



PERSONNEL POLICY

Non-Bargaining Personnel Policy

Full Time Appointed & Department Heads

ADOPTED
RESOLUTION NO.
80 of 2017

Effective: January 1, 2017 – December 31, 2020

*****Policy applies to part-time Appointed Employees & Department Heads
when specifically expressed***

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COUNTY OF MONTGOMERY

Personnel Policy

Non-Represented Employees
Effective: January 1, 2017 – December 31, 2020

1. Introduction

- a. This policy establishes the terms and conditions of employment for all **full-time** appointed managerial and management confidential personnel of the County of Montgomery, as identified in Appendix A-A2, who are not represented by recognized bargaining units.
- b. Where specifically noted herein, this policy is extended to part-time appointed employees & part-time Deputy/Department Heads.
- c. **This policy only applies to Elected Officials who are in the middle of a term as of the adoption of this policy, until such time as their respective salary is adopted by local law or until the next term of office commences. (Resolution 62 of 2016)**
- d. These policies shall not constitute an enforceable contract and may be changed at any time, pursuant to the authorizing powers of the Montgomery County Charter.
- e. This personnel policy is not subject to grievance procedures.

2. Equal Employment Opportunity

It is the policy of the County of Montgomery to afford equal opportunity in employment, without regard to age, race, religion, creed, color, national origin, sex, sexual orientation, disability, marital status or any other non-merit factors, in compliance with federal and state laws.

3. Work Day/Work Week

- a. The normal workday shall be from 8:30 a.m. to 4:00 p.m., with one-half hour for lunch, on each business day Monday through Friday. The normal workweek shall consist of a total of 35 hours. (work day hours may vary for departments who have a 40 hour workweek)

- b. During the months of July and August, the workday shall be from 9:00 a.m. to 4:00 p.m., with one hour for lunch. During this period, the normal workweek shall consist of a total of 30 hours.
- c. Part-time employees are expected to work within the stated operating hours and in accordance to their approved work scheduled set forth by the appointing authority.
- d. Employees shall not be permitted to work remotely without prior approval from the County Executive. In the event that remote work is approved, all time spent working remotely must be tracked and accounted for as hours worked.
- e. Department Heads are required to utilize the time-off request system. Time shall be requested in accordance to this policy. Any used time, when not adjusting the work schedule, shall be deducted from the appropriate accruals.

4. Overtime and Compensatory Time

This policy shall apply to all non-union employees of the County. All non-union employees of the county must maintain a record of their hours worked.

All non-union employees shall fall into one of the following categories:

Management Confidential Employees

Shall include all non-union employees contained within Appendix A-1.

Managerial Employees

Shall include all Department Heads, as well as other employees with supervisory or management responsibilities as contained in Appendix A.

All employees covered by this Policy will be provided with a notice from Human Resources of their classification in the categories above upon hire, placement in a non-union position, or change in classification status.

Management Confidential Employees

- a. Management Confidential employees that are required to work beyond the normal 35 hour work week (30 hours in July and August), in any week will be permitted to accrue compensatory time at a straight time rate for those hours worked between 35 and 40 hours per week, with the prior approval of their Department Head.

- b. Employees may accrue up to 21 hours of compensatory time for work between 35 and 40 hours in a workweek. Any time in excess of the 21 hours shall be paid at straight time. Any compensatory time worked in December, shall be paid at straight time and not accrued.
- c. Compensatory time accruals may not exceed 21 hours at any time.
- d. All unused compensatory time earned prior to December 1st shall be paid in December and shall not be carried over until the next fiscal year.
- e. **All Management Confidential** employees shall receive overtime at a rate of time and one-half (1 ½) the regular rate of pay for all hours worked in excess of forty (40) hours per week,

Managerial Employees

- a. **Department Heads** (Appointing Authorities) have the ability to adjust their work hours as needed to achieve the required results in operating their Department in an efficient and professional manner to ensure that the needs and goals of their departments are met, up to a maximum of 40 hours per week.
- b. If the Department Heads adjust their work hours, they must ensure that they fulfill their 35 to 40 hour workweek. If they need to charge time to accomplish this, it must be deducted from their leave accruals.
- c. **Managerial Employees** (inclusive of Department Heads) who work more than 40 hours in any one week can accumulate compensatory time at a rate of time and one-half (1 ½) the regular rate of pay for all hours worked in excess of the forty (40) hours per week, which can be used at their discretion. If the compensatory time cannot be used by the end of the fiscal year, then the unused compensatory time shall be carried over at the end of the year and credited as accumulated sick leave.
- d. **Any work beyond forty (40) hours in any one (1) week must be approved by the Department Head, or, in the case of Department Heads, by the County Executive. Failure to seek the approval may result in the denial of compensatory time.**
- e. **Deputy Department Head's** time can be adjusted by the Department Heads (Appointing Authorities) to ensure that the work of that Department is satisfactorily met, up to a maximum of 40 hours per week. If the hours of the Deputy Department Heads are adjusted, they must fulfill their 35 to 40 hour workweek. If they need to charge time to accomplish this, it must be deducted from their leave accruals.

- f. Part-Time Deputy Department Head's time can be adjusted by the Department Heads (Appointing Authorities) upon the approval of the Personnel Officer.

5. Pay Period

- a. All employees (Part-time, Full-time) shall be paid every two (2) weeks.
- b. Effective upon adoption of this Policy, all employees (Part-time, Full-time) represented by this policy shall be required to receive their paychecks by direct deposit.

6. Mileage Allowance

All employees (Part-time, Full-time) authorized by their Department Head to use their personal vehicles for conducting County business, shall be reimbursed at the rate equal to the Internal Revenues Service allowable deduction.

7. Paid Holidays

- a. The following shall be designated holidays:

New Year's Day
Martin Luther King's Birthday
Washington's Birthday (President's Day)
Good Friday (Election and Sheriff Personnel Only)
Memorial Day
Independence Day
Labor Day
Columbus Day
Election Day (Except Election and Sheriff Personnel)
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day

- b. Unless on authorized leave, employees (part-time, full-time) failing to report on a working half-day prior to or immediately after a holiday shall not be paid for the holiday.
- c. When a holiday falls on a Saturday, it shall be observed on the prior Friday.

- d. When a holiday falls on a Sunday, it shall be observed on the following Monday.
- e. If the County Employee is required to work the whole or part of any said holiday, such employee shall be allowed either whole or part of another day for each holiday worked. Those employees who are required to work New Years' Day, Thanksgiving Day or Christmas Day shall receive time and one-half for all hours worked in addition to being allowed an in-lieu of day. (For example, an employee working eight hours on Thanksgiving shall receive twelve hours pay in addition to another day in lieu thereof.)

8. Vacation Leave

Full-time managerial employees with at least one year's continuous service shall be entitled to vacation, with pay, as follows:

10	days (70 hours)	after	1 year
11	days (77 hours)	after	2 years
15	days (105 hours)	after	3 years
20	days (140 hours)	after	5 years
22	days (154 hours)	after	10 years
25	days (175 hours)	after	15 years

Full-time Management Confidential employees with at least one year's continuous service shall be entitled to vacation with pay, as follows:

10	days (70 hours)	after	1 year
11	days (77 hours)	after	2 years
12	days (84 hours)	after	3 years
14	days (98 hours)	after	5 years
16	days (112 hours)	after	8 years
18	days (126 hours)	after	10 years
20	days (140 hours)	after	15 years
25	days (175 hours)	after	20 years

An employee leaving the service of the County, for any reason, shall be compensated for credited and accrued vacation.

All vacation will be taken in the anniversary year in which it is credited. However, should workload demands prevent the Department Head from authorizing use of all credited vacation during a year, up to 105 hours of unused vacation may be carried over to the following year.

Vacation Carryover

- a. Vacation carryover for employees requires approval of the Department Head, and shall be reported to the County Executive.

- b. Vacation carryover for Department Heads requires approval of the County Executive.
- c. Vacation Carryover for employees of the Legislature requires the approval of the Chairman of the Legislature.
- d. All approved vacation carryover shall be reported the Personnel Officer by the Appointing Authority.

Vacation Requests

- a. Vacation request must be submitted, in writing or by electronic submission (where available), to the Department Head at least ten (10) working days prior to requested commencement date.
- b. A Department Head or an employee of the Office of the County Executive must submit Vacation request, in writing or by electronic submission (where available), to the County Executive at least ten (10) working days prior to requested commencement date.
- c. A Department Head or an employee of the Office of the County Legislature must submit Vacation request, in writing or by electronic submission (where available), to the Chairperson of the Legislature at least ten (10) working days prior to requested commencement date.
- d. Vacation shall be used in minimum increments of 15 minutes.

Vacation Buy-Back.

- a. Employees may elect to receive compensation, at their regular pay rates, in lieu of vacation, not to exceed 70 hours per calendar year. Request for payment must be submitted, in writing, for approval by the Department Head or in cases of a Department head, request for payment must be submitted, in writing, for approval by the County Executive and shall be reported to the Personnel Officer.
- b. Employees of the Office of the County Legislature may elect to receive compensation, at their regular pay rates, in lieu of vacation, not to exceed 70 hours per calendar year. Request for payment must be submitted, in writing, for approval by the Chairperson of the Legislature.

9. Sick Leave

- a. Full-time employees, earn sick leave credits at the rate of seven (7) hours for each month of service (8 hours for an 8 hour employee). No credit for

Sick Leave shall be allowed unless the employee has been on full pay status at least fifty percent (50%) of the working days of the calendar month.

- b. Employees will be credited with Sick Leave accumulated prior to the adoption of the policy. Under no circumstances, however, may an employee accumulate more than 255 days (1785 hours) of Sick Leave.
- c. Sick Leave with pay shall be granted by the Department Head/Appointing Authority when an employee is incapacitated or unable to perform the duties of the position by reason of sickness or injury. Employees may use accumulated Sick Leave for illness in the immediate household family.
- d. Sick Leave may be used in 15-minute increments, except for doctors' appointments or emergencies.
- e. In case of transfer within County service, accumulated Sick Leave shall be transferred with the employee.
- f. Employees who are granted leaves of absence not exceeding one (1) year shall not lose accumulated Sick Leave and are eligible to use these Sick Leave credits upon their return.
- g. **For all employees covered by this policy**, when absence is required, the employee shall notify their Department Head/Appointing Authority before 9:30 a.m. Failure to report within the stated time limit, unless for reasons satisfactory to the Department Head/Appointing Authority, shall result in the absence not being deducted as Sick Leave.
- h. Part-time employees are required to notify their Department Head before 9:30 a.m. when absence is required on a scheduled workday.
- i. Failure to report within the stated time limit, unless for reasons satisfactory to the Department Head, shall result in the absence not being credited as time worked.
- j. A Certificate of Affidavit showing incapacity and inability of the employee to perform duties, issued by the attending physician, may be required by the Department Head/Appointing Authority for the case of absence of more than twenty-one (21) hours.
- k. When a pattern of abuse of Sick Leave is suspected, the Department Head/Appointing Authority may, upon advance notice, require an employee to provide proof of illness at any other time. The Department Head/Appointing Authority also may require the employee to be examined, at the County's expense, by a physician designated by the Personnel Officer.

- l. If an employee fails to submit proof of illness, when required, the absence shall not be deducted from Sick Leave and shall be considered as time off without pay. If the proof submitted, other than a doctor's statement, in the judgment of the Department Head/Appointing Authority, does not justify the employee's absence, such absence shall not be deducted from Sick Leave and shall be considered time off without pay.
- m. Sick Leave and Workers' Compensation: Employees absent from work because of work incurred injuries or disabilities shall use available Sick Leave time only during the required statutory waiting period.

10. Sick Leave Buy-Back Plan

Any full-time employee with over 100 days of sick leave accumulated may sell accumulated sick leave credits back to the EMPLOYER at the rate of seventy-five dollars (\$75.00) per day with a maximum sell back of twelve (12) days in any fiscal year.

Written notice

- a. An employee shall provide his/her Department Head with a written notice by the fifteenth (15) of August preceding the start of the new year (January), of their intent to utilize the Sick Leave Buy-Back plan. Sick leave buy-back is paid in January.
- b. A Department Head or an employee of the Office of the County Executive shall provide the County Executive with a written notice by the fifteenth (15) of August preceding the start of the new year (January), of their intent to utilize the Sick Leave Buy-Back plan.
- c. A Department Head or an employee of the Office of the Legislature shall provide the Chairman of the Legislature with a written notice by the fifteenth (15) of August preceding the start of the new year (January); of their intent to utilize the Sick Leave Buy-Back plan.

11. Sick Leave Credit upon Separation/Retirement

- a. Effective January 1, 2017, upon retirement, an employee shall be credited with seventy (\$70.00) dollars for each day of unused sick leave to be used to offset the Retiree's share of health insurance. This shall be independent of any retirement credit under Section 41J of the Retirement and Social Security Law.
- b. Effective January 1, 2017, those individuals leaving Montgomery County service prior to retirement shall be paid for the balance of any

unused sick days at a rate of seventy (\$70.00) per day not to exceed 255 days.

- c. Any full-time Elected County Officials retiring from Montgomery County service with at least fifteen (15) years of county service shall be eligible for the following sick leave credit. For each of the completed service after 15 years they shall receive eight (8) days to be credited at seventy (\$70.00) dollars per day to be used only for the Retiree' share of health insurance. Maximum accumulated days shall be two hundred.

12. Personal Leave

- a. Effective January 1st of each year, full-time employees shall be credited with 42 hours of personal leave.
- b. Personal Leave is leave with pay granted for religious observance or personal business.
- c. Except for religious observance, or conditions that might arise beyond the control of the employee, not more than twenty one (21) hours of Personal Leave may be granted consecutively.
- d. Whenever possible, a request for Personal Leave should be submitted to the Department Head/Appointing Authority forty-eight (48) hours prior to the requested date.
- e. Personal Leave may be granted only with the approval of the Department Head/Appointing Authority. Unused Personal Leave time shall be carried over at the end of the year and credited as accumulated sick Leave.

13. Bereavement Leave

- a. Full-time employees shall be entitled to bereavement leave as follows:
- b. Five (5) days excused time with pay will be granted to employees for the death of a mother, father, brother, sister, spouse or child.
- c. Three (3) days excused time with pay will be granted to employees for the death of the following: step-parent, step-son, step-daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, grandchildren, or any person who lives in the household of the employee.
- d. One (1) day excused time with pay will be granted to employees for the death of the following: brother-in-law, sister-in-law, aunt or uncle.

- e. Request for one (1) day excused time with pay may be granted to the employee for other than (A, B, C) above with the approval of the Department Head/Appointing Authority.

14. Jury Duty

- a. An employee who serves on jury duty shall be excused from County employment, with pay. During the period of absence, the employee shall report to work for any portion of the normal workday remaining after being excused from jury duty for that day.
- b. Any compensation received for service, as a juror shall be returned to the County Treasurer within five (5) working days of the time it is received by the employee. Reimbursement for out-of-pocket expenses may be retained by the employee.

15. Maternity and Child-Rearing Leave

- a. Pregnant employees may be asked or encouraged to report the existence of pregnancy, but they may not be required to do so. Where the nature of the duties performed may be particularly hazardous or burdensome during pregnancy, they should be asked or encouraged to do so. In any case where the pregnancy may cause the employee to become medically disabled, she may be required to submit medical evidence as to her fitness for the performance of her duties and/or she may be required to undergo a medical examination, at the expense of the department or agency, by a physician designated by the Personnel Officer. A pregnant employee who is determined to be medically disabled from the performance of her duties must be treated the same as any other employee similarly disabled insofar as disability leave benefits are concerned.
- b. In general, disabilities arising out of pregnancy or childbirth shall be treated the same as other disabilities in terms of eligibility for or entitlement to sick leave with and/or without pay, extended sick leave and sick leave at half-pay. Absences during pregnancy or following childbirth may be charged to vacation, compensation time, or personal leave irrespective of whether the employee is disabled. An employee unable to work and on leave of absence because of pregnancy or childbirth shall not be allowed to charge such leave to sick leave credits unless she is determined to be medically disabled from the performance of her duties and then only for such period of her leave as she continues to be so disabled. At the discretion of the appointing authority and upon request of the employee, leave without pay may be granted during pregnancy and prior to the onset of any medical disability.
- c. Upon termination of pregnancy and the period of disability related thereto, an employee may request leave of absence for child-rearing

purposes. Such requests may be approved for a reasonable period of time and, at the discretion of the appointing authority, may be approved for additional period. A “reasonable period of time” for an employee who ceases to be disabled from the performance of her duties within three or four weeks following childbirth would be six (6) months. For an employee who continues disabled for four (4) months following childbirth, a leave of absence for three (3) months would be reasonable. Except in the case of continuing disability, any leave of absence beyond the seventh (7th) month period following childbirth shall be at the discretion of the appointing authority.

- d. A pregnant employee holding her position by permanent or temporary appointment is entitled to leave with full pay and/or without pay while unable to work because of pregnancy or childbirth as described above.
- e. In cases of legal adoption under Article 7 of the Domestic Relations Law leave for child-rearing purposes shall be granted where the adoptive child is required to reside with the adoptive parents for at least six (6) months prior to an order of adoption being made. In such cases, leave for child-rearing purposes shall be granted for six (6) months commencing from the date the adoptive child begins actual full-time residence with the adoptive parents. Additional leave for child-rearing purposes may be granted at the discretion of the appointing authority; provided, however, child-rearing leave shall not exceed a period of two years cumulatively.

16. Family and Medical Leave Act

- a. As required by the Family and Medical Leave Act of 1993, Montgomery County will grant 12 weeks of unpaid leave per 12-month period to employees who have completed one year of service and who have worked at least 1,250 hours in the last 12 months.
- b. Montgomery County will use a 12-month period rolling backward from the date of the request for leave as the FMLA year. Leave may be taken for the following reasons:
 - i. The birth of a son or daughter
 - ii. The placement of a son or daughter through adoption or foster care
 - iii. To care for a spouse, child, or parent with a serious health condition
 - iv. A serious health condition that renders an employee unable to perform his/her job
- c. Employees must notify their supervisors of the need for leave as soon as the employee knows that leave time will be required. Whenever possible, at least 30 days’ notice is required if the leave is to be taken for the birth of a child, or for the placement of a child through adoption or foster care, or for foreseeable medical treatment.

- d. Montgomery County will require certification of the need for leave.
- e. When leave is needed because of a serious health condition, certification must be furnished by the doctor who is providing medical attention to the patient. The certification must include the following information:
 - i. Date the condition commenced
 - ii. Probable duration of the condition
 - iii. Appropriate medical facts to support that the patient has a serious health condition
 - iv. A statement that the employee is needed to provide care for a family member
 - v. An estimate of the time that the employee will be needed to provide care
- f. When appropriate, the following information is also required:
 - i. A statement that the employee is unable to perform the functions of his/her job
 - ii. An estimate of the duration of the condition that prevents the employee from working
- g. The County may require verification of the need for leave by requesting that the employee seek a second medical opinion. If the County requires a second medical opinion, the County will select a physician and pay for the cost of obtaining the second opinion. If the first and second medical opinions differ, Montgomery County may require a third medical opinion. If a third opinion is necessary, Montgomery County and the employee will jointly select a physician and Montgomery County will pay the cost of obtaining the third opinion. Failure to obtain a second or third medical opinion when required will result in denial of the request for leave. Leave will be granted on an intermittent or reduced-schedule basis if the nature of the medical condition and the scheduling of medical treatment require it (as might be required, for example, by chemotherapy or radiation treatment for cancer patients).
- h. Leave to care for a new child must be completed within 12 months of the birth or placement of the child. If a husband and wife are both employed by Montgomery County at the time of the birth or placement of a child, no more than a total of 12 weeks' leave will be granted to the couple. This also holds true when the leave is required to care for an ill parent. If both husband and wife work at Montgomery County, no more than a total of 12 weeks' leave will be granted to the couple to care for ill parents.

- i. While an employee is on leave, Montgomery County will continue to pay its share of his/her health care premium. The employee must make arrangements with the Employee Benefits Representative in the Personnel Department to continue paying his/her share of the premium. Failure to pay his/her share of the premium could result in the loss of the employee's health insurance benefits while on leave.
- j. Employees are required to use available vacation time and personal while on leave to care for a new child. If the leave is to care for a sick child, parent, spouse, or for the employee's own illness, available sick time must also be used. If leave is taken because of the employee's own serious health condition for which he/she is receiving workers' compensation, disability, or other income replacement benefits, paid leave, by mutual agreement, can be used to supplement the income replacement.
- k. While on leave employees are required to contact the Personnel Department at least once every 4 weeks.
- l. When leave is taken because of the employee's illness, he/she must present a "release to work" from the attending physician in order to return to work.
- m. Whenever possible, employees who return at the end of the approved leave will be restored to the position they held when the leave began. If the same position is not available, the employee will be restored to an equivalent position. The only exception to this policy of restoration may be made for salaried employees who are within the 10% most highly compensated employees of Montgomery County.
- n. Whenever there is a question of definition of a term used in this policy, the definitions used in the Act will apply.
- o. Whenever this policy conflicts with the Family Medical Leave Act, the Law shall prevail.

17. Military Leave

- a. In accordance with Section 242 of the Military Law, employees (part-time and full-time) serving as members of the organized militia, or any reserve force or reserve component of the armed forces of the United States, are entitled to paid Military Leave, in conjunction with such service, not to exceed thirty (30) calendar days per calendar year.
- b. Employees who wish to use Military Leave must notify their Department Head, giving at least two weeks' notice, when possible, and submit a copy of their orders.

- c. Employees may also be eligible for up to 10 days of unpaid “**Family Military Leave**” if he/she is the spouse of a member of the armed forces of the United States, National Guard or reserves who has been deployed to a combat theater or combat zone of operations during a period of military conflict.
- d. Leave will only be given when the employee’s spouse is on leave from the armed forces, National Guard or reserves while being deployed during a period of military conflict.
- e. Employees must work an average of 20 hours or more per week in order to be eligible for this benefit.
- f. If you have any questions regarding this leave, please see someone in the Personnel Office.
- g. Whenever this policy conflict with Section 242 of the Military Law, the Law shall prevail.

18. Volunteer Emergency Respondents

- a. Full-time employees who are volunteer emergency respondents, ambulance corps and fire department personnel, who are called into service prior to the beginning of their scheduled work time, may be paid a maximum of one-half (1/2) of a normal day’s work when such duty delays their reporting to work on time.
- b. To receive such compensation, however, the employee must produce, within three (3) business days, a written, authenticated notice signed by the ambulance corps or fire department official in charge at such emergency scene. Such written notice must indicate the employee’s time of arrival and departure.
- c. This does not authorize employees, who have already reported to work, to leave their County assignments because they have been requested service to an emergency scene, except under the most extenuating of circumstances, and then only with the approval of the Department Head/Appointing Authority.

19. Hospitalization and Major Medical Insurance

- a. Montgomery County shall provide health insurance plan options to employees and provide the benefit of the CanaRx Drug Program. Contributions shall be determined by employment status as outlined below.

- b. Full-time Employees hired prior to the ratification of this policy shall contribute fifteen percent (15%) towards their appropriate health insurance premium.
- c. Full-Time Employees hired after the adoption of this policy shall contribute twenty percent (20%) towards their appropriate health insurance premium.
- d. Full-time employees who are covered by any other health insurance plan may elect not to receive health insurance provided by the County. In such cases, the County will provide a “trust account” representing thirty-five percent (35%) of the premium savings to the County as a result of the employee voluntarily not receiving or voluntarily reducing health coverage. This amount will be paid to the employee in December of each year. Employees must elect not to receive health insurance in December for the following year and may not elect to reenter the County’s health insurance plan unless the employee is no longer covered by any other health insurance. In such a situation, the employee may elect to reenter the County plan without any waiting period. Employees shall receive thirty-five percent (35%) of the premium savings for voluntarily not receiving health coverage.
- e. Montgomery County shall offer health insurance plans to all part-time employees at the full premium rate.
- f. Non-Bargaining employees who receive health insurance benefits from Montgomery County shall follow the health insurance plan design as modified and agreed upon in countywide negotiations.

20. Dental and Vision Insurances

The County shall provide individual dental and vision care for full-time employees. Full-time employees may elect dependent coverage through payroll deductions.

21. New York State Retirement Plan

- a. The County shall participate in the New York State Employees’ Retirement System with all the rights and benefits presently provided by the Career Retirement Plan under Section 75I of the Retirement and Social Security Law.
- b. Mandatory retirement shall be as required by law.
- c. In addition to the adoption of the 75I Plan, Montgomery County has adopted the following options:

- i. Section 41J (application of unused sick leave as additional service credit upon retirement).
- ii. Section 41k (military World War II service credit buy back).
- iii. Section 60b (guaranteed minimum death benefit of three time's annual rate of pay).
- iv. Tier I Employees under Section 60 of New York State Retirement Laws.
- v. Tier II Employees under Section 448 of New York State Retirement Laws.
- vi. Tier III Employees under Sections 508 and 606 of New York State Retirement Laws.
- vii. Tier IV Employees under Section 6060 of New York State Retirement Laws.
- viii. Tier V Employees under Article 22 (amended Article 14, 15& 19) of the New York State Retirement System.
- ix. Tier VI Employees under chapter 18, laws of 2012 of the New York State Retirement System.

22. Longevity

- a. Employees shall be entitled to the following Longevity schedule **UPON** their Anniversary Date as provided in the following:

Upon 3rd Year	\$1,000.00
Upon 5th Year	\$1,500.00
Upon 7th Year	\$2,000.00
Upon 10th Year	\$2,500.00
Upon 12th Year	\$3,000.00
Upon 15th Year	\$3,500.00
Upon 17th Year	\$4,000.00
Upon 20th Year	\$4,500.00
Upon 25th Year	\$5,000.00
Upon 30th Year	\$5,500.00

- b. For the purpose of this Longevity Program, service will be deemed continuous under the following conditions: absence from service does not exceed one (1) year.

- c. To be eligible to receive a longevity benefit, you must earn at least \$10,000 annually and there must not be a break in service except as set forth above.
- d. Those employees who hold more than one title and who are eligible for Longevity shall only be paid one longevity payment based on their original seniority date with Montgomery County.

23. Out-of-Title Work

Employees performing duties of a position having a higher salary level shall be paid at the higher level, upon approval, after completing a cumulative of ten (10) workdays in such higher classification. Requests for payment must be made by the employee within the quarter in which they were performing such duties. Payment, subject to the approval of the appointing authority and Personnel Officer, shall be made within the quarter such pay is earned.

24. Employee Assistance Program

The County will offer to employees (Part-time, Full-time) a paid-in-full Employee Assistance Program through a qualified provider of the County's choice. All records of the Employee Assistance Program are confidential between the employee and the provider. The fact that an employee utilizes such Assistance shall not impact promotional opportunities or job security.

25. Employee Evaluations

All part-time and full-time employees shall receive a written evaluation from their Department Head, at least once annually. The written evaluation shall be reviewed with the employee by the evaluator, to clarify and permit reasonable discussion of its contents. Employee evaluations will be conducted annually on the anniversary date of hire with Montgomery County.

26. Employee Resignation

Employees who resign shall give the County at least two weeks advance notice. Failure to give proper notice shall result in the loss of vacation time.

27. Educational Tuition Reimbursement Program

- a. Full-time employees shall be reimbursed for tuition upon completion of college or other courses which are job-related or which are necessary for a job-related degree. Courses must be pre-approved by the Department Head and the Personnel Officer. Employees may not take more than eight (8) credit hours in any year and must receive a Grade C or better.

- b. Employees who leave within two (2) years after the completion of the semester, in which the employee was reimbursed, shall reimburse any monies paid to the County.
- c. The County shall reimburse \$100.00 per credit hour for courses taken at FMCC, and \$75.00 per credit hour for non-FMCC courses.
- d. Employees shall be reimbursed on a “first-come, first-serve basis” until the monies are exhausted.
- e. Non-Bargaining employees, who utilize the benefit of tuition reimbursement from Montgomery County, shall follow the fee schedule as modified and agreed upon in countywide negotiations.

APPENDIX A MANAGERIAL

THE POLICY APPLIES TO THE FOLLOWING FULL-TIME APPOINTED POSITIONS:

ASSISTANT DISTRICT ATTORNEY –FT
CHILDREN WITH SPECIAL NEEDS COORDINATOR
CLERK OF THE LEGISLATURE
COMMISSIONER OF PUBLIC WORKS
COMMISSIONER OF SOCIAL SERVICES 1
CORRECTIONS ADMINISTRATOR
COUNTY ATTORNEY
COUNTY HISTORIAN
DEPUTY COMMISSIONER OF PUBLIC WORKS
DEPUTY COUNTY CLERK
DEPUTY COUNTY TREASURER
DEPUTY ELECTION COMMISSIONER (2)
DIRECTOR OF AUTOMOTIVE
DIRECTOR OF BUILDINGS & GROUNDS
DIRECTOR OF COMMUNITY SERVICES-FT
DIRECTOR OF DATA PROCESSING
DIRECTOR OF ELIGIBILITY
DIRECTOR OF FINANCIAL MANAGEMENT (2)
DIRECTOR OF HIGHWAYS & BRIDGES
DIRECTOR OF LABOR MANAGEMENT RELATIONS
DIRECTOR OF REAL PROPERTY TAX
DIRECTOR OF SOCIAL SERVICES
DIRECTOR OF WEIGHTS AND MEASURES
DIRECTOR OF VETERANS SERVICES
ECONOMIC DEVELOPMENT SPECIALIST (2)
ECONOMIC OPPORTUNITY & DEV DIRECTOR
ELECTION COMMISSIONER (2)
EXECUTIVE DIR.YOUTH BUREAU.ATI & VETS SVCS
HIGHWAY SUPERINTENDENT
HUMAN RESOURCE FINANCIAL SPECIALIST
PERSONNEL ASSOCIATE
PERSONNEL OFFICER
PROBATION DIRECTOR II
PUBLIC HEALTH DIRECTOR
PURCHASING AGENT
SUPERINTENDENT OF SANITARY SEWER DISTRICT #1
SUPERVISING PUBLIC HEALTH NURSE
UNDERSHERIFF

**APPENDIX A-1
MANAGEMENT CONFIDENTIAL**

CONFIDENTIAL SECRETARY – (PUBLIC DEFENDER)
CONFIDENTIAL SECRETARY –(DSS)
CONFIDENTIAL SECRETARY (SHERIFF)
COMMUNICATIONS SPECIALIST
EXECUTIVE SECRETARY TO COUNTY EXECUTIVE
HUMAN RESOURCE CLERK (2)
LABORER
MAINTENANCE MECHANIC MCSSD #1
SECRETARY TO DISTRICT ATTORNEY
SENIOR ACCOUNT CLERK TYPIST-NON BAR
WASTEWATER TREATMENT PLANT OPERATOR

**THE POLICY APPLIES TO THE FOLLOWING FULL-TIME ELECTED OFFICIALS
UNTIL THE COMMENCEMENT OF THE NEXT TERM**

COUNTY EXECUTIVE
COUNTY CLERK
COUNTY TREASURER
CORONER
HEAD CORONER
SHERIFF

APPENDIX A-2
PART-TIME APPOINTED & STIPEND POSITIONS

1ST ASSISTANT PUBLIC DEFENDER-PT
ACTING COUNTY EXECUTIVE
ASSISTANT COUNTY ATTORNEY-PT
ASSISTANT DA / DWI PROSECUTOR
ASSISTANT DA-PT
ASSISTANT DA-PT
ASSISTANT PUBLIC DEFENDER FAM CRT-PT
ASSISTANT PUBLIC DEFENDER-PT
ASSISTANT PUBLIC DEFENDER-PT
ASST PUB DEFENDER - PT GRANT FUNDED
ASST PUB DEFENDER - PT GRANT FUNDED
BUDGET OFFICER-PT
COUNTY FIRE COORDINATOR-PT
CRIMINAL INVESTIGATOR-PT
DEPUTY CLERK OF THE LEGISLATURE
DEPUTY EMERGENCY MANAGEMENT DIR.PT
DEPUTY FIRE COORDINATOR - PT-HAZMAT
DEPUTY FIRE COORDINATOR-PT-TRAINING
DEPUTY PERSONNEL OFFICER - PT
DWI COORDINATOR
ELECTION DATA CLERK-PT (2)
EMERGENCY MANAGEMENT DIRECTOR-PT
EMERGENCY SERVICES CHAPLAIN-PT
EMERGENCY SVCS COMMUNICATIONS COORD
EMERGENCY SVCS EMS COORDINATOR
MEDICAL DIRECTOR-PUBLIC HLTH-PT
PUBLIC DEFENDER
SOCIAL SERVICES ATTORNEY-1ST-PT
SOCIAL SERVICES ATTORNEY-3RD-PT
SR ACCOUNT CLERK TYPIST-STOP DWI

APPENDIX B INCREMENTS

Attached is a schedule of base salaries and increments for all Full-time Employees listed in Appendix A-A2.

An increment is a yearly salary supplement. Increments are based on years in title

The increment shall be paid UPON an employee's anniversary date (Non-bargaining-title) and as follows:

Years in Title	# of Increments
1-5	1
6-10	2
11-15	3
16-20	4
21-25	5
26+	6

Part-time employees are not entitled to increments.

Grant funded positions that are intended to have no additional cost to the county (per resolution) will not have any increase in compensation offset their salary.

APPENDIX C COMPENSATION

Non-bargaining employees (part-time and full-time) all be entitled to the following compensation upon adoption of this policy for the period, January 1, 2017 – December 31, 2020 as follows:

All employees, as listed in Appendix A, shall be compensated as follows:

1. Upon adoption of this policy, employees shall receive an off schedule bonus, not added to the base salary as follows (payments to be made within 30 days of policy adoption).
 - a. Full-time employees

Hired prior to 12/31/2013	\$1250.00
Hired 1/1/2014-12/31/2014	\$1000.00
Hired 1/1/2015-12/31/2015	\$750.00
Hired 1/1/2016-12-31/2016	\$500.00
Hired after 1/1/2017	\$250.00
 - b. Part-time employees

Hired prior to 12/31/2013	\$625.00
Hired 1/1/2014-12/31/2014	\$500.00
Hired 1/1/2015-12/31/2015	\$375.00
Hired 1/1/2016-12-31/2016	\$250.00
Hired after 1/1/2017	\$125.00
2. Effective January 1, 2018, the base salary shall be increased by 1.5%
3. Effective January 1, 2019, the base salary shall be increased by 2%.
4. Effective January 1, 2020, the base salary shall be increased by 2%.

Cost of living increases are added to base salary without the longevity or increment included.

An Employee, who has left service prior to the adoption of this policy, will not be entitled to a bonus.

Grant funded positions that are intended to have no additional cost to the county (per resolution) will not have any increase in compensation offset their salary.

*****Salary increases will not be paid to stipend positions.**