

D. Substantiated claims of harassment may result in disciplinary action, up to and including dismissal. For additional information regarding harassment and the methods to report harassment, employees should see *Appendix F: Unlawful Workplace Harassment*.

### **Section 6. No Retaliation Policy**

A. No person will be adversely affected in employment with the employer because of bringing complaints of unlawful harassment or participating in an unlawful workplace harassment investigation or concerns or complaints under the Workplace Violence Policy (see *Appendix E: Workplace Violence Policy*).

B. Other protected activity includes, but is not limited to:

1. Initiating an internal complaint or report of discrimination or harassment;
2. Filing a claim of discrimination;
3. Requesting an accommodation for a disability;
4. Filing a Workers' Compensation claim following a work-related injury;
5. Requesting leave under the Family and Medical Leave Act; or
6. Filing a safety or environmental related complaint with state and/ or federal oversight agencies.

C. An employee who believes they are the subject of retaliation should follow *Appendix G: No Retaliation Policy* or call the County Whistleblower Hotline (1-866-908-7236) to report the situation.

### **Section 7. Outside Employment**

The work of the County shall take precedence over other employment interests of employees. All outside employment for salaries, wages, or commission, and all self-employment must be reported in writing to the employee's Department Head before such work is to begin. The Department Head, corresponding appointing authority, or the Human Resources Director shall determine whether the outside work would create a conflict of interest or otherwise be incompatible with County service. The assumption of outside employment without prior approval by the Department Head maybe deemed improper conduct and subject the employee to disciplinary action, up to and including dismissal.

### **Section 8. Limitation of Employment of Relatives**

A. No two members of an immediate family shall be employed within the same department if such employment shall result in one member supervising the other or in one member occupying a position that has influence over the other's employment, promotion, salary administration or related management, or personnel considerations. In addition, if this arrangement would result in the perception or possibility of a conflict of interest in carrying out the duties of a position, then this arrangement will not be approved.

- B. The term “immediate family” means an employee's wife, husband, mother, father, guardian, son, daughter, brother, sister, grandchild, and grandparent, as well as the various combinations of half, step, in-law, and adopted relationships that can be derived from the family members named herein.
- C. The provisions of this section shall not be retroactive, and no action shall be taken concerning those members of the same family employed in conflict with *ARTICLE V. CONDITIONS OF EMPLOYMENT, Section 8. Limitation of Employment of Relatives, Subsection A* before the adoption of this policy.
- D. The Board of County Commissioners shall approve the appointment by the Sheriff, or Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin, as required by N.C. Gen. Stat. § 153A-103(1).
- E. The Board of County Commissioners shall approve the appointment by the County Manager of his/her immediate family members as defined in *ARTICLE V. CONDITIONS OF EMPLOYMENT, Section 8. Limitation of Employment of Relatives, Subsection B*.

### **Section 9. Drugs at the Workplace Prohibited**

- A. Any location at which County business is conducted is declared to be a drug-free environment. Workplace is defined as the site for the performance of work done and includes, but is not limited to, any Buncombe County building, premises, or vehicle.
- B. All employees are prohibited from unlawfully manufacturing, distributing, dispensing, partaking, possessing, or using any controlled or uncontrolled substance or alcohol in the workplace, or reporting to work under the influence of any controlled substance or alcohol, except medications prescribed by a licensed health care provider and taken in the prescribed dosage and certified by said provider not to constitute a workplace hazard.
- C. As a condition of employment, all employees are required to follow the Buncombe County Drug Policy and may be tested in accordance with this policy (see *Appendix I: Buncombe County Drug and Alcohol Testing Policy*).

### **Section 10. Workplace Violence**

- A. Buncombe County is committed to preventing workplace violence and to maintaining a safe work environment. Toward that end, Buncombe County has adopted a Workplace Violence policy (see *Appendix E: Workplace Violence Policy*). The intent of the policy is to ensure that our employees are free from intimidation, harassment or other threats of or actual violence that may occur on-site or off-site during work-related activities. Additionally, the policy makes employees aware of their responsibility to report any concerns so that these concerns may be addressed in a timely and effective manner. Employees are protected against retaliation for making in good faith a report of workplace violence.
- B. Employees seeking to report a concern regarding the Workplace Violence policy should consult the policy in *Appendix E: Workplace Violence Policy*.