

**MARSHALL COUNTY, KENTUCKY
ORDINANCE NUMBER 2023-15
AMENDMENT TO ORDINANCE NUMBER 2022-06**

AN ORDINANCE Relating to the Administrative Code and Amendment Thereof:

WHEREAS, the County of Marshall adopted an Administrative Code by Marshall County on June 21, 2016;

WHEREAS, it was determined that certain provisions should be amended and/or deleted to the Code;

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF MARSHALL COUNTY that the following amendments are made to the Administrative Code of Marshall County;

Amended Section 2.2D to remove:

~~D. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.~~

Amended Section 2.2D to add:

D. Financial statements showing current standing from all Non-Constitutional Agencies and Boards shall be submitted to the Judge/Executive's Office twice per year, no later than the end of March in the Spring and no later than the end of September in the Fall.

Amended Section 5.1 Definitions to add:

Exempt Employee: Chief Deputy Jailer, Jail Nurse

Amended Section 5.3 D. to remove:

Category	Minimum	Mid-Point	Maximum	Type
Senior Department Head	\$25.46	\$32.63	\$39.81	Exempt
Department Head III	\$22.13	\$28.37	\$34.61	Exempt
Department Head II	\$20.18	\$25.22	\$30.28	Exempt
Department Head I	\$19.06	\$23.82	\$28.58	Exempt

Supervisor II	\$17.92	\$22.42	\$26.89	Exempt
Supervisor I	\$16.71	\$20.38	\$24.05	Exempt
Professional Staff	\$15.20	\$18.54	\$21.87	NonExempt
Staff IV	\$14.48	\$17.23	\$19.99	NonExempt
Staff III	\$13.46	\$16.02	\$18.59	NonExempt
Staff II	\$13.15	\$15.27	\$17.40	NonExempt
Staff I	\$12.50	\$14.53	\$16.58	NonExempt

Amended Section 5.3 D. to add:

Category	Minimum	Mid-Point	Maximum
Senior Department Head	<u>\$26.23</u>	<u>\$33.61</u>	<u>\$41.00</u>
Department Head III	<u>\$22.80</u>	<u>\$29.22</u>	<u>\$35.65</u>
Department Head II	<u>\$20.78</u>	<u>\$25.98</u>	<u>\$31.19</u>
Department Head I	<u>\$19.63</u>	<u>\$24.54</u>	<u>\$29.44</u>
Supervisor II	<u>\$18.46</u>	<u>\$23.10</u>	<u>\$27.70</u>
Supervisor I	<u>\$17.21</u>	<u>\$21.00</u>	<u>\$24.77</u>
Professional Staff	<u>\$15.66</u>	<u>\$19.10</u>	<u>\$22.52</u>
Staff IV	<u>\$14.92</u>	<u>\$17.75</u>	<u>\$20.59</u>
Staff III	<u>\$13.87</u>	<u>\$16.50</u>	<u>\$19.15</u>
Staff II	<u>\$13.55</u>	<u>\$15.73</u>	<u>\$17.92</u>

Staff I	<u>\$12.88</u>	<u>\$14.97</u>	<u>\$17.08</u>
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Amended Section 5.7A(3) to:

SECTION 5.7A(3)

(3) Temporary or Seasonal Employees: Temporary or seasonal positions which coincide with duration of a particular season or season of the year and that may recur regularly from year to year, in which case the period of time shall not exceed ~~six (6)~~ nine (9) consecutive months in any twelve (12) month period.

Amended Section 5.32A to add:

SECTION 5.32A

5.32A. The County pays non-exempt employees time and a half (1.5) for all hours earned over 40 hours in a work week (earned paid time leave including Sick, pre-approved Vacation, and Holiday shall be considered earned hours in relation to overtime pay). All overtime shall be approved by the department head or Appointing Authority.

Amended Section 5.33 to add:

SECTION 5.33F

F. There shall be no smoking or vaping in County vehicles regardless of whether windows are rolled down or opened. This prohibition includes any County vehicle that has an enclosed cab (backhoes, Gradalls, etc).

Amended Section 5.38C to add:

SECTION 5.38C 5.3 Disciplinary Procedure

C. Grounds for disciplinary action of County employees, ranging from warnings to immediate termination, depending upon the seriousness of the offense in the judgment of the County, shall include, but not be limited to, the following:

(20) Abandonment of position. Whether an employee has abandoned a position may be determined using all relevant factors, including, but not limited to, failing to report to work, failing to maintain contact with supervisors or other appropriate County personnel, moving residences to the extent a daily commute is not reasonable, turning in keys or equipment, cleaning out work space of personal effects, etc. Abandonment may be classified and treated as a termination or voluntary resignation depending on all relevant circumstances.

Amended Section V C 5 c Return-to-Duty Testing to:

c)Such agreement shall stipulate that the employee, at the County's request, may be required, at any time, to submit to interviews and/or evaluations by the professional staff at an appropriate chemical dependency treatment facility ~~approved by~~ according to the County's ~~Employee Assistance Program (EAP)~~ Substance Abuse Treatment policy.

Amended Section V E 5 Testing Process to remove:

5. Drugs

An ~~eleven~~(11) panel urine test shall be conducted and shall include analysis for the following substances:

- A. Amphetamine;
- B. Barbiturates;
- C. Benzodiazepines;
- D. Cocaine;
- E. Methamphetamine
- F. Methadone
- G. Opiates/Morphine
- H. Oxycodone;
- I. Phencyclidine (PCP)
- J. Marijuana/THC;

Amended Section V E 5 Testing Process to add:

5. Drugs

A sixteen (16) panel urine test shall be conducted and shall include analysis for the following substances:

- A. Amphetamine;
- B. Barbiturates;
- C. Benzodiazepines;
- D. Cocaine;
- E. Methamphetamine
- F. Methadone
- G. Opiates/Morphine
- H. Oxycodone;
- I. Phencyclidine (PCP)
- J. Marijuana/THC;
- K. Buprenorphine
- L. Ecstasy
- M. Alcohol
- N. Fentanyl
- O. Trazodone
- P. Synthetic THC

Amended the Off Duty Alcohol, Drug Use and/or Volatile Substance Intentional Misuse and Callback to:

Section XII: Off Duty Alcohol, Drug Use and/or Volatile Substance Intentional Misuse

A: In no way, is it the County's intent to interfere in the private lives of its employees. However, all employees should be aware than an employee's off-duty use of alcohol, illegal use of controlled substances, intentional misuse of prescription drugs or intentional misuse of volatile substances as described in this policy which result in excessive absenteeism, tardiness, or poor work performance shall be subject to discipline, which may include termination of employment. In the case of alcohol abuse, such employees may be subject to counseling or treatment ~~through the County's Employee Assistance Program~~ according to the Substance Abuse Treatment policy.

Amended the DRUG FREE WORKPLACE POLICY Section XIII A to:

Section XIII: ~~Employee Assistance Program~~ Substance Abuse Treatment

A. Alcoholism and controlled substance addiction are recognized as diseases responsive to proper treatment. Employees are encouraged to voluntarily seek treatment if substance use or abuse is an issue. ~~The County provides a level of care through its Employee Assistance Program (EAP). All employees shall be given information about the EAP including phone numbers at the time of his/her orientation.~~

~~1. All employees of the County are strongly encouraged to voluntarily contact the Employee Assistance Program if they believe they might have a problem with drug or alcohol abuse.~~

2. Other resources for information:

~~800 356 9996 Al Anon~~

~~800 527 5344 American Council on Alcoholism~~

Amended the Information Technology Standards and Guidelines Social Media Section to add:

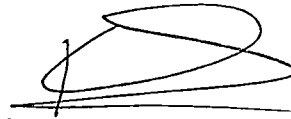
Social Media

The posting or sharing of any sensitive or protected/privileged information to social media (text, audio, photograph, video, etc., and including information that might be subject to some type of investigation), related to your employment with the Marshall County Fiscal Court, is grounds for disciplinary action, up to and including termination of employment.

First reading of the Ordinance held on this 19th day of September, 2023.

Second reading of the Ordinance held on this 3rd day of October, 2023.

Effective on this 3rd day of Oct, 2023



Kevin Spraggs
Marshall County Judge/Executive



Cory Daniel
Marshall County Fiscal Court Clerk