

Starke County Jail

CHAPTER: Administration and Management	Starke County Jail <u>1C</u>	
SUBJECT: Personnel		
ISSUED:	EFFECTIVE 01/01/11	REVIEW
	<input checked="" type="checkbox"/> NEW <input type="checkbox"/> AMENDMENT	
JAIL COMMANDER : Darrell Gunn		

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1C-02 Annual Reviews

With the assistance of his staff, the Jail Commander will review the facility's internal personnel policies on an annual basis and submit any recommended changes to the Sheriff. This annual review will be a part of the Starke County Sheriff's Department annual report to the Sheriff which is due on or before October 1 each year.

1C-03 Staffing Requirements

Policy

It is the Policy of the Starke County Jail that the Jail Commander review the facility's personnel policies annually and make any change recommendations to the Sheriff.

Procedure

Staffing requirements for all categories of personnel are determined on an ongoing basis to ensure that inmates have

access to staff, programs and services. Staffing requirements are determined by factors other than just the population of inmates and include review of staffing needs for health care, academic, library, recreation, religious programs and services.

1C-04 Allocation of Personnel

Policy

It is the policy of the Starke County Jail that personnel employed by the Starke County Sheriff's Department will be assigned duties based on their ability to perform the job and to meet the requirements of the jail's Mission Statement.

Procedure

The Starke County Sheriff's Department maintains records to support the number and type of each position authorized in its budget, the location of each authorized position within each organizational division and position status information.

POSITIONS	AUTHORIZED	ACTUAL STRENGTH
JAIL COMMANDER	1	1
JAILERS	5	5
FINANCIAL STAFF	1	1

1C-05 Staffing Formula

Policy

It is the Policy of the Starke County Jail that the Jail Commander review staffing requirements annually and submit any requested changes to the Sheriff.

Procedure

The Jail Commander will consider facility staffing requirements on a yearly basis and include any changes in the annual jail report to the Sheriff. The goal of proper staffing is to provide the inmates with access to staff and effective services.

1C-06 Staffing vs. Vacancy Rate

Policy

It is the policy of the Starke County Sheriff's Department that the overall vacancy rate among the staff positions authorized for working directly with inmates does not exceed an unsafe level.

Procedure

The Jail Commander, in coordination with the Jail Staff, is constantly monitoring staffing levels. When a vacancy occurs for whatever reason, the position is filled immediately through the hiring process.

1C-07 Equal Employment Opportunity

Policy

It is the Policy of the Starke County Jail that equal employment opportunities exist for all positions.

Procedure

- A.) The Starke County Sheriff's Department is an equal opportunity employer. The Starke County Sheriff's Department will not tolerate discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, age, marital status, ethnic heritage, sexual orientation or veteran status. This policy speaks to all aspects of personnel actions, including the following:
- 1.) Recruiting, hiring, training and promoting persons for all job classifications.
 - 2.) Entry, training and promotional decisions will comply with the principals of equal employment opportunity by imposing only valid requirements for job opportunities and training.
 - 3.) Personnel actions (including, but not limited to, assignment, compensation, benefits, transfers, layoffs, returns from layoffs, upgrades, promotions, terminations, rates of pay, training, recruitment) will be applied equally.
- B.) The Starke County Sheriff's Department is committed to equal opportunity and mandates all staff officers, supervisors or anyone responsible for recommending appointments or terminations of their responsibility to comply with existing laws regarding equal employment opportunity.

Affirmative Action Plan

The Starke County Sheriff's Department will seek to maintain a ratio of minority group employees in approximate proportion to the make-up of our service community.

Elements of Affirmative Action Plan

- A.) The Starke County Sheriff's Department shall engage in positive efforts to employ ethnic minority group members and women by taking action to achieve a ratio of minority and female employees in approximate proportion to the make-up of the service area. In seeking to employ qualified ethnic minority members and women, the jail may conduct research and develop, and implement specialized minority and female recruitment methods. These methods may include, but not necessarily be limited to, the following:
- 1.) Application form and related pre-employment inquiry forms are in compliance with applicable federal, state and local EEO laws.
 - 2.) Position descriptions are reviewed periodically to properly identify job related requirements.
 - 3.) Liaison with minority community leaders to emphasize and encourage referrals of minority applicants to the Starke County Sheriff's Department.

- 4.) Active cooperation and utilization of the minority media, as well as the general media, in minority recruiting efforts.
 - 5.) Periodic review of the entire selection process to ensure it is non-discriminatory. No standards are used which have the effect of eliminating from consideration a significantly higher percentage of minorities or women than of non-minorities or men.
 - 6.) The encouragement of minority and women employees to refer friends to the agency for potential employment.
 - 7.) Become involved with and provide notification to local minority organizations, women's organizations, community action groups and community service programs at the time of recruitment.
 - 8.) The agency encourages minority and women employees to participate in community programs.
- B.) An evaluation of the department's minority recruiting plan shall be performed by the Sheriff periodically in order to do the following:
- 1.) Measure the plan's effectiveness.
 - 2.) Determine the degree to which the objectives and goals have been achieved.
 - 3.) Indicate any need for additional action.

1C-07 Sexual Harassment

Policy

It is the policy of the Starke County Sheriff's Department to assure a work environment free of sexual harassment. The Starke County Sheriff's Department is committed to maintaining and following the procedures set forth in this policy. Allegations of sexual harassment will be fully investigated and corrective or disciplinary action will be taken as warranted.

Procedure

Retaliation against an employee for filing a complaint of sexual harassment is prohibited. However, this policy does not grant license for employees to engage in the unfounded or vindictive accusation of others. The Starke County Sheriff's Department will protect the legitimate interests of all parties involved in a dispute involving an allegation of sexual harassment.

A.) Definitions

- 1.) **Sexual Harassment** - Sexual harassment includes any unwelcome sexual advance, requests for sexual favors and other verbal or physical conduct based on the victim's sex made by someone in the workplace, when:
 - a.) Submission to such conduct is made either a stated or implied term or condition of an individual's employment;
 - b.) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
 - c.) Such conduct has the purpose or effect, even if unintended, of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- 2.) **Quid Pro Quo** - Under the law, there are two basic kinds of sexual harassment. The first is when

an employee suffers or is threatened with some kind of "pocketbook" injury. A supervisor makes a "put out or get out" demand - "submit to my sexual requests or you will be fired, demoted, intimidated, passed over for a promotion, or in some other way made miserable on the job." This type of sexual harassment is called quid pro quo, meaning "this for that."

- 3.) Hostile Environment - The second kind of sexual harassment is called "hostile environment." A supervisor, co-worker or someone else with whom the victim comes in contact on the job creates an abusive work environment or interferes with the employee's work performance through words or deeds because of the victim's gender. A sexually hostile environment can be created by, but not limited to the following:
 - a.) discussing sexual activities
 - b.) unnecessary touching
 - c.) commenting on physical attributes
 - d.) using demeaning or inappropriate terms, such as "Babe"
 - e.) using unseemly gestures
 - f.) using crude and offensive language, etc.
- B.) Supervisor's Responsibility - Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes but is not limited to the following:
- 1.) Monitoring the work environment on a daily basis for signs that harassment may be occurring.
 - 2.) Counseling all employees on the type of behavior prohibited, and the agency procedure for reporting and resolving complaints of harassment.
 - 3.) Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his line of supervision.
 - 4.) Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment, pending the investigation.
- C.) Each supervisor has the responsibility to assist any employee of this agency who comes to that supervisor with a complaint of harassment in documenting and filing a complaint.
- D.) Each employee of this agency is responsible for assisting in the prevention of harassment through the following acts:
- 1.) Refraining from participation in, or encouragement of, actions that could be perceived as harassment.
 - 2.) Reporting acts of harassment to a supervisor.
 - 3.) Encouraging any employee who confides that he/she is being harassed to report these acts to a supervisor.
- E.) Failure to take action to stop known harassment shall be grounds for discipline.
- F.) Any questions concerning sexual harassment initiated by employees, and which the supervisors are unable to answer, should be referred up the chain-of-command.
- F.) The Jail Commander or his designee will, if the circumstances warrant, immediately proceed to initiate a formal investigation of the incident. The formal investigation will consist of at least the facts, conclusions, and recommendations, and will be submitted to the Starke County Sheriff's Department Attorney for review.

Complaint Procedure

- A.) Employees encountering harassment shall tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of continuing harassment in order to provide the fullest basis for an investigation. Upon first notification of harassment to the employee, the documentation shall be given to his/her supervisor.
- B.) Any employee who believes that he/she is being harassed shall report the incident(s) to his/her supervisor as soon as possible so that steps may be taken to protect them from further harassment, and appropriate investigation and disciplinary measures may be initiated. Where this is not practical, the employee may instead file a complaint with another supervisor or the Jail Commander.
 - 1.) The supervisor or other person to whom a complaint is given shall meet with the employee and document the incidents complained of, the person(s) performing or participating in the harassment, and the dates/times on which it occurred.
 - 2.) The agency supervisor receiving the complaint shall deliver the complaint to the appropriate person without delay.
- C.) There shall be no retaliation against any employee for filing a harassment complaint, assisting, testifying or participating in the investigation of such a complaint.
- D.) Employees may file a grievance/appeal in accordance with agency procedures when they disagree with the disposition of the disciplinary action as a result of a charge.
- E.) This policy does not preclude any employee from filing a complaint outside of the Starke County Sheriff's Department.

1C-08 Selection and Promotion

Policy

It is the Policy of the Starke County Jail to provide for the selection, retention and promotion of all personnel on the basis of merit and specified qualifications.

Procedure

Authority and Responsibility of Administering Selection Process

The selection process is a key element in the operational effectiveness of the Starke County Sheriff's Department. A job-related, useful and non-discriminatory selection process is dependent upon a number of professional and legally accepted administrative practices and procedures. The authority and responsibility for administration of the selection process is vested within the Sheriff or his/her designee. The Sheriff shall retain complete and total authority for the selection of his/her personnel. Personnel are "at will" employees.

A.) Components of Selection Process

1.) Applications

The Starke County Sheriff's Department accepts applications through the Sheriff on an on-going basis. All candidates for employment are required to have a high school diploma or GED. The Basic Jail Academy must be completed within the first year of employment. Candidates are advised upon making application that their application will remain on file for one (1) year only, or until such time they receive notification for an interview. Candidates may re-file their application at the end of a one (1) year period. Candidates at the time of making application are further advised of the minimum qualifications necessary for their desired position/classification. When deemed necessary by the administration, an interview date will be established and applicants on

file may be notified of the following:

- a.) Interview date and location.
- b.) Total number of personnel to be recruited (when possible).
- c.) Position/job title interviewed for.

2.) Background Investigation

- a.) A background investigation of each candidate shall be conducted prior to further consideration.
- b.) The background investigation will be conducted by the Sheriff or his designee.
- c.) The background shall include, but not be limited to, the following information:
 - Verification of candidate's credentials, educational background, employment, age, residence, citizenship and driver's license.
 - Review of any criminal and traffic record.
 - Interview with prior employers, neighbors and personal references.
- d.) The complete background investigation will be given to the Sheriff for review.

3.) Record Check

- a.) The Sheriff or his designee will check the applicant for any local, criminal, or traffic records.
- b.) The applicants name will be processed through IDACS and NCIC for wants and prior criminal records.

4.) Oral Examination

- a.) An oral examination of all candidates meeting the minimum criteria established in the prior processes shall be conducted using valid, useful non-discriminatory procedures.
- b.) All elements of the oral examination shall be standardized to include uniform questions and a uniform rating scale.

5.) Final Interview – Final selection of any candidates shall be made by the Sheriff.

B.) Elements Administered, Scored, Evaluated, and Interpreted

All operational elements of the selection process (time limits, oral instructions, practice problems, answer sheets and scoring formulas) shall be clearly set forth and carried out identically for all candidates.

C.) Storage of Selection Materials

All materials used as selection components shall be maintain in locked, secure files, with access limited to the Sheriff.

D.) Annual Evaluation

The entire selection process shall be evaluated annually by the Sheriff, in terms of its effectiveness in selecting the best qualified candidates in a fair and equitable manner. All circumstances concerning the evaluation of validity, utility and adverse impact shall be considered in determining when one or more components of the selection process is outdated. This will include a review of the most recent literature and case law on selection, equal employment opportunity and related selection issues.

Agency's Role in the Promotional Process

- A.) It is the policy of the Starke County Sheriff's Department to provide employment opportunities to the widest possible range of candidates. The best qualified person will be selected for the position without

regard to race, sex, color, religion or national origin. Appointment to vacant positions shall be based solely on the applicant's knowledge, skills, abilities and other job related qualifications as determined through fair and practical selection methods.

- B.) As far as practical, vacancies shall be filled by promotion of current employees. All vacancies shall be announced to employees. A vacancy shall be posted in areas readily accessible to employees for at least seven (7) work days in a specified location for each division. Simultaneously, vacancies will be advertised to the public.

Responsibility for Administering Promotional Process

The Sheriff or his designee has the authority and responsibility for the administration of the Starke County Sheriff's Department's interview and hiring process and is responsible for its operation and direction.

Job Posting Process

- A.) The vacancy will be advertised inside the Starke County Sheriff's Department. Interested and qualified Starke County Sheriff's Department employees will file an inter-division memo to the Jail Commander. Positions will be filled with a current jail employee as jail experience is a qualification to any specialty field.
- B.) Prospective candidates who meet the qualification criteria will be evaluated for suitability for promotion. After interviews are conducted, the Chief Deputy/Jail Commander will make the final decision with approval of the Sheriff.

Job-Related and Non-Discriminatory Position Selection Procedure

The position selection process used by the Starke County Sheriff's Department meets all legal, professional and administrative requirements. All specialty openings are posted on employee bulletin boards with application deadlines and requirements. All employees meeting the minimum requirement are eligible for application.

Specialty Position Probation

The Starke County Sheriff's Department includes a twelve (12) month probationary period as the final step in the position filling process as a safeguard against the movement of employees beyond their capabilities.

Annual Evaluation of Position Filling Process

The Starke County Sheriff's Department process is reviewed annually by the Sheriff and staff.

1C-09 Disciplinary System

Policy

It is the policy of the Starke County Sheriff to support the Jail Commander in enforcing discipline and in demanding courteous and efficient service from public employees.

Procedure

There is an exemplary standard of conduct expected of each employee. It is generally interpreted to mean that an employee shall conduct himself/herself in a manner compatible with the position which he/she occupies, and obey the rules and regulations stated.

- A.) The purpose of this disciplinary policy is to provide supervisors with a fair and objective guide for determining the seriousness of an employee's unsatisfactory work performance or misconduct and selecting the appropriate disciplinary action to correct the unacceptable behavior. The Sheriff shall promulgate, in writing, the levels of disciplinary action and types of behavior subject to each level.

B.) Definitions

- 1.) Verbal Counseling - A verbal counseling shall be defined as a discussion between the supervisor and the employee where the employee is advised and counseled about his/her unsatisfactory work performance or misconduct. A memorandum of the counseling shall be kept by supervisor offering counseling, Jail Commander and Sheriff.
- 2.) Written Letter of Counseling - A written letter of counseling is defined as a written documentation to the employee where he/she is advised and cautioned about inappropriate actions or work not in keeping with the policy and procedures of the Starke County Sheriff's Department. Copy of the letter of counsel will be maintained in the employee's personnel files.
- 3.) Written Letter of Reprimand - A written reprimand shall be defined as a written documentation to the employee from the supervisor wherein the employee is advised and cautioned about unsatisfactory work performance or misconduct. This letter will usually include a suspension. A copy of the written reprimand shall be placed in the employee's personnel files.

C.) Cause for Dismissal, Suspension or Demotion - Employees of the Starke County Jail are at-will employees. The following are among the causes which shall be sufficient for dismissal, suspension or demotion:

1. Willful disregard of expressed directions of the County or a supervisor and a refusal to obey reasonable orders.
2. Dishonesty, including falsifying official reports or documents.
3. Failure to comply completely with an internal affairs investigation.
4. Intoxication or possession or use of intoxicating liquor or any other controlled substance or drug during working hours, public intoxication off duty, illegal drug use off duty
5. Fighting on work premises, at any time.
6. Theft from the County or another employee.
7. Falsifying the employee's or another employee's time card.
8. Physical abuse of an inmate or citizen.
9. Sexual, racial or religious harassment of another employee, the general public or inmate if work related
10. Conviction of a felony or any crime involving unlawful drugs or sexual misconduct.
11. Failing a drug test.
12. Leaving work without permission.
13. Misuse of credentials.
14. False identification.
15. Impersonation of an Officer.
16. Insubordination.
17. Failure to comply with last chance agreement.
18. Moral turpitude/disorderly or immoral conduct.
19. Conviction of domestic violence.
20. Dissemination /misuse of confidential information.
21. Trafficking.
22. Inappropriate relationships with inmates.
23. Transfer/loss of keys/other issued equipment to inmates.
24. Enabling escape of inmates.
25. Conduct unbecoming an employee in public service.
26. Failure to pay or make proper provisions for liquidation of just debts.
27. Incapacity due to mental or physical disability.
28. Incompetency or inefficiency.
29. Neglect of duty.
30. Negligence or willful damage to public property or waste of public supplies or equipment.
31. Violation of any lawful or reasonable regulation or order made and given by a superior officer
32. Willful violation of any of the provisions of these rules.

D.) Procedure

- 1.) Before any non-probationary employee is dismissed, suspended or demoted, the Sheriff or his designee shall afford the employee due process in the form of a supervisor's interview to allow the employee to explain the incident or event. During this interview the supervisor will explain the severity of the charge and also what possible disciplinary action could be taken. At this time the employee can speak freely to explain other relevant information the employee feels the supervisor should know. All this information will be included in the supervisor's write up.
- 2.) A non-probationary employee may be dismissed, suspended or demoted for cause without complying with the foregoing pre-disciplinary hearing in the event of "extraordinary situation". If the employee is terminated, the Chief Deputy, Jail Commander or a combination of the two will explain the grounds for termination to the employee.
- 3.) The Chief Deputy or his designee shall prepare and disseminate to all department heads a uniform format for use in pre-disciplinary hearings.
- 4.) All notices of dismissal, suspension or demotion furnished the Starke County Sheriff under the provisions of this rule shall have attached written evidence that an interview with the supervisor did take place and what actions were taken. All documentation relevant to a termination will be placed in the employee's personnel files.
- 5.) The Sheriff shall approve all dismissals, suspensions and demotions.

E.) Applicability

- 1.) All civilian employees shall be covered under this policy. All levels of supervision shall be responsible for the uniform orientation of employees regarding this policy and its fair and equal enforcement.
- 2.) Disciplinary action may take any of the following forms and are not necessarily restricted to the order set forth below:
 - a.) Verbal Counseling
 - b.) Written Letter of Counseling
 - c.) Written Letter of Reprimand
 - d.) Suspension
 - e.) Demotion
 - f.) Dismissal

1C-10 Probationary Term

Policy

It is the Policy of the Starke County Jail that all new employees will undergo twelve (12) month probationary period, after which they may be granted permanent status.

Procedure

A.) Objective of Probation

- 1.) The probationary period will be regarded as an integral part of the qualifying process for permanent status.
- 2.) A new employee's work will be closely observed to secure the most effective adjustment of the

new employee to their position.

- 3.) Such observation may be grounds to reject employees whose performance does not meet required work standards.
- B.) The probationary period will extend for twelve (12) months.
- C.) Evaluation during probation:
 - 1.) Evaluation of new employees will occur every three (3) months during the probation period.
 - 2.) Such evaluations will be made by the employee's immediate supervisor.
- D.) During probation period employee must pass the Jail School.

1C-11 Provisional Appointments

The Starke County Sheriff's Department does not provide for provisional appointments, therefore, this standard is not applicable by function.

1C-12 Criminal Record Check

Refer to 1C-08, paragraph 6.

1C-13 Physical Fitness

Policy

It is the Policy of the Starke County Jail that staff are required to maintain a level of fitness that will effectively permit them to carry out their assigned duties.

Procedure

The Starke County Sheriff's Department encourages staff to maintain a level of fitness.

1C-14 Drug-Free Work-place

Policy

It is the policy of the Starke County Jail to support a drug-free workplace.

Procedure

DRUG FREE WORK-PLACE/STARKE COUNTY JAIL

A.) Notice Upon Hiring

- 1.) As a condition prior to hiring, all prospective employees will receive a copy of the Starke County Jail Drug Free Work-place Statement and Policy, and Drug Testing Policy and will be required to sign a receipt which will become a permanent part of the employee's personnel file.
- 2.) In addition, as a further condition precedent to hiring, all prospective employees will be required to sign a written statement to the affect that:
 - a.) They understand and support the Starke County Sheriff's Department Drug Free Work-Place Policy.
 - b.) They agree to refrain from violating this policy while employed by the Starke County Sheriff's Department.

- c.) They acknowledge, in advance, that they understand that the penalty for breach can be discharged, and agree that penalty is appropriate when supported by evidence;
- d.) They acknowledge that they have been warned that drug testing of employees will be conducted in accordance with the Jail policy where there is individualized reasonable suspicion of drug use or drug impairment.

B.) Distribution of Drug Free Work-Place Policy

- 1.) All current employees will receive a copy of the Jail's Drug Free Work-Place Statement and Policy, and will be required to sign a receipt for it, which will become a permanent part of the employee's personnel file.
- 2.) All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of this policy.
- 3.) All current employees will be given notice that the Jail reserves the right to order employees to submit to drug testing where supported by an individualized reasonable suspicion of drug use or drug impairment.

C.) The Drug Free Work-Place Policy

1.) Definitions - For purposes of this policy:

- a. Employee - means any person (i.e., management, supervisor, or non-supervisory) who is paid in whole or part by Starke County Sheriff's Department.
- b. Employer - The Starke County Sheriff, or his/her designee, authorized to make appointments to positions.
- c. Controlled Substance - means any controlled substance contained in Schedules 1 through V of Section 202 of the Controlled Substance Act (21 USC 812; or as defined in 54.1-3450 VAC).
- d. Conviction - means any finding of guilt, including a plea of no lo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- e. Criminal Drug Statute - means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

B. Policy

- 1. It is the policy of the Starke County Sheriff's Department to maintain a safe and productive work-place free of drugs free of those individuals who use drugs.
- 2. The unlawful manufacture, distribution ,dispensation, possession or use of a controlled substance by any employee which takes place in whole or in part in the work-place is strictly prohibited and will result in criminal prosecution and employee discipline which may include termination from employment.
- 3. Any employee convicted of any federal or state drug statute must notify the Employer of that fact within five (5) calendar days of the conviction. Notification by the employee does not excuse that employee from possible disciplinary action, however, a conviction shall be cause for immediate termination.
- 4. Any employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substance(s) will be subject to disciplinary action.
- 5. Any employee convicted of a drug offense, who fails to report the conviction as required by the above will be:
 - a. Terminated from employment.
 - b. Forever barred from future employment.
 - c. Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

IV. The Drug Testing Policy

A. Applicant Drug Testing

1. Applicants for positions covered by this policy shall be required to sign a written waiver and consent form . If asked to take a drug test.

B. Probationary Employee Drug Testing

All probationary employees, except those serving a probationary period following a promotion from another position, shall be required as a condition of employment to participate in any unannounced or announced mass/mandatory drug tests scheduled for the probationary period. The frequency and timing of such tests shall be determined by the employer or designee.

1. A probationary employee, except those serving a probationary period following a promotion from another position, may be required to submit to a drug test upon request or random testing until the probationary period is successfully completed. The frequency and timing of such testing shall be determined by the Employer or designee.

C. Employee Drug Testing

The employer reserves the right to set standards for employment and to require employees, as a condition of continued employment, to submit to physical examinations including blood or urine tests for alcohol, illegal drugs or the misuse of legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.

- D. In cases in which an employee is acting in an abnormal manner, has been involved in a serious accident and where the Employer has a reasonable suspicion to believe that the employee is under the influence of the substances referenced in paragraph C above, the Employer may require the employee to go to a medical clinic, at the Employer's expense, to provide blood or urine specimens. For purposes of the above "reasonable suspicion" means suspicion based on personal observation by an Employer representative; including description of appearance, behavior, speech, breath or inexplicable behavior.

- E. If requested, the employee will sign a waiver and consent form authorizing the clinic to withdraw a specimen of blood or urine and release the test results to the Employer.

- F. A refusal to sign a waiver and consent form or to provide either specimen will constitute insubordination and a presumption of impairment and may result in discharge.

- H. The results of any such test will constitute medical information and will remain confidential in accordance with state and federal laws.

V. Policy Distribution

- A. Each employee will receive annually an information package containing:
 1. Information concerning the dangers of drug abuse in the work-place;
 2. A current copy of the Starke County Sheriff's Department's published statement;
 3. A current copy of the Starke County Sheriff's Department's Drug Free Work-place Policy;
 4. A current copy of the Starke County Sheriff's Department's Drug Testing Policy;
 5. Information concerning any available drug counseling, rehabilitation, and employee assistance program;
 6. Information concerning the penalties that will be imposed for the breach of the Starke County Sheriff's Department's Drug Free Workplace Policy;
 7. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the employer within five (5) calendar days after such conviction.

Training

- A. All employees and supervisors will receive annual training in the dangers of drug abuse.
- B. All supervisors and managers will receive annual training in the enforcement of this policy.

1C-15 Performance Reviews

Policy

It is the Policy of the Starke County Jail that periodic written performance reviews be completed on each employee. The review will be based on defined criteria, and the results will be discussed with the employee.

Procedure

Objectives of Performance Evaluation System - The Starke County Sheriff's Department uses performance evaluations to assess an employee's performance on the job which serves both management and the individual employee. Performance evaluations help maintain and improve performance, identify training that may be necessary, focus on possible personnel problems, determine employee suitability for reassignment, assist in decisions regarding probationary employees, provide a fair means for measuring and recognizing individual performance and assist employees in career development and promotions.

Period of Evaluation - Beginning with the date of original appointment or probation period, employees shall be evaluated every quarter before the end of the probation period. After employees have been taken off probationary status their performance shall be evaluated semi-annually. Special performance evaluations may be conducted as necessary.

Evaluation Report - Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the appropriate division commander and forwarded to the Sheriff. An employee in a supervisory position who is leaving a position shall submit performance evaluation forms on all employees under his/her supervision who have not been evaluated within the previous six-month period. Evaluation Reports will be maintained by the Sheriff in the employee's Personnel Record.

Review with Employee - Each employee shall have the opportunity to review every evaluation made of him/her. Upon a review of the evaluation, the employee shall note in writing his/her comments concerning the evaluation.

Review and Signature by Supervisor - All employee evaluations will be reviewed and signed by the evaluator's supervisor to ensure fairness and objectivity.

Evaluators Evaluated by Supervisor for Fairness - Supervisors shall be evaluated on their impartiality and fairness in evaluating their subordinates semi-annually on their semi-annual evaluation.

Utilization of the Results - An employee's performance, as defined in the evaluation reports, provides information concerning suitability for assignment, training needs and ability to assume more responsibilities and effectiveness in the assigned evaluation may act as management's resource to do the following:

- A.) Inform employees on how they are or are not meeting expectations.
- B.) Document performance to substantiate personnel actions such as promotions, transfers, demotions, discipline or termination.
- C.) Evaluate an employee's strengths and weaknesses and provide concrete information to assist in his/her professional development.
- D.) Effect constructive changes in work behavior.

- E.) Avoid misunderstandings between managers and employees through increased communication about expectations, values and standards.
- F.) Provide an opportunity for managers and employees to discuss what each can do to make the work-place more productive.
- G.) Share perceptions about work.

Explanatory Comments Required - Unsatisfactory or outstanding ratings shall be accompanied by written comments substantiating these ratings.

Appeal of Employee Evaluation - All employees who feel their performance evaluation was conducted unfairly shall have the right of appeal to the Sheriff.

1C-16 Compensation and Benefits

Policy

It is the policy of the Starke County Jail to provide a compensation and benefits plan for all full time employees.

Procedure

Information regarding compensation and benefits will be contained in the Starke County Personnel Manual which is available to all employees.

1C-17 Employee Orientation

Upon employment at the Starke County Sheriff's Department, the newly hired employee will receive instructions and assistance in application of benefits. They will receive a copy of pay scales for their respective job assignments along with a job description. The employee will then be assigned to their respective position at which time the Jail Commander, or his designee, will assist the new employee in any way needed.

1C-18 Funds Reimbursement

Policy

The policy of the Starke County Jail for compensation when on official Starke County Sheriff's Department travel authorization includes the following criteria:

- A.) When the Starke County Sheriff's Department staff officer is notified of official approval by the Jail Commander Sheriff to attend a conference/school, the member will report to the Sheriff for a briefing on remuneration allowance and submittal instructions on reimbursement forms and procedures. Starke County Sheriff's Department members, on authorized travel, must retain their receipts for compensation. Payment will not be made unless receipts are submitted with the "Travel Expense Voucher". Receipts must be submitted for reimbursement of meals and hotel/motel room.
- B.) The daily monetary limit for meals is \$25.00 per day.
- C.) When staff members are authorized to use their personal vehicle for official travel, they will be compensated at the current county authorized rate. Destination start and stop points and mileage distance will be entered in the Travel Expense Voucher.
- D.) Upon completion of official travel/training, the member will submit, within two (2) days, the "Travel Expense Voucher" to the office manager.

1C-19 Personnel Files

The Starke County Sheriff's Department maintains a current, accurate, confidential personnel record on each

employee.

Disposition of records

The Sheriff shall maintain permanent documents from all selection components administered to past and present employees. In addition, summary reports of all selection components administered by or for the Jail Commander will be maintained by the Sheriff in accordance with the record retention schedule.

Background Investigations Maintained on File

The record of each background investigation completed on an applicant that is hired will be maintained in their permanent personnel file. All records on applicants not hired will be kept on file for any time remaining in the one (1) year period limit.

Training Records Maintenance

The Starke County Sheriff's Department shall maintain a record of all training, school, advance degrees and certificates of all persons in its employment. The records shall be maintained by the Sheriff or his designee and training officer. Upon completion of any schooling or training received other than in-service training, the employee shall submit a copy of any certificate received along with the number of hours attended and the location of the school to the Sheriff for inclusion on his/her training record.

Retention of Evaluations

The evaluations of all employees shall be retained for a period of not less than three (3) years.

Disciplinary Action Records

All disciplinary actions of record will be placed in the employee's permanent file. When any disciplinary action is rendered invalid, all documents relating to that action will be deemed invalid and removed from the employee's personnel file. Any documents removed from the employee's personnel file shall not be considered in any future disciplinary action, promotional considerations, or any other purpose, and shall not be shared outside the Starke County Sheriff's Department.

1C-20 Maintenance of Personnel File

Employees are permitted to review their personnel file at any time. If discrepancies are found, a meeting should be scheduled with the Sheriff. Alterations cannot be made to the personnel file without authorization by the Sheriff.

1C-21 Ethics

Policy

It is the policy of Starke County Jail to require the highest level of conduct from all employees, promote the protection of the Starke County Sheriff's Department and facilitate the recruitment and retention of the highest caliber of employee. All Starke County Sheriff's Department employees must abide by the American Correctional Association Code of Ethics. These high standards shall be maintained by requiring compliance with the American Jail Association Code of Ethics for Jail Officers which follows.

AMERICAN JAIL ASSOCIATION CODE OF ETHICS FOR JAIL OFFICERS

As an officer employed in a detention capacity, I swear (or affirm) to be a good citizen and a credit to my community, state and nation at all times. I will abstain from all questionable behavior which might bring disrepute to the agency for which I work, my family, my community and my associates. My lifestyle will be above and beyond reproach and I will constantly strive to set an example of a professional who performs their duties according to the laws of our country, state and community and the policies, procedures, written and verbal orders and regulations of the Starke County Sheriff's Department for which I work.

On the job I promise to:

- KEEP** The institution secure so as to safeguard my community and the lives of the staff, inmates and visitors on the premises.
- WORK** With each individual firmly and fairly without regard to rank, status or condition.
- MAINTAIN** A positive demeanor when confronted with stressful situation of scorn, ridicule, danger and/or chaos.
- REPORT** Either in writing or by word of mouth to the proper authorities those things which should be reported, and keep silent about matters which are to remain confidential according to the laws and rules of the agency and government.
- MANAGE** And supervise the inmates in an evenhanded and courteous manner.
- TREAT** All visitors to the jail with politeness and respect and do my utmost to ensure that they observe the jail regulations.
- TAKE** Advantage of all education and training opportunities designed to assist me to become a more competent officer.
- COMMUNICATE** With people in or outside of the jail, whether by phone, written word, or word of mouth, in such a way so as not to reflect in a negative manner upon my agency.
- CONTRIBUTE** To a jail environment which will keep the inmate involved in activities designed to improve his/her attitude and character.
- SUPPORT** All activities of a professional nature through membership and participation that will continue to elevate the status of those who operate our nation's jails.

General Standards of Conduct

Any effort to realize personal gain through public employment, beyond remuneration provided by the employer, is a violation of public trust, as is any conduct which would create a justifiable impression in the public mind that such trust is being violated. To meet the ethical standards prescribed by this policy, employees shall adhere to the standards of conduct hereinafter set forth.

Any effort, by any person, to influence an employee to violate standards of ethical conduct set forth in this policy or to engage in conduct which would create a justifiable impression in the public mind that such trust is being violated shall also be a violation of ethical standards.

The term "employee" shall apply to all persons employed full or part time by the Starke County Jail.

The following activities with respect to inmate relationships are prohibited:

- A.) Accepting gifts or favors from any inmate's family or his/her agent.
- B.) Providing gifts or favors to any inmate, family of an inmate or agent except as authorized in the official performance of duties.
- C.) Developing relationships between staff and inmates other than those necessary in the normal conduct of business.
- D.) Employees using their position to become emotionally or romantically involved with inmates.

Confidential Information

No employee shall use confidential information obtained in the course of official duty for actual or anticipated gain. An employee found guilty of dispensing confidential information shall be prosecuted in accordance with state and federal statutes.

Distribution of Code of Ethics

The Sheriff shall initiate actions to provide each employee with American Correctional Association's Code of Ethics. This Code of Ethics is wholly adopted by the Starke County Jail. This distribution shall include all employees full time, part time and temporary. A signed receipt shall be kept in the employee's training folder.

Training

The Jail Commander shall include information regarding the Code of Ethics in all basic training classes or orientation training programs.

Rules of Conduct for Employees

Inmates are to be treated humanely. Abuse or any form of corporal punishment is prohibited.

A quiet, impersonal but firm manner must be maintained toward inmates. No profane, demeaning, indecent or insulting language will be directed toward an inmate.

Any conduct between an on-duty employee and an inmate must relate only to matters pertaining to facility interests. Contacts between former inmates and correctional employees in an off-duty status are left to the discretion and good judgment of the parties concerned. However, any contacts or activities between these parties must not adversely affect the Jail by bringing discredit upon it or by violating its regulations. Should an employee conduct himself/herself in such a manner as to bring discredit upon the Jail or to cause a breach in security or other violation of rules, it will be grounds for disciplinary action.

Employees may not accept personal services, gifts or purchase items from inmates.

Employees are not to extend or promise an inmate special privileges or favors not available to all inmates except as provided through official channels.

Information pertaining to an inmate's record, offense, personal history or private affairs, is for official use only. Employees are not to discuss such information except as required in the line of official duties or when authorized by the inmate concerned.

Employees are not to use their official status in any way to establish social interaction with friends or relatives of inmates.

Employees are expected to be alert to detect and prevent escape or other incident and/or violation of institutional regulations.

All employees are expected to maintain appropriate conduct, appearance and demeanor while in a duty status.

All employees of the Starke County Sheriff's Department shall be quiet, civil and orderly at all times, and shall refrain from coarse, profane or insolent language.

Employees of the Starke County Sheriff's Department shall meet the public with promptness, courtesy and consideration.

It shall be the responsibility of each employee of the Starke County Sheriff's Department to promote good public

relations by giving assistance when it is required.

Employees of the Starke County Sheriff's Department must refrain from using unnecessary force or violence, and shall not strike an inmate or any other person, except in self-defense. However, they must be firm and resolute, and if they are resisted, they may repel force with force, using only such force as is necessary to gain control of the inmate.

No employee of the Starke County Sheriff's Department shall at any time be insubordinate or disrespectful to a superior.

No employee of the Starke County Sheriff's Department shall willfully disobey any lawful command or order, either verbal or written, of any superior or other member designated to command.

No employee of the Starke County Sheriff's Department shall threaten, strike, or assault any other employee of the Starke County Sheriff's Department. Employees who aid, abet or incite any altercation between other employees of the agency shall be held responsible along with those actually involved.

Employees of the Starke County Sheriff's Department shall treat as confidential, the official communications and business of the Starke County Sheriff's Department.

No employees shall distract any other employee from the performance of their duties.

Employees of the Starke County Sheriff's Department shall not make any false statement or intentionally misrepresent facts.

Employees of the Starke County Sheriff's Department shall comply with all Federal, State or Local laws and ordinances.

Employees of the Starke County Sheriff's Department shall be held strictly responsible for the proper performance of their duties. Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

Employees shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Starke County Sheriff's Department.

Unsatisfactory performance may be demonstrated by lack of knowledge of the applications of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade or position; the failure to take appropriate action on the occasions of a crime disorder or other condition deserving attention; absence without leave, habitual lateness in reporting for duty or unauthorized or unnecessary absence from assigned post during a tour of duty; negligence in the performance of duty which threatens the security of the Starke County Sheriff's Department including escape or bodily harm or injury to other employees or inmates. In addition to other examples of unsatisfactory performance, the following shall be considered *prima facie* evidence of unsatisfactory performance: poor evaluations or a written record of infractions of the rules, regulations, directives or orders; inability to perform assigned duties due to physical incapacitation brought about by an employee's excessive use of alcohol or other substance abuse; inability to perform assigned duties in a satisfactory manner due to physical or mental illness.

Employees of the Starke County Sheriff's Department must be punctual in roll call attendance, court appointments and other circumstances where time is specified.

Employees of the Starke County Sheriff's Department shall not feign illness, avoid responsibility or attempt to shirk assigned duties.

Employees of the Starke County Sheriff's Department are required to answer questions and cooperate in the course of internal investigations.

While on duty or in uniform, employees of the Starke County Sheriff's Department shall not enter bars, taverns or liquor establishments except in the performance of their duties.

Employees of the Starke County Sheriff's Department are prohibited from indulging in alcohol or drugs while on duty, on call or while in uniform.

No employee of the Starke County Sheriff's Department shall bring any alcohol or contraband into the facility, nor permit the same to be brought in by any other person.

The use of playing cards or other gambling paraphernalia by employees is strictly forbidden while on duty.

No employee shall accept, or solicit directly, any gift or benefit including money, any service, gratuity, fee, property, loan, promise or anything else of value from or on behalf of any inmate of the Starke County Sheriff's Department.

Employees of the Starke County Sheriff's Department in their private business transactions shall not place themselves in a position which would interfere with the proper discharge of their duties.

Miscellaneous

Any employee of the Starke County Sheriff's Department summoned by the Starke County Prosecutors office or any other prosecutor, or before any court concerning any matter in which they or any other employee of the Starke County Sheriff's Department may become a defendant, must report the facts in writing to the Jail Commander through official channels.

Employees of the Starke County Sheriff's Department summoned or appearing voluntarily as a character witness in any criminal case must report the facts in writing to the Jail Commander through official channels.

Notification of appearance as either a defendant or a witness as required in the proceeding sections must be made prior to the date of trial.

Employees of the Starke County Sheriff's Department shall not recommend or suggest to inmates the name of any person, firm or corporation, as attorney, counsel or bondsman.

No employee of the Starke County Sheriff's Department shall, without proper authority, release any inmate in their charge, or through neglect or design, allow any inmate in their charge to escape.

No employee of the Starke County Sheriff's Department shall accept a witness fee or reimbursement for expenses incurred in connection with official duties without reporting same to the Sheriff or Jail Commander and obtaining authorization.

1C-22 Confidentiality of Information

Policy

It is the policy of the Starke County Sheriff's Department to safeguard the rights to privacy of all inmates. The Starke County Sheriff's Department realizes that private information concerning an inmate may become known to volunteers while performing their duties. A written statement will be provided to all contractual, non-contractual instructors/facilitator, clergy and bible study volunteers during their mandated orientation. This statement must be signed during the orientation in order to obtain clearance to enter the facility.

Procedure

Inmate confidentiality is protected by the following:

- A.) The volunteer should not betray any confidences and protect the right to privacy of the inmate. Exceptions to the rule are:
 - 1.) If an inmate confides he/she is suicidal.
 - 2.) If an inmate confides he/she is planning an escape.
 - 3.) If an inmate confides he/she is planning an assault on another inmate or officer.
 - 4.) If an inmate asks a volunteer to do something illegal or against the Starke County Sheriff's Department rules.
- B.) The volunteer should not tape or record any activities which occur during a program service.
- C.) The volunteer should inform inmates about the limits of confidentiality.

Further, for the protection and privacy of our volunteers, the Starke County Sheriff's Department strongly discourages volunteers to relate any personal information about themselves to an inmate.

1C-23 Employee Assistance Program

Policy

Personnel support services are provided to employees of the Starke County Sheriff's Department so that they might stay abreast of the ever changing benefits available to them and their families. In order to make certain that all employees understand the services available, the Sheriff has been designated to answer or direct an employee with questions to the appropriate source.

Procedure

- A.) In time of death or injury to an employee, in the line of duty or otherwise, the Sheriff, or his designee will coordinate benefits to the employee and the family as needed. The purpose of this is to ensure that the employee and his/her family receive the maximum benefits.
- B.) An Employee Assistance Program is provided through the Starke County Sheriff's Department insurance program for referrals providing counseling. This program assists the employee in identifying problems, whether work related or personal, and help in locating sources of treatment.

