

December 2010

A PUBLICATION FOR HARNETT COUNTY
LOCAL GOVERNMENT EMPLOYEES



Be Leaf It, or Not

Trinity J. Faucett, Human Resources & Risk Management Director

Personnel Policy Updates

On December 6, 2010, the Harnett County Board of Commissioners approved the following amendments to the Personnel Ordinance to become effective immediately:

1. An update to the Unlawful Harassment Policy.
2. Changes to the Shared Leave Policy to allow employees to donate vacation to individual employees.
3. Adoption of Overpayments and Underpayments.

Please take time to read the policy amendments that are included in this newsletter. Questions regarding the policies should be directed to the Human Resources Office.



Smoking Cessation Matters

Did you know... Although no one can recover overnight from the effects of smoking, the healing process begins immediately and continues over the years.

One Day After Quitting. The oxygen and carbon monoxide levels in the blood return to normal, and blood pressure should begin to drop.

Two Days After Quitting. Sense of taste and smell sharpen.

Three to Six Months After Quitting. Lung function increases and circulation improves. The person doesn't feel as tired and short of breath.

One Year After Quitting. The risk of heart attack is cut in half.

Two Years After Quitting. In women, the risk of cervical cancer drops.

Ten Years After Quitting. The risk of stroke and heart disease are closer to that of a nonsmoker. The risk of lung cancer and pancreatic cancer has fallen substantially.

Fifteen Years After Quitting. The risk of heart disease or stroke is, at last, no more than that of a nonsmoker.

Long-Term. Ten or more years may be added to the person's life, depending on the age at which he/she quit.

NCACC Offers Assistance with Smoking Cessation. Employees and dependents who are smokers can attempt to defeat addiction by obtaining over the counter smoking cessation products without a co-pay. The County's group health plan offers this advantage made available through the NCACC. To take advantage of this benefit, employees and/or any dependents enrolled in the County's group health plan are encouraged to speak with a physician regarding smoking cessation to obtain a written prescription for these products. Prescriptions will need to be remitted to the pharmacy of choice where the pharmacist will be able to process the over the counter product under the generic Tier I prescription benefit. In addition, additional smoking cessation programs are available through CIGNA Healthy Rewards® available at www.myCIGNA.com.

(Information obtained from NOLO, Healthy Employees, Health Business, 2009)



Welcome to Harnett County!

Please join Human Resources in welcoming the following new employees who joined Harnett County during the month of November 2010:

[Animal Control](#) - Jeff Knight

[Emergency Services](#) - James DeMay, Enoch Smith II

[General Services](#) - Jessie Arnold

[HARTS](#) - Felecia Bell

[Legal Services](#) - Janet Smith

[Health](#) - Cynthia Hardwick

[Public Utilities](#) - Ricky Temple, Jennifer Dawson, Dave Cameron, Nathan James, Alphonse McDougald

[Sheriff](#) - Michael Crisp, Richard Fann III

[Social Services](#) - Patricia Barefoot, Lianna Henry, Ashley Howard, Stephen Rowe, Regina Wheeler, Katia Whitehead

Current Job Opportunities

Currently, Harnett County is recruiting for the following vacancies:

[Meter Reader](#)

\$25,258-\$30,310

Closing Date: 1/6/11

[Social Worker Investigative, Assessment & Treatment](#)

\$40,173-\$48,164

Open Until Filled

[Public Health Education Specialist](#)

\$32,518-\$39,022

Open Until Filled

[Processing Assistant IV](#)

\$25,258-\$30,310

For additional information or to apply for any of the above positions, please visit the Human Resources website at www.harnett.org.

Policy Reminder: Unlawful Harassment

All employees are reminded of the County's Unlawful Harassment Policy. It is the County's policy that all of its employees have the right to work in an environment that is free from unlawful discrimination and harassment.

Please review the policy below:

Harnett County promotes a work environment free of unlawful harassment. Unlawful Workplace Harassment is unwelcome or unsolicited speech or conduct based upon race, color, gender, religion, national origin, age or disability status that creates a hostile work environment or circumstances. Harassment may include offensive photos, jokes, remarks, threats, etc. Unlawful Workplace Harassment is strictly prohibited. This prohibition applies to all employees regardless of rank or position with the County. This policy also applies to unlawful harassment by third parties who deal with the County.

Sexual harassment is a form of unlawful workplace harassment. Sexual harassment includes unwelcome statements or conduct based on a person's gender that creates an hostile working environment, such as gender-based jokes or negative gender-based remarks. It also includes sexual advances, requests for sexual favors, propositions, inappropriate touching and other verbal or physical conduct of sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Individuals who perceive instances of unlawful workplace harassment, including sexual harassment, have the responsibility and are encouraged to use the County's internal procedures to report the situation and/or complain without fear of retaliation. Once a report or complaint is received, the County will thoroughly investigate and take appropriate action.

Any employee who believes he or she may have a complaint of unlawful harassment should report, orally or in writing, to his or her supervisor or department head, or may file the complaint directly with the Human Resources Director if the complaint involves the supervisor or department head. The supervisor or department head to whom the complaint is made shall notify the Human Resources Department within three (3) working days of the complaint.

The Human Resources Department will receive the written complaint and any supporting evidence and/or documentation, or cause a written complaint to be made from interviewing the complaining party. The Human Resources Director shall notify all concerned parties that a complaint has been filed.

All complaints of unlawful workplace harassment, including sexual harassment, will be investigated promptly and where necessary, immediate appropriate action will be taken to stop and remedy any such conduct. Any supervisor, agent or employee found in violation of this policy is subject to disciplinary action, including dismissal. The investigation will consist of interviewing the concerned parties, including the complaining party, the alleged offender (s) and witnesses, and gathering any other relevant evidence or documentation. The Human Resources Director will take appropriate interim action, if necessary. The investigation shall be completed and a report given to the County Manager within fifteen (15) working days of the receipt of the written complaint, unless an extension is deemed necessary by the Human Resources Director.

The County Manager will make a determination as to the resolution of the complaint and will notify the concerned parties of the determination.

All complaints and subsequent investigations will be held as confidential as possible without limiting the County's ability to investigate and respond appropriately to complaints.

Retaliatory actions against the complaining party and any witness participating in the investigation will not be tolerated. Complaints of retaliation will be immediately investigated and appropriate action will be taken, up to and including dismissal from employment.



Summit Training Completion Date Quickly Approaching

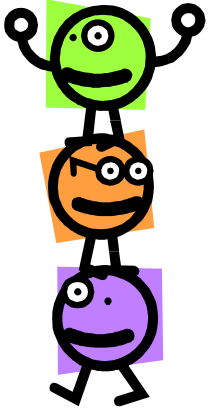


All full-time regular employees are reminded that all Summit Training Safety Courses must be completed by December 31, 2010.

For questions concerning the courses, please contact Melinda Bethune, Risk Management and Safety Coordinator at mbethune@harnett.org or 814-6402.

Amended Shared Leave Policy

All full-time regular employees should review and become familiar with the amended Shared Leave Policy below. Questions regarding the policy should be directed to the Human Resources Office.



This policy provides an opportunity for employees to assist other employees affected by a serious medical condition that requires their absence from work for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave. Under this policy an employee may donate a specified number of Annual Leave hours to help another employee who has exhausted all accumulated paid leave.

Any employee in a position designated as "Regular" is eligible to donate or request leave. An employee who is unable to work due to an accident, chronic illness or major medical condition of themselves or that of an immediate family member is eligible. The medical condition of the family member shall meet the criteria of this policy. The employee will be required to apply and follow procedures for Family and Medical Leave. The following conditions are NOT eligible for Shared Leave: Short term or sporadic conditions or illness, elective surgery, normal pregnancy, an employee receiving worker's compensation benefits. An employee may receive a maximum of 480 hours of donated leave each calendar year through the Shared Leave Program. Shared Leave may not be used to extend an employee's time in leave status beyond one year from the last date worked.

An employee who wishes to request leave through the Shared Leave program must submit an Application to Receive Shared Leave on the form provided by the Human Resources Department to the Department Director. The Department Director shall review the merits of the request and forward it to the Human Resources Director with a recommendation to approve or disapprove the shared leave. The Human Resources Director will review the request with an Employee Shared Leave Committee. The Committee and Human Resources Director or his/her designee will make a recommendation to the County Manager. The County Manager shall approve or deny all requests for receipt of shared leave. The County Manager will determine the length of the leave. **The leave granted may not exceed the employee's period of treatment and recovery.**

Once a Shared Leave request is approved, the Human Resources Director or his/her designee may advise all county employees regarding the request for shared leave. The Privacy Act makes medical information confidential; therefore, prior to making the employee's status public for receiving shared leave, the employee must sign a release to allow the status to be known. After such time, the Human Resources Department will circulate the request to all department heads. Each department head will be responsible for ensuring that all of his/her employees are made aware of the request. Direct solicitation of employees for Shared Leave donations is not permitted. An employee who wishes to donate Annual Leave to an employee requesting Shared Leave must complete a "Shared Leave Donation" form and submit this through the Department Director to the Human Resources Department within the time period specified for the request. Any eligible employee of the County of Harnett may donate annual vacation leave to any approved recipient. This annual leave will convert to sick leave for the recipient. An employee donating leave may elect to donate a minimum of four hours of Annual Leave (in increments of 4 hours) up to the amount that would not drop his/her combined Sick and Annual Leave balance below 80 hours. A donating employee may not donate more annual vacation leave than he or she could earn in one year. The donating employee may not receive compensation in any form for the donation of leave. Acceptance of remuneration for donated leave shall be grounds for disciplinary action up to and including dismissal.

An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with any right with such employee may have with respect to donating, receiving, or using annual leave under this program. Such action shall be grounds for disciplinary action up to and including dismissal. There is no provision for county employees to donate or receive sick leave from family members employed in other local governments or State agencies, institutions, community colleges, or technical institutes.

Once leave is donated and transferred to the employee receiving the leave, it may not be returned to the donating employee. (Exception: In the case of death of the recipient, leave will be returned to the donors on a pro-rated basis.) Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave.

During the period an employee is using Shared Leave, the employee continues to be in a leave earning capacity, and is entitled to holidays, receive any salary increase or bonus for which otherwise eligible, and may receive benefits offered under the group insurance policies. Any donated leave is taxable to the recipient. The dollar amount of any donated leave will be added to the recipient's W-2 as income. Donated leave shall not be claimed for reimbursement under current subrogation law. The County of Harnett shall not report paid donated leave as reimbursable to an attorney representing a County employee in a third party subrogation claim.

The Human Resources Department shall establish a system of leave accountability which will accurately record leave donations and recipient's use. Such accounts shall provide a clear and accurate record for financial and management audit purposes. This should include: Maintaining a list of employees donating, Notification of Shared Leave to recipients and the Finance Department when leave is granted and in what amounts. Notification of Annual Leave to donors and the Finance Department of actual leave deductions. The approved amount(s) of shared leave will only be added after all sources of the recipient's own leave have been completely exhausted.

Shared Leave Application and Donation Forms may be obtained from the Human Resources web page.

Implementation of Policy: Recovery of Compensation Overpayments and Restitution of Underpayments

The following policy provides an explanation of the method used in event of an overpayment or underpayment made to an employee.

Human Resources and Payroll will make every effort to ensure that employees are paid correctly and that authorized payroll deductions are deducted properly.

A. In cases of improper overpayment, even when the error was not the fault of the employee, employees are expected to promptly repay the County the amount of the overpayment. Repayment arrangements will be made through Human Resources.

B. For purposes of this policy, overpayments include wage and salary payments, voluntary and involuntary deductions for insurance programs or other authorized deductions.

C. If an employee was not paid at all, the department director/elected official may request that a special check be issued. If an employee received partial pay, but not all that was due, then whenever possible, the balance will be corrected on the next payroll check.

D. All employees are responsible for examining each paycheck or direct deposit stub received in a timely manner to ensure that proper payment and deductions have been made. If an employee believes an improper overpayment or deduction has been made, he/she should immediately contact his/her supervisor, department director, Human Resources or payroll.

E. Payroll will calculate an overpayment/underpayment summary to determine the amount to be corrected. Human Resources will meet with the employee to explain how the error occurred and if necessary discuss a repayment schedule.



For overpayments, Human Resources will determine whether the correction will be collected on the employee's next regular payday (if nominal) or whether the employee shall be offered the Voluntary Repayment Agreement for Payroll Overpayment form. The following describes the repayment schedule to be used when the amount owed is more than a nominal amount.

Nominal overpayment – An erroneous overpayment that is one hundred dollars (\$100.00) or less shall be deducted from the employee's next paycheck.

Significant overpayment – An overpayment that is greater than one hundred dollars (\$100.00) shall be allowed to be paid through a written repayment plan pursuant to a signed "Voluntary Repayment Agreement for Payroll Overpayment."

G. The cumulative amount of the repayment deductions shall not reduce the gross wages paid to a rate less than the minimum wage as defined by law.

H. The repayment deductions will not be greater than 15% of the gross wages earned in the pay period in which the deduction is made.

I. The repayment deductions will be made after the employer has made all deductions expressly permitted or required by law and after any employee-authorized deduction.

If an employee under a voluntary repayment arrangement is terminated either voluntarily or involuntarily before payment is made in full, the remaining amount owed may be deducted from any amounts owed to me by the County.

K. If an employee under a voluntary repayment arrangement enters into an unpaid status, a letter will be sent to collect the remaining payments or to set-up a new repayment plan. If the employee does not respond, a second notice will be sent and the employee will be given two (2) weeks to remit payment.

L. In the event a terminated employee is overpaid, Human Resources will notify the former employee in writing that an overpayment has occurred along with the total amount owed. Payment is to be recovered within 30 days, unless a payment plan is agreed to in writing by both the County and the former employee.

M. If repayment is not recovered or the payment plan is not followed by the former employee, Human Resources will send a second letter to the former employee. Payment is to be submitted within two (2) weeks to avoid collection of monies owed through court proceedings.

The County in all cases reserves the right to pursue collection of remaining overpayments through court proceeding if recovery efforts under this policy have failed.

Beware: Top Five Holiday Scams

Every holiday season, scammers come out of the woodwork in an effort to take advantage of the kindness and generosity of those in the holiday spirit of shopping and giving. And it's probably no surprise that the majority of scamming occurs online. In fact, Consumer Reports asserts that cybercriminals have swindled \$8 billion from consumers in the past two years. But don't put away the credit cards and convenience of online shopping just yet—just learn how spot a possible scam. Here are five of the most popular—be on the lookout!



Illegitimate charitable solicitations

If you receive an e-mail from what claims to be a charitable organization, don't let your generosity get the best of you without doing your research. Check out Give.org, Guidestar.org and Charitynavigator.org to ensure the charity is on the up-and-up. Also, bear in mind that legitimate charities do not demand donations, and will readily provide written information about their programs, finances and how donations are used. Make sure the charity has a physical mailing address and a telephone number, and never fall for "phishing" scams. This is where someone targets you over the phone or through e-mail asking for donations, but is really looking for your personal information, like credit card and account numbers.

Holiday e-greetings

For affordability, convenience and environmental-friendliness, many people opt to send online holiday cards, called e-greetings. In some cases, the card may appear to be from a family member or friend—or even a company like Hallmark. However, when you click on the link to open the card, you are either taken to a malicious Web page, or prompted to download a program with spyware attached. Spyware tracks Internet usage and keystrokes so it can capture usernames, passwords, etc. To avoid this scam, only open cards from people you know, and never click on a link to download a card. Most of the larger e-greeting companies provide the recipient with a code, which they can enter at their site, thereby never making anyone click a link or download anything.

False e-mails from financial institutions or delivery services

In the hopes that you will respond with your personal information, you may receive an e-mail that appears to be from your financial institution asking you to verify your account information. Don't fall for it! Also, watch out for e-mails claiming to be from a delivery service. These may include fake invoices that require you to give your credit card information to ensure delivery. To avoid this, keep good records of the items you ship, and pay a little extra to track the shipping or get delivery confirmation.

Auction site fraud

In an effort to find a deal, many consumers shop at online auction sites, like eBay. This time of year, though, scammers lurk around these sites, offering deals that are too good to be true. In the end, you may never get the product, which may never have really existed in the first place. To counter this scam, check the seller's feedback to make sure they have an established and positive selling history.

Job-related e-mail scams

With the unemployment rate right around 10 percent both in North Carolina and nationwide, scammers know people are looking for quick money so they can still make the holidays a happy one for their families. To this end, beware of e-mails offering work-from-home opportunities. Should one actually interest you, research the company with the N.C. Attorney General's Office by calling 877.5.NO.SCAM, or the Better Business Bureau (check www.bbb.org for [regional contact information](#)).

Have a happy *and safe* holiday!

Upcoming Events & Holidays

- | | |
|------------|--|
| 12/24 & 27 | Christmas Holidays (County offices closed) |
| 1/3/2011 | New Year's Eve Holiday (County offices closed) |
| 1/17/2011 | Martin Luther King, Jr Day |



Please Read: Important Information About Over-the-Counter Drugs and Flex Spending Accounts

In an effort to keep you up to date with changing health care law, please read the following message from our Flexible Spending Account Administrator, Flex Corp, regarding your Flexible Spending Account.

Internal Revenue Service (IRS) Issues Guidance Confirming OTC Rule Changes

The IRS issued its initial guidance regarding the new rule included in the Affordable Care Act that requires a doctor's prescription for reimbursement of over-the-counter (OTC) drug and medicines from a tax-advantaged health care account (i.e. FSA, HSA, HRA). While the guidance offers little in the way of new information, it does confirm the generally accepted interpretation of how the change will be applied.



In summary, the guidance confirms the following:

- Participants will still be able to use their tax advantaged health care accounts for purchases of ALL OTC drugs and medicines, as long as they have a doctor's prescription.
- The rule applies to all tax-advantaged health care accounts, including Flexible Spending Accounts (FSAs), Health Savings Accounts (HSAs), Health Reimbursement Arrangements (HRAs) and Archer Medical Savings Accounts (Archer MSAs).
- **The rule takes effect January 1, 2011, regardless of plan year.** The only acceptable form of documentation for reimbursement for OTC drugs and medicines is a doctor's prescription, as regulated by state law.
- Insulin, medical devices (crutches, blood sugar monitors, etc.) and items such as bandages, contact lens solution, denture bond, etc. remain eligible and will not require a doctor's prescription.

FlexCorp will continue to keep you updated on health care changes as they happen. You may also log onto the Welcome Center for information and links to the above IRS web sites.

Categories that will no longer be eligible without a prescription:

- Acid Controllers
- Antibiotics
- Anti-Gas Products
- Anti-Parasitic Treatments
- Cold Sore Remedies
- Digestive Aids
- Hemorrhoidal Preps
- Motion Sickness
- Respiratory Treatments
- Stomach Remedies
- Allergy & Sinus medicine
- Antidiarrheal medicine
- Anti-Itch & Insect Bite
- Baby Rash Ointments/Creams
- Cough, Cold & Flu
- Feminine Anti-Fungal/Anti-Itch
- Laxatives
- Pain Relievers
- Sleep Aids & Sedatives

The IRS has posted additional details, including a helpful FAQ, about the OTC rule change on its Affordable Care Act web site and includes links to the following:

Text of IR-2010-95 is available at <http://www.irs.gov/irs/article/0,,id=227301,00.html>

Text of Rev. Rul. 2010-23 is available at <http://www.irs.gov/pub/irs-drop/rr-10-23.pdf>

Text of Notice 2010-59 is available at <http://www.irs.gov/pub/irs-drop/n-10-59.pdf>

If you have questions, please contact the FlexCorp Customer Service line at 888-505-4557.



*Season's Greetings
to You and Yours
from Human Resources!*