

	<p style="text-align: center;"><b>Employment Policy</b></p> <p style="text-align: right;"><i>Adopted on 5/18/1988</i></p>
<p style="text-align: center;"><b>Last Revision Date: 09/04/2024</b></p>	<p style="text-align: center;"><b>Policy No. 4.300</b></p>
<p style="text-align: center;"><b>Last Enabling Resolution: 175-2024/916-2024</b></p>	<p style="text-align: center;"><b>Developer/Reviewer: Human Resources</b></p>

**1. Purpose**

The intent of this policy is to set forth policy and procedure for hiring employees in compliance with all applicable federal and state laws and in a fair, consistent, and impartial manner.

**2. Scope**

This policy applies to all Sedgwick County employees, with the exception of Election Poll Workers, employees in the Sheriff’s Department, and the District Attorney’s Office.

**3. Policy Statement**

It shall be the policy of Sedgwick County, through responsible recruitment, that Division/Department Directors, Elected/Appointed Officials and supervisors hire, promote, transfer, compensate, and provide benefits and other conditions of employment to employees without regard to race, color, religion, national origin, age (40 and older), sex (including pregnancy, gender identity and sexual orientation), genetic information, disability, political affiliations, status as a member of the uniformed services, opposition to prohibited discrimination or participation in a discrimination or harassment complaint process; except when consideration of these factors is based upon a bona fide occupational qualification or where ADA (Americans with Disabilities Act) Title I regulations require differential treatment, as defined in the Reasonable Accommodations Policy 4.311.

This policy does not in any way constitute an employment contract. Sedgwick County reserves the right to amend this policy at any time subject only to approval by the Board of County Commissioners (BOCC) and the Governing Body of Sedgwick County Fire District Number One.

- A. **Retired KPERS hiring** – It is the policy of Sedgwick County to not hire retired KPERS (Kansas Public Employees Retirement System) members into a KPERS covered position. A covered position is any full-time or benefited part-time position. Sedgwick County does hire retired KPERS members into part time/non-covered positions. This rule does not apply to KP&F (Kansas Police & Firemen’s Retirement System) retirees.

- B. **Authority for hiring** – All positions authorized to be filled must have the funding approval of a majority of the County Commissioners, the County Manager or, as statute directs, the Elected/Appointed Official, whichever is applicable.
- C. **Employment of Immediate Family** – No employee will be placed in a position that falls under the direct supervision of a member of the employee’s immediate family. No employee will be allowed to make employment decisions or recommendations related to hiring, promotion, compensation, discipline, termination, reduction-in-force, or to determine the disposition of a grievance or complaint related to an immediate family member. The same shall apply to employees involved in a consensual sexual or romantic relationship, a close personal relationship, or an outside business relationship. This policy applies to all current employees and candidates for employment.
1. Immediate family shall be considered spouse, parents, siblings, children, grandchildren, grandparents and those in step or in-law relationships as above.
  2. Employees working in the same Division/Department who enter into a consensual relationship, or who marry, should review Conflict of Interest and Consensual Relationships Policy (4.504).
- D. **Part Time Jobs** – Employees of the County may take part-time jobs outside of Sedgwick County if, in the opinion of the Division/Department Director or Elected/Appointed Official, there is no conflict with working hours, there are no detrimental effects to the employee's efficiency in his or her work, and there is no conflict of interest with the employee's position with Sedgwick County.
- E. **Minimum Employment Age** – Full-time and benefited part-time positions shall be filled with employees who are at least eighteen (18) years of age. Part-time positions shall be filled with employees who are at least sixteen (16) years of age. All employees are subject to the age restriction provisions of State and Federal Child Labor Laws, the FLSA (Fair Labor Standards Act) and State and Federal regulatory agency regulations.
- F. **Worksite Requirement** – Sedgwick County employees are required to perform their work within the State of Kansas on a routine and regular basis regardless if they work on-site or telework.
- G. **Veterans’ Preference** – Sedgwick County recognizes a preference in employment consistent with that provided by Kansas State Statutes (K.S.A. 73 201 et seq.). A veteran shall be granted preference by Sedgwick County if all minimum qualifications for the position are met and the DD-214 is submitted with the job application. If these criteria are met, Sedgwick County will interview all qualified candidates for initial employment and promotions.

Additionally, Sedgwick County recognizes Military Spouse Preference. A veteran’s spouse shall be granted preference if all minimum qualifications for the position are met, they are currently married to an active duty member of the U.S. Armed Forces (including the Coast Guard), and submit a marriage license/certificate and active military orders.

If these criteria are met, Sedgwick County will interview all qualified candidates for initial employment and promotions.

H. **Ban the Box** – In an effort to allow candidates to display their qualifications in the hiring process before being asked about their criminal records, Sedgwick County has removed the conviction question from the employment application. Applicants will not be required to report criminal convictions for some positions; however, certain positions are prohibited from employing individuals with certain misdemeanor or felony convictions, and for those positions, an applicant will be prompted for this information. A criminal background check is required prior to any final offer of employment.

I. **Employment Conduct that is Prohibited**

1. False Statement

a. No person shall willfully or corruptly make any false statement, certificate, mark, rating or report in regard to any test, certification, appointment held or made, in any manner, commit or attempt to commit any fraud preventing the impartial execution of these provisions.

2. Special Treatment

a. No person seeking employment or promotion in the County service, either directly or indirectly, shall promise, render, or pay any money, service, or other valuable thing to any person for, on account of or in connection with his/her test, appointment, proposed employment or proposed promotion.

b. No person employed by Sedgwick County, either directly or indirectly, shall promise, render, or pay any money, service, or other valuable thing to any person for, on account of or in connection with proposed appointment, proposed employment, or promotion.

3. Obstruction of Employment

a. No employee of Sedgwick County shall defeat, deceive, or obstruct any person in his/her right to examinations, eligibility, certification, furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment.

4. Discrimination

a. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, or any other aspects of personnel administration because of race, color, religion, national origin, age (40 and older), sex (including pregnancy, gender identity and sexual orientation), genetic information, disability, political affiliation, status as a member of the uniformed services, opposition to prohibited discrimination or participation in a discrimination or harassment complaint process or other non-performance factors is prohibited. The exception shall be when consideration of these factors is based upon a bona-fide occupational qualification or where ADA Title I regulations require differential treatment, as defined in Reasonable Accommodation Policy 4.311.

- b. Any employee who witnesses or experiences any prohibited conduct should contact their supervisor or the Division of Human Resources. Reports may also be made through *OurWorkplace.com* (employer ID SC525).

#### 4. Definitions

- A. **Full-Time Employees** – Employees will be considered full-time if they are authorized to work a full work schedule approved for the department (2,080, 2,912 hours, 2,210 hours or 2,184 hours annually).
- B. **Benefited Part-Time Employees** – Employees will be considered benefited part-time if they are authorized to work 80% of the full work schedule.
- C. **Part-Time Employees** – Employees will be considered part-time if they work less than thirty (30) hours per week and less than 1,000 hours per KPERS calendar year.
- D. **Temporary Full-Time Employees** – Employees will be considered temporary full-time if they are hired for a position approved for one (1) year or less and work a full-time equivalent.
- E. **Temporary Part-Time Employees** – Employees will be considered temporary part-time if they are hired for a position approved for one (1) year or less and work a part-time equivalent.
- F. **Seasonal Employees** – Employees will be considered seasonal if they are hired for a designated period, not to exceed six (6) months continuous duration.
- G. **Grant Employees** – These are employees who are hired from grant funds, designated for a specific purpose, who fall under the category of working under a grant program. Grant employees will be separated from employment when the grant funds expire.
- H. **Internship Employees** – Interns are hired under an authorized internship program, approved by the BOCC (Board of County Commissioners) and are scheduled to work at least forty (40) hours per week.
- I. **Unclassified positions** – Unclassified positions shall be exempt from the normal Employment Procedures, Grievance Rights, and Termination Policies. The following listed positions shall be declared Unclassified:
  - 1. County positions that are filled by election, political party appointment, or popular vote;
  - 2. State appointive positions;
  - 3. Appointive positions on boards and commissions established by and for the BOCC;
  - 4. Part-time positions;
  - 5. Temporary positions.

- J. **Exempt positions** – These positions are determined to be exempt based on definitions established by the FLSA, are included on the staffing table, and are subject to the compensation plan. Exempt positions are salaried and are not eligible for overtime pay.
- K. **Non-Exempt positions** – These positions are determined to be non-exempt based on definitions established by the FLSA, are included on the staffing table, and are subject to the compensation plan. Non-exempt employees must be compensated for all hours worked.

5. **Procedures –**

*See Employment Implementing Procedures*

*See Interview Compliance Guideline Procedures*