powered industrial truck (forklift).
- Trucks must not be driven up to anyone standing in front of a fixed object.
- Under all travel conditions the truck must be operated at a safe speed that will allow it to be brought to a stop in a safe manner.
- No one is allowed to stand or pass under the elevated portion of the truck, whether it is loaded or not.

- Trucks will not be used for opening or shutting freight doors.
- A safe distance must be maintained from the edge of the ramps and platforms while on any elevated dock.
- There must be sufficient headroom under overhead installations, lights, pipes and sprinkler systems.
- Stunt driving and horseplay is prohibited.
- Only stable or safely arranged loads should be handled. Caution will be used when handling off-center loads.
- Only loads within the rated capacity of the truck will be handled.
- If at any time a powered industrial truck is found to be in need of repair, defective or in anyway unsafe, it will be taken out of service until repaired.
- The brakes of highway trucks must be set and wheel chocks placed under the rear wheels to prevent the truck from rolling while they are boarded with forklift trucks.
- A powered industrial truck is considered to be unattended when the driver is dismounted, over 25 feet from the vehicle, or can not see the vehicle from where he/she is standing.
- No modifications will be made to the forklift without the expressed written permission from the manufacturer.
- Do not turn the forklift on any hill, ramp, or incline.
- When ascending or descending grades in excess of 10%, loaded trucks shall be driven with the load upgrade.
- Seatbelts must be equipped and worn on all forklifts.
- Forklift must be equipped with an audible warning device.

#### N. **BATTERY CHARGING AND STORAGE BATTERIES**

- Battery charging installations should be located in areas designated for that purpose.
- According to OSHA 1910.151, where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.
- Battery charging must be done in a well ventilated area.
- Facilities for flushing and neutralizing spilled electrolyte must be provided.
- **"NO SMOKING"** signs must be posted in battery charging areas.
- Tools and other metallic objects must be kept away from the tops of uncovered batteries.

#### O. **MACHINERY**

- Employees must never operate machinery or equipment without authorization, and then only after receiving full instructions on its safe operation from their supervisor.
- All gears, belts, pulleys, pinch points or other power transmission equipment shall be adequately guarded.
- Guards and safety devices must be kept in place at all times except when removed for necessary repairs.
- Lock-out and tag out procedures must be followed when adjusting, oiling, clearing, or repairing equipment.
- A brush shall be used for clearing chips away from machinery, equipment, or work benches. Hands shall never be used to clear any chips, dust, or other material.
- Never apply a wrench to moving machinery. Stop the machine, and then carefully remove all tools before starting.
- Tool rests, tongue guards, and eye shields shall be kept in adjustment on grinding wheels at all times.
- **DO NOT** leave machines unattended while in operation.
- Machine operators should not be distracted while on the job.
- A vice or clamp shall be used to secure work in place, freeing both hands to operate the tool.
- Power shut off switches should be within operators reach.

#### P. **POWER TOOLS**

- Safety glasses/goggles must be worn when operating power tools.
- On abrasive grinders, the tongue guard must be adjusted at 1/4" maximum and the tool rest must be at 1/8" maximum. The adjustable tongue or the end of the peripheral member at the top shall never exceed an inch.

- Immediately before mounting, all wheels shall be closely inspected and sounded by using the "ring test." Tap the wheel lightly with a non-metallic implement such as the handle of a screwdriver. If it produces a ringing sound, it is in good condition. If it sounds dull, replace the wheel. Do not use a cracked wheel. If not properly mounted and used, sections of the wheel may fly out at high speeds and can strike the operator.
- The spindle speed of the machine shall be checked before mounting the wheel to be certain it does not exceed the maximum operating speed marked on the wheel.
- Never carry a tool by the cord or hose.
- Never yank the cord or the hose to disconnect it from the receptacle.
- All observers should be kept at a safe distance away from the work area.
- Avoid accidental starting. Do not hold a finger on the switch button while carrying a plugged in tool.
- Tools should be maintained with care. They should be sharp and clean for the best performance. Follow instructions in the user's manual for lubricating and changing accessories.
- All portable electric tools that are damaged should be removed from use and tagged "Do Not Use."
- Grinders, saws and similar equipment must have appropriate guards in place.
- Portable circular saws must be equipped with guards above and below the base plate or shoe.
- All cord connected, electrically operated tools and equipment must be grounded or approved double insulated.
- Hands should be dry before using any electrical equipment and the user should not be standing in, or be too close to, water.
- Carefully examine all electrical equipment, including extension cords, every time they are used.

#### Q. **POWDER ACTUATED TOOLS**

- Powder Actuated Tools (P.A.T.) operate like a loaded gun and should be treated with the same respect and precautions. They must only be operated by specially trained employees. It is required for P.A.T. operators to be certified and **carry** a valid operator's license.
- P.A.T.'s must be stored in their locked containers when not in use.
- These tools should not be used in explosive or flammable atmospheres.
- The tool should be inspected prior to each use.
- P.A.T. should never be pointed at anyone.
- The tool should not be loaded unless it is to be used immediately. A loaded tool should not be left unattended.
- Fasteners must not be driven into very hard or brittle materials which might chip or splatter.

#### R. **JACKS**

- All jacks - lever and ratchet jacks, screw jacks, and hydraulic jacks - must have a device that stops them from jacking up too high. Also, the manufacturer's load limit must be permanently marked in a prominent place on the jack and should not be exceeded.
- A jack should never be used to support a lifted load. Once the load has been lifted, it must immediately be blocked up.
- Proper maintenance of jacks is essential for safety. All jacks must be inspected before each use and lubricated regularly.
- Remove handles from jacks when not in operation.

#### S. **COMPRESSORS, COMPRESSED AIR & PNEUMATIC TOOLS**

- Compressors must be equipped with pressure relief valves and pressure gauges.
- Air intakes should be located so that clean air enters the compressor.
- It is prohibited to direct compressed air towards a person.
- Compressed air used for cleaning purposes must be reduced to 30 psi.
- Signs must be posted warning of the automatic starting features of the air compressors.
- Compressors must be drained periodically.
- Pneumatic tools should be used at the manufacturers listed pressure.

- Compressed air shall not be used to blow dust out of hair or to clean clothes while being worn.

#### T. **HAND TOOLS**

- Always use the proper tool for the job. Inspect tools for flaws, correct sizes, and cutting edges before using. If tools are found to be defective return them for replacements.
- Tools must be used for the purpose they were designed.
- Keep hand tools clean and in proper working order at all times.
- Tools with mushroomed heads or hammers with split or loose handles shall not be used until repaired.
- Files shall be used only when equipped with handles.
- Only spark-proof tools shall be used around explosives.
- Sharp and pointed tools shall be carried in sheaths instead of loose in the pockets.
- Keep hands out of the path of sharp tools. When using knives or chisels cut away from, instead of toward the body.
- **DO NOT** leave tools lying where others may slip or trip over them.
- **DO NOT** leave chuck wrenches in chuck.
- When using air power equipment always shut off air at manifold and bleed air hose before disconnecting machine, hand tools or air hose.
- All portable air drills, air hammers, etc. shall be equipped with a hand grip switch which will shut off the supply of air when grip is released.

#### U. **ELECTRICAL SAFETY**

- Only authorized and qualified persons shall make repairs to or work on electrical equipment.
- All electrical equipment must be grounded or double insulated.
- Hands should be dry before using any electrical equipment and the user should not be standing in, or too close to, water.
- Working surfaces shall be kept dry when working with or near an electrical apparatus.
- Steam, water, or oil leaks near electrical equipment shall be reported immediately to the supervisor in charge.
- Carefully examine all electrical equipment, including extension cords, every time they are used. Check for frayed, torn, or split cords. Look for cracked or broken insulation. Beware of damaged plugs.
- Do not use any electrical equipment with frayed or otherwise deteriorated insulation.
- Electrical equipment which is heating or sparking excessively shall be turned off immediately and an electrician called to correct the situation.
- All electrical wires must be considered live until proven otherwise. Test all circuits to make sure of this.
- Follow required lockout/tagout procedures.
- Blocking the flow of energy from the power source and placing a tag or lock to prevent others from turning the power on is one way to prevent accidental start up of electrical equipment.
- The use of make-shift and over capacity fuses is prohibited.
- Never yank the cord to disconnect it from the receptacle.
- Learn what to do in an emergency. Know where and how to shut down the power.

#### V. **LADDER SAFETY**

The primary safety hazard involved with using a ladder is falling. A poorly designed or improperly used ladder may collapse under the load placed upon it and cause the worker to fall.

Various types of ladders used include:

1. **FIXED LADDERS** – a ladder permanently attached to a structure, building or equipment.
2. **STEP LADDER** – a self supporting portable ladder, non adjustable in length, having flat steps and hinged back.
3. **SINGLE LADDER** – a non self-supporting portable ladder, nonadjustable in length, consisting of but one section. Its size is designated by overall length of the side rail.

#### 4. **EXTENSION LADDER** – a non self-supporting portable ladder adjustable in length.

Ladder safety rules include, but are not limited to the following:

- Never exceed the rated weight limits of the ladder.
- All ladders should be checked before using to make certain that rungs and side rails are in sound condition. The rungs should be free of grease and oil.
- All wood parts should be free from sharp edges and splinters.
- Ladders with broken or missing steps, rungs, or cleats, broken side rails or other faulty equipment must not be used.
- Ladders that have developed defects must be withdrawn from service for repair or destruction. They must be tagged or marked "**DANGEROUS, - DO NOT USE.**"
- Portable straight ladders should be firmly placed on secure footing. If there is a danger of slipping, the ladder should be held by a fellow worker or lashed in place.
- Step spacings should be uniform and no more than 12 inches.
- Both hands should be kept on the ladder while ascending or descending.
- The worker should always face the ladder when climbing up or down.
- When on a ladder, exercise caution and **DO NOT** over-reach.
- When necessary to place ladders in front of a blind doorway, the door should be locked or guarded by a fellow employee.
- Barrels, boxes, chairs, or crates shall not be used in place of stepladders.
- Ladders must not be placed on boxes, barrels, or other unstable bases to obtain additional height.
- Short ladders must not be spliced together to provide long sections.
- Straight ladders shall not be used unless equipped with safety shoes.
- Ladders should not be used for any other purposes than for what they were intended.
- Stepladders must be fully extended and in sound condition before using. They must be equipped with a metal spreader or locking device to hold the front and back sections in the open position.
- The top step of a step ladder should not be used as a step.
- Extension ladders longer than 60 feet must not be used.
- Metal ladders must never be used near electrical equipment.
- Ladders used to gain access to a roof or other area must extend at least 3 feet above the top point of support.
- Ladders shall be equipped with a line near the top rung and shall be secured to support where possible.
- The foot of a ladder shall, where possible, be used at such a pitch that the horizontal distance from the top support to the foot of the ladder is one-quarter of the working length of the ladder (the length along the ladder between the foot and the support).

#### W. **STAIRS**

- The use of hand rails is encouraged.
- Packages or other materials carried on stairways should be held so that vision is not obscured.
- When using stairways, take one step at a time. Stair rails or wall rails should be used to prevent falls when ascending or descending stairs.
- Do not stop and talk on stairs. Use landings.
- All stairways, catwalks, gangways, and open work areas above the ground or floor shall be provided with substantial guard rails.

#### X. **SCAFFOLDING**

- All scaffolds shall be equipped with life lines which shall be worn by personnel working on such structures.
- **DO NOT** sit, lean, or rest on or against any railing or life line.
- A safe means must be provided to gain access to the working platform level through the use of a ladder, ramp, etc.
- Overhead protection must be provided for personnel on a scaffold exposed to overhead hazards.

- Tools and equipment must not be left unsecured in any elevated position.
- The footing or anchorage for scaffolds must be sound, rigid and capable of carrying the maximum intended load without settling or displacement. Unstable objects, such as barrels, boxes, loose brick, or concrete blocks must not be used to support scaffolds or planks.
- Scaffold planks should extend over their end supports not less than 6 inches and no more than 18 inches.
- Scaffold planking should be overlapped a minimum of 12 inches or secured from movement.
- Guardrails, midrails, and toeboards must be installed on all open sides and ends of platforms more than 10 feet above the floor.
- There should be a screen with 1/2 inch maximum opening between toeboards and the guardrails where persons are required to work or pass under the scaffold.
- Scaffolds must be maintained in a safe condition and must not be altered or moved horizontally while they are in use or occupied.
- Built-up scaffolds shall be erected by qualified personnel and inspected at appropriate periods to insure the structure is safe.
- Damaged or weakened scaffolds must be reported immediately and not used until repaired.
- Employees must not work on scaffolds during storms or high winds.

## Y. **OUTDOOR EQUIPMENT**

### 1. **Landscaping Equipment**

When working with any landscape equipment, the following procedures should be observed:

- Read the manufacturers manual for each piece of equipment.
- Follow the recommended operating procedures at all times.
- Check and inspect machinery for defects.
- Use proper fueling method.
- Inspect equipment for all proper safety features - do not override safety devices.
- Dress for safety - wear all necessary Personnel Protective Equipment (PPE).

The following Personal Protective Equipment is recommended to be used when working with landscaping equipment:

- Eye protection - safety glasses or goggles - tinted is available.
- Hearing protection
- Safety shoes
- Close fitting clothing, not loose or tight
- Gloves
- Hard hat (chain saws)
- Cut resistant chaps (chain saws)

### 2. **Fueling and Refueling Procedures**

The following procedures will be observed when fueling/refueling:

- DO NOT SMOKE!
- Always fill on a level surface.
- Do not fill while engine is running or hot. Let the engine cool.
- Do not overfill the tank, wipe up all spills.
- Remove any dirt and debris from the surface of the equipment to prevent debris from entering fuel tank.
- Wipe off any spilled fuel after filling.
- Keep fuel in an approved safety can.
- Mix two cycle fuel in the safety can - not the fuel tank.

### 3. **Weed Cutters**

- Check shield for cracks.
- Use the correct shield for the blade in use. Plastic/nylon line - use plastic shield. Metal blades - use metal shields.
- Utilize the proper length of nylon cord.
- Make sure lock handle is in place.
- Throttle must operate freely.
- Know where debris goes - curved shaft models throw debris in a clockwise direction, with straight shaft models debris is thrown in a counter clockwise direction.
- Use the safety harness as it distributes the weight of the machine.
- Avoid hazards; be aware for pedestrians, wire fences, hidden objects.
- When using the metal blades - the "bull horn" handle keeps the operator away from the blade.
- Store safely - let machine cool before storage.

#### 4. **Hedge Trimmers**

- Start tool on a firm surface; do not start in mid-air (drop start).
- Do not override safety features or switches - do not tape switches in an "on" position.
- Do not modify equipment.
- Do not overreach when using the trimmer.
- To clear debris from the blades - turn off the machine.
- Do not remove muffler cover, if worn - replace it.

#### 5. **Blowers**

- Check fan guard.
- Make sure there are no bystanders in the way.
- **NEVER** point the blower at anyone.

#### 6. **Riding Mower**

Before riding:

- Check the machine for defects.
- Check for all safety devices.
- Make sure the instruction decals are in good condition, easily readable, and understandable.
- Make sure the deflector chute or back chute is clear.
- Make sure all guards are in place.
- Make sure the parking brake is in good operational order.
- Check and clear the area - the area should be free from pets, children, and debris. All debris must be cleaned up before starting.
- **DO NOT OVERRIDE SEAT SAFETY SWITCHES!**
- Use blade disengagement lever when not in a mower situation.
- When cutting on a slope - go up and down the slope to avoid tipping over.
- Passengers are not allowed on the mower at any time.
- **No County employee shall operate a motor vehicle while wearing a headset, headphone, or other listening device, other than a hearing aid or instrument for the improvement of impaired hearing.**

When dislodging anything caught in the blade or chute:

- Turn off the engine.
- Take the key with you.
- Disengage spark plug wire
- Then remove debris.

When transporting mower:

- Carriage should be raised as high as possible.
- Parking brake should be engaged.

#### 7. **Chain Saws**

- Plan the work - ensure that there is an obstacle-free work area and, in the case of felling, an escape from the falling tree.
- Remove all obstructions from the path of the saw.
- Secure a good footing.
- Grip the handle firmly; the thumbs and fingers should encircle the handle.
- Chain saws should be started up on the ground and not in the cuts.
- Never operate a chain saw that is damaged, improperly adjusted, or not completely and securely assembled.
- When cutting - avoid reaching above shoulder height.
- Never adjust the guide bar or saw chain when the engine is operating.
- Never carry a chain saw with its engine running (idling). Cut the engine and carry the chain saw with the guide bar point to the rear and with the muffler away from the body.
- Be sure that the saw chain stops moving when the throttle control trigger is released.
- Before servicing, fueling or transporting - switch off engine.

## **FIRE PREVENTION**

One of the most costly and destructive causes for loss of life and property that the County could experience would be from a major fire.

### **A. REPORTING FIRES**

All employees should:

Report fires immediately to 9-1-1 and follow the procedures outlines in your Emergency Fire Plan.

**NOTE:** FROM MANY OFFICE BUILDINGS IT IS REQUIRED TO DIAL "9" TO GET AN OUTSIDE LINE - THEREFORE YOU MAY HAVE TO DIAL 9-9-1-1.

- Know their Department's Emergency Fire Plan.
- Know the location of the exits.
- Know the location, correct operation and usage of the nearest fire extinguisher.

### **B. PORTABLE FIRE EXTINGUISHERS**

- Know the location of the closest and correct fire extinguisher.
- A fire extinguisher should be used only on a small fire.
- Use a fire extinguisher only if trained to use it.

Most portable fire extinguishers are classified:

- A for fires involving combustibles like wood or paper
- B for flammable liquids
- C for electrical wiring and equipment
- ABC for combinations fires
- D for combustible metals like magnesium, sodium

Additionally, portable Halon fire extinguishers should be used to extinguish fires involving computers or other sensitive electrical equipment. Have the used fire extinguishers replaced or recharged as soon as possible after use.

### **C. FIXED FIRE SUPPRESSION EQUIPMENT**

#### **1. Automatic Sprinklers**

Materials must not be piled within (18) inches of sprinkler heads. (No high storage).

There must not be any storage above the sprinkler protection. Do not store materials above the suspended ceiling.

Sprinkler heads must be in good condition, with no accumulation of dirt, dust or grease and free from paint.

#### **2. Dry Chemical Systems**

In the event of a fire, the fire protection system should automatically activate. If it fails to activate, there is an emergency manual pull.

Employees who work in the areas protected by a dry chemical system should know where the manual pull station is located. The manual pull must be located in an exit pathway and is to be activated as you leave the area in the event of a fire.

### **D. HALON**

Halon 1301/1211 is a gas and is usually used to protect sensitive electrical equipment, such as computer and telephone rooms. A typical Halon system is triggered by either ion, smoke or flame detectors, or manual control. Since the detectors are sensitive to the by-products of combustion, the devices register an alarm condition well before the system activates. There is a time device delay of 30 seconds, to allow personnel to evacuate and seal the room before the Halon is discharged. Combustible materials shall not be stored in a Halon protected area.

If work is done in an area that is protected by a Halon system, the employee should know:

- a. What the fire alarm sounds like.
- b. Emergency procedures for evacuating and sealing the room.
- c. The location and how to use the ABORT button to stop the activation of the system, if required.

#### **E. FIRE/SMOKE ALARMS SYSTEMS**

In the event an alarm rings, employees should:

- Know what the smoke detector sounds like.
- Follow your emergency fire plan.
- Prepare to evacuate, according to your emergency fire plan.

#### **F. FIRE DOORS**

A fire door and its assemblies is a special door designed to contain the spread of fire and smoke within a building. Some models of fire doors will operate automatically in case of a fire.

Do not "prop" open self-closing doors. Keep self-closing doors closed, but not locked, at all times.

Check that nothing blocks or will prevent full closure of a fire door.

#### **G. GENERAL FIRE SAFETY PRACTICES**

- Exit doors must be unlocked during normal working hours and free passage to and through these exits must be maintained at all times.
- Exit signs and directional exit signs, where required, must be visible and properly indicate the direction and location of the exits. Other doors and passageways that could be confused as exits, must be properly marked as "NO EXIT."
- Do not overload electrical outlets. Check that electric wires and plugs are in good condition, no frayed or worn areas. Turn off electrical equipment at end of work day.
- With the exception of coffee makers and microwave ovens, the use of cooking and heating equipment should be discouraged.
- Observe "NO TOBACCO" requirements.
- Flammable liquids must be stored in U.L. approved safety cans or U.L. approved flammable liquid cabinets and clearly labeled.
- When transferring flammable liquids from one container to another, the containers must be bonded and/or grounded.
- **ALL COUNTY FACILITIES ARE DESIGNATED NO TOBACCO-TOBACCO USE IS PERMITTED IN DESIGNATED SMOKING AREAS ONLY.**

## **PROTECTING THE PUBLIC**

The public shall be kept away from locations where work activity presents hazards.

Holes, trenches, and obstructions shall be barricaded. When exposed to traffic, holes, trenches, and obstructions shall be marked with warning signs and flags in daylight and electric flashers at night, so located as to give the traveling public ample time to stop if necessary.

When leaving material, equipment or other obstructions on a roadway overnight, the following precautions shall be taken:

- Equipment shall not be left adjacent to fire hydrants or directly in front of entrances to parks, playgrounds, churches, houses, schools, or other places of public entry.
- Equipment shall be locked or otherwise secured so that unauthorized persons cannot start, move or operate them.
- Any obstruction shall be adequately protected by approved warning devices.

Warning devices and barricades shall be placed to adequately protect the public and employees before excavations or trenches are opened. They shall not be removed until excavations have been back filled and the area made safe.

Trucks, air compressors, welding machines, and other equipment shall be so placed as to present the least hazard to traffic consistent with a safe working space for employees. Trucks and equipment shall be placed between the work area and the oncoming traffic.