

# BENTON COUNTY

## EMPLOYEE HANDBOOK



January 1, 2025

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## SECTION ONE: INTRODUCTION

### INTRODUCTION

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The Board of Supervisors and other elected and management personnel of Benton County welcome you as you begin your employment with the County. Together we provide essential services to the citizens of the County. Each employee is expected to provide the most efficient and responsible service possible. The County depends upon your particular talents and ingenuity. Your efforts are supported by tax dollars and your conscientious performance can ensure the best possible results for each dollar spent.

This handbook was developed by Benton County management personnel, including elected officials and appointed administrators, to describe some of the County's policies relating to your employment with the County. Some of the policies and benefits described in this handbook, such as the group health insurance plan, are covered in greater detail in official policy documents. You should refer to those documents for more information. The policies described in this handbook are presented as a matter of information only. The statements contained in this handbook are subject to change and may be revised from time to time without prior notice by the County. Any suggestions you may have for changes in the policies explained in the handbook are welcome.

Departments vary in the services they provide for the public. Not all policies and regulations can be covered in this handbook. Your department head or supervisor will answer questions for you that are not answered in the handbook. This handbook provides guidelines to department heads and allows them discretionary power to efficiently perform the duties of their offices.

Elected officials are subject to the following provisions of this County Handbook: Sections 2.1, 2.2, 2.4, 2.7, 4.6, all of section 5, 6.8, 6.9 6.10, 6.12, 7.1 and 7.2.

All County employees are covered by these policies except:

1. elected officials, both full time elected officials and part time elected officials (Board of Supervisors) except as noted above;
2. department heads and employees specifically excluded by the appropriate governing body;
3. employees hired on a contractual basis;
4. employees covered by collective bargaining agreements. For employees whose employment is governed by a collective bargaining agreement, the specific provisions of the collective bargaining agreement shall take precedence over the provisions of the Employee Handbook. In any areas where the collective bargaining agreement does not conflict with this Employee Handbook, the provisions of the Employee Handbook shall apply.
5. members of boards and commissions;
6. personnel appointed to serve without compensation;
7. persons employed on an intermittent basis including but not limited to reserve deputies and rescue squad; and
8. persons covered by 28E Agreements, unless otherwise provided by the terms of the agreement.

## **DISCLAIMER**

This handbook is provided for informational purposes only. The policies, procedures, benefits, and plans described in the handbook may be revised by the County at any time without prior notice. The County retains the exclusive right to change, add to, eliminate, or modify any of the policies in the handbook at any time at its discretion, with or without notice.

Any promises, representations, or actions by a County official or employee which are contrary to this handbook are not the official policy of the County, and are of no force or effect. This handbook supersedes and cancels the effect of any previous versions of a County employee handbook.

This employee handbook is not intended to create any contractual rights in favor of you or the County. This handbook is not to be construed as an employment contract, express or implied, or as a promise that you will be employed for any specified period of time. Employees may resign their employment at any time and for any reason, and the County reserves the same right to terminate any individual's employment at any time and for any reason. Nothing in this handbook changes the at-will nature of your employment with the County.

## **SECTION TWO: EMPLOYMENT POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY, HARASSMENT AND ADA COMPLIANCE**

**2.1**

#### **Equal Employment Opportunity**

Benton County is dedicated to equal employment and advancement opportunities. It is the County's policy to hire and promote qualified individuals on the basis of their qualifications, interest and aptitude, without unlawful regard to race, religion, color, sex, age, national origin, sexual orientation, gender identity, disability, or any other characteristic protected by local, state, or federal law. This policy applies to all terms, conditions, and privileges of employment, including but not limited to recruiting, hiring, training, transfers, promotions, benefits and separation from employment.

#### **Americans with Disabilities Act and the ADA Amendments (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, prohibit discrimination against qualified individuals on the basis of disability. It is the policy of Benton County to comply with the Americans with Disabilities Act (ADA). Benton County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability. In compliance with the ADA, the County will consider reasonable accommodations that do not pose undue hardship to the County to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The County encourages applicants or employees to make suggestions regarding reasonable accommodations to their supervisors, department heads, or the County ADA Coordinator.

#### **Anti-Harassment Policy and Complaint Procedure**

The County prohibits harassment based on any of the following actual or perceived traits or characteristics, including but not limited to, age, color, creed, national origin, race,

religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

Harassment, retaliation, coercion, interference, or intimidation of any employee due to that employee's race, religion, color, sex, age, national origin, disability or any other characteristic protected by local, state, or federal law is strictly forbidden. The conduct in the workplace includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts or words; and written or printed materials that denigrate or show hostility to an individual or group made or posted in the workplace or in the course of employment for the County. Such conduct is a prohibited form of discrimination under state and federal employment laws and is also considered misconduct subject to disciplinary action.

## **Preventing Sexual Harassment in the Workplace**

**Purpose:** It is Benton County's policy that all employees are responsible for assuring that the workplace is free from sexual harassment. Because of the County's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct, which could be viewed as sexual harassment.

Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual acts or favors, or other physical and verbal conduct of a harassing nature by elected officials, department heads, other supervisory personnel, co-workers, or others in the workplace.

1. Sexual harassment exists when:
  - a. A Department Head, or any person in a supervisory capacity makes submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention);
  - b. Submission to or rejection of such conduct is used by a Department Head or other supervisory personnel as a basis for employment decisions.
  
2. Sexual harassment may also exist when conduct by any county employee or by people who are not employees, unreasonably interferes with an employee's work performance or creates an intimidating work environment. Such conduct may take various forms, as for example:
  - a. Verbal – sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
  - b. Nonverbal – sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
  - c. Physical – unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.
  
3. Sexual harassment of employees by non-employees in the workplace is not acceptable and should be reported to the Department Head. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, creed, sex, gender identity, sexual orientation, national origin, age, disability, pregnancy, marital status, genetic information, status as a military veteran or any other characteristic protected by law and that has the a) purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an

individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

If you believe that you are being harassed or subjected to discrimination you may file a complaint using the same procedures for sexual harassment allegations as described below.

### **Individuals and Conduct Covered**

This policy covers all elected officials, full-time, part-time and seasonal employees, as well as non- employees, such as independent contractors, volunteers, vendors and interns.

### **Procedures:**

1. Any employee who believes they have been the victim of conduct prohibited by this policy or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, Human Resources, County Auditor, County Attorney, or any members of management.
2. The party receiving a complaint of harassment shall immediately notify the Board of Supervisors, unless the complaint is against a board member, who shall promptly name an investigator. In the event the complaint is against a Board of Supervisor member, the party receiving the complaint shall immediately notify the County Attorney, who shall promptly name an investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is possible. The ability to maintain confidentiality may depend on what component of the sexual harassment policy is involved at any one time. The complaining party and any witnesses will be notified in advance if it is anticipated that it may not or will not be possible to maintain confidentiality. As noted below, any retaliation against a complaining party or witnesses is strictly prohibited.
3. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation.
4. Any employee determined by impartial investigation to have harassed another employee will be subject to appropriate disciplinary procedures, up to and including termination.
5. The Department Head of an employee who has been harassed by a non-employee in the workplace will inform the non-employee of the County's harassment policy; other action may be taken as appropriate.

## **EMPLOYMENT VERIFICATION**

**2.2**

To comply with the employment verification requirements of the United States Citizenship Immigration Services Agency (USCIS) of the United States Department of Homeland Security, the County requires all employees to present documented proof of identity and eligibility to work in the United States, which will include completion of Section 1 of the USCIS form I-9 and submission of proof of employment and identity.

The County may require you to submit to a pre-employment, job-related medical examination (including a drug screen) by a physician designated by the County or by your own physician if approved by your department head. The medical examination will be conducted after you have been offered a position and before you start work if the medical examination is required of all entering employees in the classification.

You may also be required to submit to a job-related medical examination when necessary to determine if you are still able to perform the essential functions of your position, and to any fitness for duty examinations required by federal, state or local law or County policy.

All medical information collected by the County will be maintained in a confidential, locked file separate from other personnel files.

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**EMPLOYMENT OF RELATIVES**

Relatives of current employees are eligible for employment with the County, subject to limitations of Iowa Code Chapter 71 and the terms of this policy. To avoid the appearance of favoritism and difficulties in administering discipline, the County will not hire, appoint, transfer, promote, or otherwise place an individual in a position that involves the supervision of, or by, a family member. For purposes of this policy, “family member” includes the individual’s spouse, child, parent, brother, sister, grandchild, grandparent, uncle, aunt, nephew, niece, great grandchild, great grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and the following step relatives: mother, father, child, brother, sister, grandchild, grandparent, uncle, aunt, nephew, niece, great grandchild, great grandparent.

If a supervisory relationship between family members is created by a marriage, one of the two affected employees must transfer, if possible, or will terminate employment within 90 days. If the two employees cannot make the decision in a timely manner, length of service in the department will be the deciding factor and the least senior employee will be transferred if possible. Otherwise, the employment of the least senior employee will be terminated.

Newly elected officials and their relatives and qualified relatives shall be exempt from this policy only to the extent that neither the newly elected official nor said official’s relatives and/or qualified relatives will be terminated or required to resign from employment. A qualified relative is defined as any person related by consanguinity (blood) or affinity (marriage) with in the third degree.

Relatives who worked in the same department on or before the date this policy was adopted are exempt from the regulations set forth herein.

This policy applies to all categories of employment including regular, temporary, and part-time. Temporary election workers are exempt from the regulations set forth herein

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**PERSONNEL FILES AND REFERENCES**

The County maintains personnel files on each employee. These files may contain job-related information including performance appraisals, disciplinary records, and some



beneficiary designations. Any information contained in the files will be released only if required by law, or if you make a written request for the County to release the information for reference purposes. The County will release any information relating to the results of federally required drug tests in accordance with the applicable law.

If you are interested in reviewing the contents of your file, you may do so at a time mutually agreed upon by you and your department head, except you will not have access to or be able to review letters of reference received or furnished by the County or any reference check performed by the County. A representative of the County may be present during your review. You may, at your own expense, request and receive copies of the contents of your personnel file, except as provided above. The County may charge a reasonable fee to copy the requested items, not to exceed \$5.00.

To assure that our records are current, you must notify your department head and the HR or Auditor's Office whenever there are any changes in your home address, telephone number, marital status, emergency contact, beneficiary designations, and number of dependents. You must also inform your department head of a current emergency contact.

Benton County desires to provide helpful job-related information to prospective employers. Therefore, the Department Head may provide a job reference upon request. All requests for references should be referred to the Department Head. The employee must provide a signed release. If a release is not provided, only the Department Head and HR or Auditor's Office may provide the following information:

- The employee's name
- The employee's job title
- The employee's dates of employment
- The employee's wages

The Department Head should act reasonably in providing work-related information, and should only provide information to a person who has a legitimate interest in receiving the information, and only such information as is relevant to the inquiry being made

## **JOB POSTINGS/VETERAN'S PREFERENCE**

**2.6**

Whenever a non-deputy position becomes available, a notice of such opening will be posted on the Courthouse bulletin board for at least ten calendar days before the deadline for filling the position, and posted on the County website for a similar period, if available. The notice will be posted near meeting agenda notices and will contain the position title, a brief job description, and minimum hiring specifications. Exceptions to the posting requirement include deputies, private secretaries, or other positions in a confidential relation to the appointing officer.

A person who qualifies for coverage under the Iowa Veterans Preference statute, Iowa Code Chapter 35C, may be entitled to a preference in initial hiring or appointment and in employment, if other applicants have no greater qualifications, than the person who qualifies for coverage under the Veterans Preference Statute. A person who believes that they may qualify for coverage is required to provide the County with appropriate proof of qualification under the Veterans Preference Statute, which will include an appropriately verified copy of the person's Form DD214, Report of Separation. Decisions on applicants' relative qualifications are at all times reserved to the person or entity who has final authority to make the hiring or appointment decision.

Application forms are available from the department advertising the position and shall be submitted to that department head. Applicants, including current employees, shall be considered on the basis of ability, performance, experience, training, aptitude, and other job-related qualifications. Military service may also be a factor in hiring decisions, as provided by Iowa's Veteran's Preference law.

## **MILEAGE AND EXPENSE REIMBURSEMENT**

**2.7**

Officials and employees shall be granted reasonable expenses while attending meetings pertaining to county government as follows:

1. Mileage:

Mileage will only be reimbursed if traveling outside of the city limits of your office's primary location.

Benton County will compensate an employee at the rate set forth by the IRS on a per mile basis when the employee is required to provide his or her own transportation in order to perform their job function. Mileage will start at employee's residence, unless the employee is reporting from work first, then it would be place of employment to meeting and back to employment.

2. Lodging: (May be charged to the county credit card. A copy of the receipt given at checkout must be submitted to the Auditor's office.)

A.) Lodging outside of Linn, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties: Reimbursement for all lodging expenses requires corresponding receipts.

B.) Lodging inside of Linn, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties:

[NOTE: This policy does not apply to coursework or trainings approved by a Department Head or Elected Official, and which meet State and/or Federal licensing requirements for any employee. Further, this policy does not apply to trials that take place in any county outside of Benton County pursuant to a court ordered change of venue. In these situations paragraph 2.A. of this policy apply.]

Reimbursement for all lodging expenses requires corresponding receipts. The amount of reimbursement shall be limited to an amount equal to the amount paid for mileage for one roundtrip to the meeting destination. The lodging will only be reimbursable when the employee's attendance meets a business purpose on both days surrounding the overnight stay. Any portion of the lodging expenses exceeding the roundtrip rate shall be the responsibility of the employee. If there is not a business purpose for both days surrounding the overnight stay, then the entire amount of lodging for that night is the responsibility of the employee. Additional nights of lodging will be reimbursed in the same manner as set forth in this paragraph.

The following examples are for assistance in the administration of paragraph 2.B., above, and are for illustrative purposes only:

Example 1: Employee A attends meetings on Monday and Tuesday in Cedar Rapids (60 miles roundtrip). The meetings on both days qualify as a business purpose. The employee may stay overnight in Cedar Rapids on Monday night but will only be reimbursed in an amount equal to 60 miles (one roundtrip) x the current mileage rate.

Example 2: The same employee also stays Tuesday night (second night) in order to continue attending meetings/classes on Wednesday. The employee will be reimbursed for the second night stay at the same rate as the first night.

Example 3: The same employee stays Tuesday night (second night) in order to attend a social gathering and avoid driving home late. There are no meetings on Wednesday. The entire lodging expense for Tuesday night is the responsibility of the employee.

### 3. Meals & Incidentals:

Meals and incidental expense while traveling inside of Benton County are not eligible for reimbursement.

1. The maximum reimbursement for meals is \$20 per meal, with a daily maximum of \$60. Receipts must be provided for all meal expenses.
2. If the event you are attending provides meals, those amounts will be subtracted from your daily total. Conference agendas must be included when submitting expense reimbursement claims. If no agenda is available, you must note this on the claim reimbursement form and include all receipts.
3. Tips/Gratuities and alcoholic beverages will not be reimbursed by the County. No exceptions. If your department gets any grant funding that covers these expenses, contact the Auditor's office in advance for guidance.
4. Meals cannot be paid for on Benton County credit cards. (Refer to credit card section 6.9 for more information on credit cards.)

### 4. Parking Fees:

1. Parking fees are allowable only when validation or free parking is not available. Receipts are required for reimbursement.
2. Parking tickets or traffic violations are the responsibility of the employee and will not be reimbursed by the county, unless approved by the Board of Supervisors.

**Alternative Transportation:** When driving is not feasible or cost effective, payment for alternative transportation must be pre-approved by the Board of Supervisors.

1. Claims of transportation expense must show point of departure, intermediate, and final destinations. Claims for commercial carrier transportation reimbursement must be accompanied by receipts and shall not exceed coach fare.
2. The cost of first class transportation will be considered standard only when coach fare is not available, and must be approved by the Board of Supervisors in advance.

3. Early ticket purchase of coach fare tickets will be allowed to take advantage of reduced costs. However, if an employee fails to cancel the ticket within the proper time if unable to attend conference, employee will be responsible for the cost of the prepaid ticket, unless justified emergency can be proven by written explanation provided to Board of Supervisors.

## **JOB PERFORMANCE EVALUATIONS**

**2.8**

Each Department Head may conduct job performance evaluations of every employee under the supervision of the officer. These evaluations shall be conducted in writing, with a copy supplied to the employee, and a copy retained in the employee's file in the Department Head's or Human Resources Office. Employees who report directly to the Board of Supervisors shall have their employee evaluations filed in the Human Resources office.

## **TRANSFERS AND PROMOTIONS**

**2.9**

The County believes that current employees should be given consideration for advancement and promotional opportunities if they possess the qualifications for the open position. Therefore, current employees will be considered for job openings within the employee's department or an opening/vacancy in another department. An employee transferring to another department will receive the benefits applicable to the department the employee is joining.

Employees without a break in service will keep their anniversary date and will not lose accrued vacation and sick time. If the transferring employee has any accumulated compensatory time, it will be paid in a lump sum prior to the transfer to the new department.

## **SEPARATION FROM EMPLOYMENT**

**2.10**

When the employee initiates separation from employment, the employee is required to file written notice with the department head and Human Resources at least two weeks prior to resignation or separation from county service. The requirement for two weeks' notice of resignation or separation from County employment may, in exceptional circumstances, be waived. A decision to waive the two-week requirement will be made by the person with supervisory authority over the employee and any governing body with authority over employment matters for the employee.

Upon resignation or separation from county service with proper notice, an employee shall be paid on a pro-rated basis for all unused vacation and unused personal day(s) at the time of separation.

No vacation time shall be allowed to be taken during the last two weeks of employment unless approved by the Department Head.

Involuntary separation and/or separation without the required advance notice will result in forfeiture of any vacation pay, unused personal days, or sick leave conversion.

Employment may be terminated at any time by either the County or employee. The employment relationship will be broken and terminated upon resignation, retirement, or are discharged.

## **INCLEMENT WEATHER AND WORKSITE CLOSING**

**2.11**

Because the County serves the citizens of the County, the Courthouse will always remain open during regularly scheduled hours. In extreme circumstances, however, the Board of Supervisors or a designated committee may determine that it is necessary to close the courthouse or other County offices and facilities. If an employee's office is closed by the County, regular full-time employees scheduled to work during that time will be compensated at their regular rate of pay to complete their normal work hours.

In case of severe weather conditions, such as a snowstorm, defined as blizzard conditions as determined by the National Weather Service, or tornado or flooding conditions, the following policy will be in effect:

1. If an employee is unable to get to work due to severe weather, the employee will be allowed to charge the absence to vacation or compensatory time provided the employee has the time accumulated. If no paid time is available, the employee may choose to take the time off without pay.
2. An employee may request to leave work early because of severe weather conditions. If the request is approved, the employee may use accumulated compensatory time or vacation. If no paid time is available, the employee may choose to take the time off without pay with department head approval.
3. Benefit accumulation and eligibility will not be affected if an employee chooses to take the time off without pay.
4. Employees in departments that serve the public during severe weather (including departments that provide snow removal and law enforcement services) are expected to report to work during severe weather conditions, unless notified otherwise by their department head.

## **WORKPLACE PRIVACY AND SEARCHES**

**2.12**

The County attempts to maintain equipment and supplies which permit work to be accomplished in the most efficient and effective manner possible. While employees are encouraged to use these items, it is important to understand that they are County property and are to be used to conduct County business.

As part of your employment, a desk or workspace may be made available to you. The desk and workspace are County property. Because the desk and workspace are County property, not your personal property, the desk and workspace are subject to being inspected by the County at any time, with or without notice to you.

The County assumes no responsibility or liability for any items of personal property which are placed in the desk or workspace which is assigned to you.

If the County conducts an examination or inspection under the terms of this policy, there will be at least two individuals present at the time of the examination or inspection.

Accessing files or materials from your desk/workspace for the necessary, normal workflow does not constitute an examination or inspection of your desk/workspace.

## **CLAIMS PROCESSES AND PROCEDURES**

**2.13**

Benton County requires bills/claims to be paid off of Invoices to avoid duplication. Monthly statements are only accepted for Utility Bills and Phone Bills.

New Vendors or Payees will need to have a W9 on file with the Auditor's office. If you are unsure if the Vendor or Payee is new, please contact the Auditor's office to verify.

Department Heads or Elected Officials are responsible to get their bills turned into the Auditor's office on time. Finance/late charges will be the responsibility of the Department Head or Elected Official. Department Heads or Elected Officials are responsible for arranging the sales tax-exempt status of Benton County.

Auditor's office will give departments a schedule of the Proposed Payable Deadline & Check Issued Dates for the fiscal year. Claims must be in the Auditor's office by 4:30 p.m. on the dates listed in the schedule.

Claims need to be approved by Department Head or Elected Official unless otherwise designated by Department Head or Elected Official. Budget line items and Department Head or Elected Officials approval needs to be written on individual invoices. Auditor's office will audit budget line items listed on bills/claims to ensure budget line items are being used lawfully.

Mileage and Expense Reimbursement claims per handbook 2.7 shall be granted. Claims need to describe how many miles, where the employee drove to and for what purpose. Claims should also state where the drive started from, whether it is from work or home. Employee and Department Head or Elected Official need to sign off on claim. Any receipts need to be attached with claim form. See Example 2.14 of Meal or Mileage Claim form.

Benton County, Iowa

MEAL OR MILEAGE CLAIM FORM

DATE: \_\_\_\_\_

Claimant: Jo

**123 Main St**

City/State: **Vinton, IA 523**

All bills against the county must clearly show the date, nature, and purpose of each item.

Bills for mileage must show between what points mileage is claimed in each instance.

Charges per diem must show of what each day's service consisted, and time actually required.

FUND	DEPT	ACTIVITY	DOT	OBJECT	AMOUNT	INVOICE DATE	AMOUNT	
0001	02	9010	000	413000	\$ 42.30	3/14/19	60 miles to Iowa City for training (explain what type of training)	34.80
0002	49	8000	000	413000	\$		Drove from work to training	
0001	14	9120	000	413000				7.50
							<b>Describe how many miles, where you drove to and for what purpose. Describe where you started your mileage from. Include receipts with claim if needed.</b>	
							Do Not Add State Sales or Federal Excise Tax	42.30 -

**TOTAL** \$ 42.30

**SUPERVISORS APPROVAL**

Date: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

State of Iowa, County of Benton, ss.

I, the undersigned do solemnly swear the within amount is just, reasonable and correct, that the same has not been paid in whole or in part and the same is properly chargeable to and payable in Benton County, Iowa.

CLAIMANT: \_\_\_\_\_

BY: \_\_\_\_\_

*Head*

## SECTION THREE: HOURS OF WORK AND COMPENSATION

### DEFINITION OF EMPLOYEE STATUS

3.1

**Full-time:** A non-temporary employee scheduled to work 37 ½ or 40 hours per week dependent upon job classification.

**Part-time** A non-temporary employee scheduled to work less than 37 ½ or 40 hours per week dependent upon job classification or hired to work up to 40 hours per week on a seasonal basis.

**Temporary or seasonal:** A full or part-time employee hired to assist during worker shortages, or peak workloads. Temporary employees are not eligible for the benefits described in this handbook, unless otherwise indicated.

**Anniversary date:** The anniversary of the calendar date of an employee's last date of hire.

**Department Head:** A person with supervisory authority for a particular office, department or agency established by a county board or commission.

**Appointed Officials:** A person who has been appointed by an elected official(s) or a County created board or commission. The department head for appointed officials is the appointing official or board. References to the Board of Supervisors shall also be read to refer to the appointing elected official or other board where applicable. Appointed officials include but are not limited to the County Engineer, County Assessor, County Environmental Health and Land Use Director, Transportation Director, Social Services Director, Conservation Executive Director, and Courthouse Maintenance Director.

**Supervisory Personnel:** For employees that are designated as supervisory personnel within a department, the department head is the designating official or board.

The Board of Supervisors and/or appointing board may appoint a designee to administer or assist in the administration of this handbook or any portion thereof on their behalf.

County: References to County means Benton County or the Board of Supervisors or the appointing board or commission.

### EARNINGS AND HOURS OF WORK: GENERAL PROVISIONS

3.2

#### Work Schedules

Employees are expected to report to their work site during the working hours established by the department head. The department head shall determine work schedules, including meal periods and interruptible rest periods, for all employees in their departments. However, all office hours will coincide with the business hours of the County as established by the Board of Supervisors. Nothing in this or any other section



of this handbook shall be construed as a guarantee of the number of hours an employee will be scheduled to work. Daily and weekly work schedules may be changed at the discretion of each department head to meet varying conditions and workload.

### **Recording Work Hours**

All employees must accurately record their hours worked for each pay period on a form provided by their department head.

### **Payday and Salary Deductions**

Benton County employees are normally paid every two weeks on Thursday. All required deductions, including those for state and federal taxes and all authorized voluntary deductions, including health insurance contributions, will automatically be withheld from your paycheck. Direct deposit of your paycheck may be arranged with the Auditor's office. The Auditor's Office must be notified of automatic deposits and any changes no later than the Thursday prior to the next pay day. It is the employee's responsibility that the deposit account number on file with the Auditor's Office is accurate. Inaccurate account numbers may delay the deposit of funds. Employees are solely responsible for correcting any erroneous deposits made with depositories due to the failure of the employee to timely report changes or for providing inaccurate account information.

### **Pay Period**

The pay period is established by the Auditor's office each January 1<sup>st</sup> and is normally a two-week period beginning at 12:00 a.m. on a Saturday.

### **Work Period**

The work period for payroll purposes and for computing overtime for nonexempt employees begins at 12:00 a.m. Saturday and ends at midnight on the second Friday following the start of the pay period.

### **Overtime Pay and Compensatory Time**

It is the intent of Benton County to comply with the Fair Labor Standards Act and any subsequent amendments. The following section does NOT apply to employees classified by FLSA as executive, administrative, or professional, except as set out in paragraphs 3 & 4 below. In accordance with the Fair Labor Standards Act, Compensatory time – overtime pay shall be allowed as follows:

1. An employee whose normal work week consists of 37½ hours, is allowed one hour compensatory time for each hour of actual work from 37½ to 40 hours in a work week. Compensatory time shall be allowed at the rate of 1½ hours off for each hour worked over 40 hours in a work week. Any hours worked over the normal work hours in a work week (37½ hours or 40 hours) shall be approved by the department head prior to working beyond the 37½/40 hours. Hours worked between 37 ½ and 40 hours is at the straight time rate of pay. *For the purpose of calculating compensatory time, an employee may only count actual hours worked; time taken off for holidays, sick leave, vacation or as compensatory time during a work week do not count as hours actually worked.* **Compensatory time not reflected on the time sheet(s) filed with the Auditor's Office will not be recognized.**
2. Overtime pay may be allowed in lieu of compensatory time and shall be paid at any time in part or in full at the discretion of the department head. "Overtime

pay” is the amount which is 1.5 times the regular hourly rate for those employees paid on a per hour basis. Overtime pay will be granted only for hours worked in excess of 40 hours in a work week. Overtime pay shall be allowed only when it is specifically requested and approved by the department head where the employee works.

3. Compensatory time may be granted to department heads, bona-fide executives, administrators and professionals. The department head who grants compensatory time to an employee in any of these categories must do so in writing, and provide a copy to the Auditor’s Office.
4. An employee, except Conservation employees, may accrue no more than 60 hours of compensatory time over a period of 90 days. Conservation employees, due to the seasonal nature of their work may accrue no more than 480 hours during their peak season. An employee must use accrued compensatory time before using vacation time. An employee who has not used compensatory time accrued in a fiscal year shall be paid for all accrued compensatory time remaining at the end of that fiscal year on the first payroll of the succeeding fiscal year, except for Benton County Conservation employees, who will be paid for compensatory time not used by first full pay period in March of each year.
5. The department head may tell an employee to leave the place of employment in order to prevent accrual of compensation time, or may require the employee to use accumulated compensation time.
6. Compensatory time may be taken at the request of the employee only as scheduled by the department head.
7. Each department is to see that an accurate record of compensatory time and overtime pay is kept. These records shall be maintained for a period of 3 years and shall be reasonably accessible to the employee.
8. In the event of employment separation, accumulated compensation time shall be paid as overtime pay. The rate used shall be the actual rate of salary upon separation from service or the average salary of the last three years of employment, whichever amount is greater.

## **EMPLOYEE WORK HOURS**

**3.3**

*(This section does not apply to elected officials or to FLSA “exempt” employees, except as noted.)*

A normal workday shall consist of 7-1/2 or 8 hours, excluding lunch hours, dependent upon job classification.

The provisions regarding work hours may be amended by a resolution adopted by the Board of Supervisors. Any such amendments will be incorporated into the Employee Handbook at the time of the next revision to the Employee Handbook.

Any employee absent due to reasons other than those allowed in the benefit package shall either receive no pay (see Unpaid Leave of Absence Section 4.9), or use vacation or compensatory time, as approved in advance by the department head.

75 hours or 80 hours (dependent upon normal work hours) of employment during a pay

period is standard. Should a regular full-time employee work less than 75/80 hours in a pay period, the number of hours less than 75/80 shall be deducted from accumulated compensatory time. If the employee does not have any compensatory time accumulated the number of hours less than 75/80 shall be designated vacation, sick leave if applicable, or at no pay.

Employees must have prior written approval from the department head in order to take time off without pay.

All employees, except elected officials, are required to file a time sheet with their department head or designee, indicating the hours worked in a pay period. The time sheets will also indicate the hours of compensatory time and vacation time used and/or accrued during the pay period, if applicable.

The department head is responsible for filing their employee(s)'s time sheet(s) with the Auditor's office no later than 10:30 a.m. on the Monday following the end of a pay period. When the Monday following the end of a payroll period falls on a holiday, timesheets must be filed with the Auditor's office no later than 2:00 p.m. on the Friday ending the pay period. Time sheets not turned into the Auditor's office by the time set out above may result in your paycheck being delayed until the payday for the following pay period.

**Breaks and Lunch Periods** Each employee shall receive an unpaid one hour lunch break, which shall be scheduled by the department head. Lunch breaks shall be staggered among the employees of each office.

A maximum of two paid breaks of up to fifteen minutes each may be allowed at the discretion of the department head.

**Employees should check with their department head to determine if additional departmental restrictions or guidelines apply to their work schedule.**

## SECTION FOUR: TIME OFF BENEFITS

### HOLIDAYS

4.1

Benton County recognizes certain days of importance as holidays and pays full-time employees for time off on these days in accordance with eligibility rules explained in this section. The County observes the following holidays:

New Year's Day	Veteran's Day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve
Labor Day	Christmas Day

Should a holiday fall on a Saturday, the preceding Friday will be observed as the holiday. Should a holiday fall on a Sunday, the following Monday will be observed as

the holiday.

The following schedule will apply in observing Christmas Eve/Christmas Day when Christmas Eve falls on a weekend:

If Christmas Eve is on a Saturday, it will be Observed on the preceding Friday.

If Christmas Eve is on a Sunday, it will be Observed on the following Tuesday.

### **Pay For Holidays Worked**

Depending on the services provided by your department or office, you may be required to work on a holiday. If an employee is required to work on a recognized holiday, he/she will be granted another day off to be scheduled with the approval of the department head. Employees are not compensated extra for working a holiday except as provided in Section 3.2.

New employees will be eligible for paid holidays at the onset of employment.

### **Two (2) Floating Personal Days**

All full-time employees will be awarded two floating personal days that renew annually on your anniversary date. Floating days may be taken at a mutually agreed upon time with sufficient notice to the department director or designee. If these days are remaining at your anniversary date, they will be forfeited. All new hires are awarded these floating days with their first payroll regardless of their date of hire. Days must be taken as a full work day and can't be split.

Temporary, seasonal and part-time employees and those that are on unpaid leave of absence are not eligible for holiday pay, or floating holidays.

## **VACATION**

**4.2**

A regular full-time employee is eligible to receive vacation as follows:

<b>Anniversary Date:</b>	<b>Days Granted:</b>
Upon Hire	5 days
Starting at 6 months of employment	5 additional days
Starting 1 <sup>st</sup> year of employment	10 days
Starting 2 <sup>nd</sup> year of employment	10 days
Starting 3 <sup>rd</sup> year of employment	10 days
Starting 4 <sup>th</sup> year of employment	10 days
Starting 5 <sup>th</sup> year of employment	15 days
Starting 6 <sup>th</sup> year of employment	16 days
Starting 7 <sup>th</sup> year of employment	17 days
Starting 8 <sup>th</sup> year of employment	18 days
Starting 9 <sup>th</sup> year of employment	19 days
Starting 10 <sup>th</sup> year of employment	20 days
Starting 11 <sup>th</sup> year of employment	21 days

Starting 12 <sup>th</sup> year of employment	22 days
Starting 13 <sup>th</sup> year of employment	23 days
Starting 14 <sup>th</sup> year of employment	24 days
Starting 15 <sup>th</sup> year of employment	25 days – maximum vacation

New employees may be granted additional paid vacation days upon hiring (not to exceed 25 days), at the discretion of the department head and with the approval of the Board of Supervisors.

All vacation is based on continuous employment.

The scheduling of vacation time must be approved in advance by the department head. Vacation time earned shall be based on the employee’s anniversary date.

All vacations must be taken during the twelve-month period following the anniversary date of qualifying employment unless approved in writing by the official in charge with a written copy to the Auditor’s Office with a copy provided to HR prior to the employee’s anniversary date. Vacation time carried over must be taken within the time period specified by the department head. No more than ten days may be carried over in this fashion. An employee who has not used his or her vacation time and has not been granted an extension as set out above will lose that time.

Temporary, seasonal and part-time employees are not eligible for paid vacation leave.

Vacation time may only be “cashed in” upon separation from employment or upon written approval of the department head and the Board of Supervisors. To be eligible for annual leave payout, you must be employed with the county for over 180 days.

**SICK LEAVE**

**4.3**

Regular full-time employees will accrue sick leave at the rate of 5.5 hours per 75/80-hour pay period. The maximum number of hours that an employee will be able to accrue is 750 hours for those employees whose normal workday is 7½ hours and 800 hours for those employees whose normal workday is 8 hours. Should an employee go below 750/800 hours, they will again accrue at the rate of 5.5 hours per pay period. If in any pay period an employee used more that 37½ or 40 hours of sick leave depending on the employee’s normal work week, no sick leave will be earned for that pay period.

Accumulated sick leave may be used for any of the following:

Illness, injury, medical, vision or dental appointments of employee, partner, parent or child. In such cases, sick leave shall be charged in half-hour increments with a minimum of ½ hour. Absence of more than ½ hour shall be charged at the next highest half-hour.

It is the intent of Benton County to comply with the Federal Family Medical Leave Act and its amendments. Employees should refer to Benton County’s policy “Family Medical Leave”.

The department head may, at their discretion, request verification by a healthcare professional that an illness or injury has occurred.

### **PARENTAL LEAVE**

It is the policy of Benton County to grant parental leave upon the request of the employee for the birth of a child, or placement of a child with the employee for adoption. Employees will be granted three weeks of paid leave time. Anything beyond this would be unpaid unless employee has other leave banks with time available.

### **SICK LEAVE CONVERSION**

At the request of an employee who has reached the maximum accumulation of sick leave (100 days) at the beginning of a month and does not use any sick leave during that month, the hours of sick leave the employee would have accrued during that same month may be converted as follows:

- a. into vacation time at the rate of five sick hours to one vacation hour (5:1), OR
- b. to pay at the rate of five hours of sick leave to one hour of pay (5:1).

Employee requests for conversion must be filed with the Auditor's Office at a minimum of two times a year. Requests for conversion on hours earned prior to June 1<sup>st</sup> must be filed by June 1<sup>st</sup> of that year and requests for conversion on hours earned between June 1<sup>st</sup> and December 1<sup>st</sup> of each year must be filed by December 1<sup>st</sup> of that year. Employees not requesting conversion in accordance with the stated dates will not be eligible to convert the sick leave hours earned in accordance with this section. This does not prohibit employees from requesting conversion on a more frequent basis.

Sick leave conversion to vacation time will be subject to all of the provisions of this handbook pertaining to vacation time.

Sick leave shall expire on the date of separation from the County and no employee shall be reimbursed for sick leave outstanding at the time of such separation. There shall be no payout of any sick leave balance for employees who involuntarily terminate or resign in lieu of termination, or if you fail to provide 30 days-notice of your retirement.

### **DONATED LEAVE**

**4.4**

Benton County offers employees the ability to receive and donate leave due to a personal or immediate family member's catastrophic illness or injury.

#### Definitions

"Employee" means a full-time or regular part-time employee as defined in the County Employee Handbook.

"Recipient" means an employee who is receiving donated leave, "Donor" means an employee who is donating leave to a recipient.

“Immediate family member” means the employee’s child, parent, or spouse, as defined by the Family and Medical Leave Act section of the County Employee Handbook.

“Catastrophic illness” means a physical or mental illness or injury, as certified by a licensed physician, or an employee or an immediate family member that will result in the inability of the employee to report to work on their normal schedule for an extended period of time due to the need to attend to themselves or the immediate family member on a consecutive or intermittent basis.

“Donated leave” means a donor’s personal day, vacation or sick leave donated to a recipient.

### Program Eligibility

In order to receive donated leave, a recipient must:

1. Have a catastrophic illness or have an immediate family member with a catastrophic illness, and whom the employee is providing care, which may include transportation or other necessary services.
2. Have exhausted, or will exhaust within 2 weeks, all paid leave for which they are eligible.
3. Not be receiving Federal or State disability benefits for the catastrophic event that you are requesting the donated leave for.
4. Be approved for and using or have exhausted Family and Medical Leave Act (FMLA) leave.
5. Submit a completed Donated Leave Request form to their Department Head. All employees, exempt or non-exempt, are eligible to request donated leave.

### Program Requirements

- A. Vacation hours, personal day hours and sick hours will be donated on an hour for hour basis.
- B. Recipients will not be eligible to receive paid holidays, accrue vacation, accrue sick leave, or accrue longevity based on donated leave hours.
- C. A donor may donate as much of their accrued vacation, sick, and personal time as they wish.
- D. A recipient may receive up to 120 days calculated using the recipient’s normal workday hours of donated leave. A recipient may receive more than 120 days if department head agrees. The recipient may work intermittently to extend their period of donated leave if approved by their department head.
- E. Donated leave shall not be returned to the donor once donated. All unused leave is

forfeited.

### Procedure

Donated Leave Request from Human Resources. Upon the submission of a completed Donated Leave Request, the Human Resources Office will distribute a notice to all departments indicating that an employee is eligible to receive donated leave. Donors may then submit Donated Leave Contribution forms to their department head for signature. Once signed, department heads will forward to Human Resources for signature. The Human Resources office will then send completed forms to Auditor's Office so the time can be added to the recipient's leave bank.

Confidentiality of donors and recipients will be maintained to the extent possible.

The recipient shall only use the donated leave for the specific leave requested on the Donated Leave Request form.

Union employees may donate leave to non-union employees under the provisions of their negotiated contract. Non-union employees may donate leave under the provisions of this Employee Handbook.

## **FUNERAL/BEREAVEMENT LEAVE**

**4.5**

Employees may be granted up to (5) days of paid time off in the event of the death of a family member subject to department approval. A family member is defined as, and limited to the employee's spouse or domestic partner, children, grandchildren, step children, legal wards, parents, grandparents, stepparents, brothers, stepbrothers, sons-in-law, brothers-in-law, sisters, stepsisters, daughters-in-law, sisters-in-law, aunts, uncles, nieces, nephews, first cousins, corresponding relatives of the employee's spouse or domestic partner, and other persons who are members of the employee's household. This also includes loss of pregnancy.

The department head may, at their discretion, request verification of the loss of life. One day shall be granted to those who officially participate, (e.g. pall bearer or color guard) in the services of a non-family member.

## **JURY AND WITNESS DUTY**

**4.6**

Any full-time or regular part-time employee required to report for jury duty shall receive a paid leave of absence for the time spent on duty subject to the requirements of this policy. All other employees shall receive an unpaid leave for jury duty.

While on paid jury leave, the County will continue your regular salary, but you must submit certification of the number of hours spent in such service and assign any compensation you receive in connection with the duty, less any reimbursement for travel or meal expenses, to the County. Employees on unpaid leave for jury duty will retain compensation received for jury service.

Any employee subpoenaed to appear as a witness in a civil or criminal proceeding may



use earned vacation or accrued compensatory time (if applicable) with department head approval or may apply for an unpaid leave of absence under Section 4.9 of this handbook. All employees summoned to jury duty or witness duty must submit a copy of the summons to their supervisor within two working days after receiving the summons. Employees on jury ;or witness duty are expected to promptly return to work when released from service, either permanently or temporarily.

Hours spent by any employee appearing as a witness in any job-related legal proceeding at the direction of the County shall be considered to be work time.

## **FAMILY AND MEDICAL LEAVE**

**4.7**

It is the policy of the County to provide unpaid family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) of 1993. Whether or not a particular situation is covered by FMLA depends on whether the law's requirements have been met, not on whether an employee actually requests FMLA leave. The County will designate leave as FMLA leave if the employee is eligible for FMLA leave and if the law's other requirements are satisfied, even if the employee has not requested FMLA leave.

### **Leaves Available**

An eligible employee will be granted up to twelve (12) work weeks of unpaid, job-protected leave each twelve-month period for any of the following qualifying reasons:

1. The birth of and/or need to care for your newborn child;
2. The placement of a child with you for adoption or foster care;
3. The need to care for your spouse, child, or parent with a serious health condition; or
4. A serious health condition that makes you unable to perform the functions of your job.
5. Because of any qualifying exigency (urgent need) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. Qualifying exigencies may include attending certain military events, arrangement for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post deployment reintegration briefings.

### **Service Member Leave**

An eligible employee who is the spouse, son, daughter, parent or next of kin (as defined by Iowa Code 29 CFR 825.122(e)) of a covered service member shall be entitled to a total of 26 work weeks of leave during a single 12-month period to care for the service member with a serious injury or illness. The 26 work weeks is a combined total with other reasons for FMLA leave. For example, if an employee had used 6 weeks of FMLA leave for his/her own serious health condition, 20 weeks would be available during that 12-month period for service member leave.

## **Eligibility Requirements**

To be eligible for family and medical leave, you must have worked for the County for at least twelve (12) months, and for at least 1,250 hours during the twelve (12) months immediately preceding the start of the leave.

## **General Provisions**

For purposes of this policy:

“**Child**” means son or daughter under 18 years of age, or a child 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual daily responsibility for care and includes a biological, adopted, foster or stepchild.

“**Parent**” means the employee’s biological parent, or an individual who stood in place of the parent of the employee. "Parent" does not include parents-in-law.

“**Serious health condition**” means an illness, injury, impairment, or physical or mental condition that involves

- inpatient care in a hospital, hospice, or residential medical care facility; or
- a period of incapacity that requires absence from work for more than three consecutive calendar days AND involves either two or more treatments by a health care provider, or at least one treatment by a health care provider plus a regimen of continuing treatment; or
- any period of incapacity due to pregnancy or for prenatal care;
- a chronic serious health condition;
- long-term conditions for which treatment may not be effective; or
- multiple treatments and recovery there from.

“**Spouse**” does not include an unmarried domestic partner.

The “**twelve month period**” during which the leave entitlement occurs is designated as the employee’s anniversary year.

**Married employees:** If you and your spouse are both employed by the County, and are both eligible for family and medical leave, you and your spouse will be limited to a combined total of twelve (12) weeks of family and medical leave a year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement of a child with you for adoption or foster care, or to care for the child after placement; or to care for your parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of your spouse or child, or because of your own serious health condition.

## **How and When Leave May Be Taken**

Family and medical leave is taken either in consecutive work weeks; intermittently in separate blocks of time; or by reducing the number of days you work per week, or hours per day.

**Intermittent or reduced schedule** leave may be taken when medically necessary to care for your spouse, child, or parent with a serious health condition, or because of your

own serious health condition. You must provide the County with medical certification of the need for intermittent or reduced schedule leave and must attempt to schedule your intermittent or reduced schedule leave so as not to disrupt County operations. You may be transferred temporarily to an alternative position or schedule, with equivalent pay and benefits, which better accommodates the intermittent leave or reduced schedule. Leave for childbirth, adoption or foster care may be taken intermittently or on a reduced leave schedule only if the employee's department head agrees to the proposed intermittent or reduced leave schedule.

Leave for the birth of a child or placement of a child for adoption or foster care must be taken within twelve (12) months of the birth, adoption or placement.

### **Notice and Planning Requirements**

If you know in advance that you will be taking leave because of birth, adoption or placement of a foster child in your home, or because of planned medical treatment for you or a covered family member, you must notify your supervisor in writing using a "Request for Family/Medical Leave" form at least thirty (30) days in advance.

When the need for leave is foreseeable based on planned medical treatment for you or your covered family member, the County expects you to consult with your department head and to make a reasonable effort to schedule the treatment so as not to unduly disrupt County operations.

In the event the timing of the leave is not foreseeable, you are required to give notice of the need for leave as soon as practicable, generally within no more than one or two working days of learning of the need for leave.

### **Medical Certification**

The County reserves the right to require written medical certification from the appropriate health care provider when leave is requested to care for a child, spouse, or parent with a serious health condition, or because of your own serious health condition. Medical certification forms are available from your department head or the County Auditor's Office. Certification will include the date of onset, the probable duration, type of treatment, and other appropriate medical facts concerning the condition. If you are seeking leave for your own health condition, the certification must also state that you are unable to perform the functions of your position. For leave to care for a family member the certification must state that you are needed to care for the family member, and an estimate of the amount of time you will be needed. Other certification requirements apply in the case of intermittent or reduced schedule leave.

In lieu of medical certification, a notice from a health care provider or legal documentation shall be accepted for birth, or placement for adoption or foster care.

The County may require recertification and periodic reports from employees during leave.

### **Use of Paid Leave**

The County will require you to use paid leave as part of your family and medical leave as follows:

1. You must use any accrued vacation, and then applicable sick leave (see use of 3 days of sick leave for family illness covered in section 4.3) for any portion of the twelve (12) week leave for birth, adoption, foster placement, or to care for a child, spouse, or parent with a serious health condition. All accumulated sick leave can be used for the care of your child, spouse, or parent with a serious health condition after all accrued vacation has been used.
2. You must use any accrued sick and then accrued vacation leave for any portion of the twelve (12) week leave to care for your own serious health condition. Any situations in which you use paid sick leave because you are unable to work due to a condition that qualifies as a serious health condition under this policy will be counted against your twelve week FMLA entitlement.

When you have used all required paid leave for any portion of a FMLA leave, the balance of the leave will be without pay.

### **Rights and Benefits During Leave**

Seniority and vacation will accrue only during periods of paid leave. Sick leave will accrue in accordance with the County's policy on sick leave. Please see section 4.3.

Eligible employees will be paid for any holidays occurring during paid FMLA leave. Holiday pay will not be paid during any unpaid FMLA leave.

All benefits which you had accrued before taking leave will be retained after returning from an approved FMLA leave, if not depleted during the leave.

While you are on family or medical leave, paid or unpaid, the County will continue your group health insurance coverage at the same level and under the same conditions that coverage would have been provided had you continued working. The employee will be required to pay the same cost of coverage as if he or she were actively at work. Employee contributions to the premium will be required either through payroll deduction or by direct payment to the County Auditor's Office by the end of the month for the following month's coverage. The employee will be informed of the amount and method of payment at the beginning of the leave. Loss of insurance coverage may result if the premium amount is more than thirty days late. If the employee misses a premium payment and the County pays the employee's contribution, the employee will be required to reimburse the County for the delinquent payment upon return from leave.

Under certain circumstances that are addressed in the FMLA administrative guidelines, if you fail to return to work after an approved FMLA leave, the County may require you to reimburse it for the amount the County paid for your health insurance premium during the leave.

### **Returning to Work**

At the conclusion of your FMLA leave, you will be restored to your former position, if that position is vacant, or one with equivalent pay, benefits, and conditions of employment, provided you have complied with the requirements of this policy.

Upon returning to work from leave due to your own serious health condition, you may be required to provide certification from your health care provider that you are able to resume work and are fit for duty.

If you fail to return to work after your approved FMLA request has expired, and you have not contacted the County, the County shall regard this as your resignation.

## **MILITARY LEAVE**

**4.8**

### **Leaves Available**

The County will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first thirty calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the thirty calendar days without loss of pay. If the leave is for a period of less than 30 days, only those days the employee normally works will count toward the 30 days of leave. Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the County's policies on vacation, personal, compensatory time, or unpaid leave, and with applicable state and federal law.

Employees must submit their written military orders to their department head prior to the commencement of the military leave.

### **Reemployment Rights - Eligibility**

Your eligibility for reemployment with the County after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the County for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service, you must report to work or submit a timely application for reemployment according to the following schedule:

For service of less than 30 days you must report to work by the beginning of your first regularly scheduled work day that would fall eight hours after you return home.

For service of 31 to 180 days you must apply for reemployment within 14 days after completing service.

For service of 181 days or more you must apply for reemployment no later than 90 days after completing service.

### **Continuation of Benefits During Military Service**

Employees on leave for military service and any of their dependents entitled to coverage under the County's health insurance plan are entitled to coverage as follows:

1. An employee that leaves employment for less than 31 days is entitled to continued health insurance coverage, and will not be required to pay more than what an active employee would pay for coverage.
2. An employee that leaves employment for more than 30 days is allowed to elect to receive continued coverage under the County's health insurance plan for up to 18 months following separation from employment or until the employee's reemployment rights expire, whichever event occurs first. The County may require the employee to pay up to 102% of the premium.

## **UNPAID LEAVE OF ABSENCE**

**4.9**

An employee desiring to take an unpaid leave must submit a written request for a leave of absence to the department head stating the reason(s) for the request. The written request must include the date the employee intends to be absent and the date the employee intends to return to employment. The department head may request supporting documentation from the employee. If the department head grants the leave, s/he must notify the employee and the Auditor's Office in writing of the beginning and ending dates of the leave. Any extension of the leave must be mutually agreed upon between the department head and the employee, and must be in writing, with a copy to the Auditor's Office.

An unpaid leave of absence shall not be allowed for a period of less than one week at a time, and no employee shall be granted more than two leaves under this policy during their employment with the County.

An employee granted a leave of absence shall not be eligible for holiday pay, vacation, sick leave, personal holidays, or any other fringe benefits, except as otherwise provided by law. An employee on leave shall not accrue retirement or seniority while on leave, and the employee's anniversary date shall be adjusted according to the length of the leave. Premiums for insurance normally paid by the employer will be paid by the employee for the duration of time the employee is on unpaid leave prior to the start of the approved unpaid leave of absence, if the employee elects to continue coverage.

If the employee does not return to work upon the expiration of the leave, the employee shall be deemed terminated. Upon return from the approved unpaid leave of absence, the employee will be returned to the employee's former job if still qualified, and if possible. Otherwise, an effort will be made to return the employee to a similar position based on the employee's seniority, qualifications, and ability as determined by the department head.

This policy does not apply to leaves allowed under FMLA or other federal and state laws, except as specified in those laws.

**Coverage**

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related injury or illness, you are covered by workers' compensation insurance. A determination as to whether a particular injury, illness or other occurrence will be accepted as being a work-related matter will be made by the County's workers' compensation insurance provider. The workers' compensation laws of the State of Iowa determine how employees receive medical care and how they are paid for lost work time as a result of a work-related injury or illness.

**Employee's Reporting Requirement**

An employee must report a work-related injury or illness to his or her Department Head immediately following the injury, or as soon as the employee has knowledge of the injury or illness. Immediately after notifying your department head, you or your Department Head must call the HR or Auditor's office to provide notification of the work-related injury or illness. The HR or Auditor's office will notify the representative of Heartland Insurance Risk Pool. If medical attention or treatment is required, which in almost all instances will be the case, employees are required to initially use the County-designated medical clinic, except in the case of an emergency that would prevent use of the County-designated medical clinic. Failure to report a job-related injury or illness as outlined above may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize your right to benefits in connection with the injury or illness.

**Workers' Compensation and FMLA**

A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with applicable Family and Medical Leave Act leaves in appropriate circumstances.

**Return to Work**

Before returning to work, an employee who has been receiving workers' compensation benefits must submit evidence satisfactory to the County that the employee is safely able to return to work.

**Eligibility** Temporary light duty assignments may be made by the County for employees with work-related injuries or illnesses who are covered by workers' compensation or for qualified individuals with disabilities that prevent them from performing their normal job duties. In either case, eligibility for light duty is limited to employees for whom the assignment would be a progressive step in their return to work.

An employee with a job-related injury or illness who refuses a light duty assignment may lose workers' compensation payments and will be placed on an unpaid Family and Medical Leave Act (FMLA) leave if the employee's condition qualifies as a serious health condition and the employee is eligible for leave under that policy. At that point, the

employer may require or the employee may elect to substitute accrued paid leave from the date the workers' compensation benefits cease.

### **Duration of Light Duty Assignments**

Assignment of light duty tasks within an employee's medical restrictions is intended to be for a temporary duration determined by the County. Light duty assignments will be documented with a list of the functions assigned and the duration of the assignment. Temporary light duty assignments are not intended to become regular assignments.

### **Medical Certification**

Before assigning temporary light duty, the County will require medical certification from the employee's physician or other health care provider that the employee is unable to perform his or her normal job duties within medical restrictions, and that the employee is able to perform the proposed light duty assignment within medical restrictions. At the conclusion of the light duty assignment, the County will require fitness-for-duty medical certification to determine whether the employee is able to return to his or her normal job duties.

### **Return to Work After Light Duty**

If, at the end of the temporary light duty assignment, the employee is able to perform his or her normal job duties without posing significant risk of harm to his or her health or the safety or health of others, the employee may return to his or her normal position. If, at the end of the temporary light duty assignment, the employee is not able to perform his or her normal job duties without posing significant risk of harm to his or her health or the health or safety of others, the County will review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restrictions can be reasonably accommodated to allow the employee to return to work.

## **SECTION FIVE: INSURANCE BENEFITS**

### **GROUP HEALTH INSURANCE**

**5.1**

Benton County provides a group health insurance program for regular full-time, full- and part-time elected officials and part time employees who are eligible for coverage. Provisions of this policy that are not in conflict with bargaining contracts also apply to bargaining unit employees. The County reserves the right to select a carrier of its choice to provide the coverage or to modify the plan at any time.

### **SPECIFIC PROVISIONS**

#### **1. Eligibility**

- a. Coverage Begin Date: An employee is eligible for coverage effective the 1st of the month following 30 days of employment (*i.e. an employee whose employment begins on 1/15, and after working 30 days, would be eligible for coverage on 3/1, etc.*). Enrollment papers must be filed with the HR or Auditor's



office within 31 days of employment. Failure to file within 31 days may result in the employee being considered a late enrollee.

b. **Coverage End Date:** Employees who are separated from or leave employment on or before the 15<sup>th</sup> day of the month will have their insurance coverage terminated on the 15<sup>th</sup> day of the month of separation. The employee will not be entitled to any refunds of the monthly premium. Employees wishing to continue on the county's insurance through the last day of the month of separation may do so, but will be required to pay ½ of the county's share of the monthly premium. Payment must be received in the Auditor's office prior to the 10<sup>th</sup> of the month of separation.

Employees who are separated from or leave county employment after the 15<sup>th</sup> of the month will have their insurance coverage terminated on the last day of the month of separation.

c. **Coverage Continuation:**

1. *COBRA Election:* Terminated employees and/or their dependents may be eligible for continuation of group coverage under Federal law. Standard continuation for employee separation is 18 months. However, see the policy below (5.2) and also the HR or Auditor's office for detailed information on eligibility rules.

2. *Retiree Election:* For health insurance only, retirees (*as defined in Section 509A.13 of the Code of Iowa*) may continue coverage until age 65, or 18 months following retirement, whichever is longer. The County's group plan is primary only until age 65, at age 65 Medicare must be primary.

## 2. Coverage Description

a. See current benefits certificate/benefit plan booklet for plan details.

## 3. Cost of Insurance

a. **Full-time Employees:** The Employee's monthly premium contribution is an amount determined by the Board of Supervisors.

b. **Part-time Employees:** The Employee must pay 100% of the premium amount.

c. **Part-time elected employees (Board of Supervisors)** are treated as full time employees.

d. **Premium Pre-tax:** Health premiums may be handled on a pre-tax basis as part of the Flexible Benefits program, in accordance with Section 125 of the Internal Revenue Code.

e. **COBRA participants:** COBRA participants must pay 100% of the premiums, plus any applicable administrative fee.

f. Retiree participants: Retiree participants must pay 100% of the premiums, plus any applicable administrative fee.

g. Early Retirement Incentive: The Board may contribute towards a non-bargaining retiree's monthly premium cost. The Board reserves the right to offer, modify, or terminate the early retirement incentive at any time; however, the incentive offered at the time to those employees who elected to participate will remain in effect.

#### 4. Notification and Enrollment

a. Employees, Retirees, and COBRA participants must notify the HR or Auditor's office within 31 days of a family event to qualify to make coverage and plan type changes as a result of such event.

b. Participants must notify the HR or Auditor's office in writing ten days in advance to cancel coverage. No refund of premium shall be made to the employee; however, this does not prohibit Benton County from applying for a refund.

#### 5. Failure of Employee to Follow Proper Procedure

Benton County shall not be liable for any costs arising from an employee's failure to follow proper procedure when requesting and/or terminating coverage.

**Please contact the HR or Auditor's office for information on insurance plans, coverage, waiting periods and premium amounts.**

### **CONTINUATION OF MEDICAL COVERAGE**

**5.2**

#### **COBRA Continuation Rights and Obligations**

If you resign or your employment is otherwise terminated, or if your work hours are reduced, and consequently you or your dependents are no longer eligible to participate in the group health insurance plan offered by the County, you and your eligible dependents may have the right to continue to participate for up to 18 months at your (or your dependents') expense. The 18-month continuation coverage period provided in the event of your termination or reduction in working hours may be extended to 36 months for your spouse and dependent children, if, within that 18-month period, you die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if you enroll for Medicare during the 18-month period, your spouse and dependent children may be entitled to extend their continuation period to 36 months, starting on the date that you become eligible for Medicare.

If you are determined to be disabled under the Social Security Act at the time of your termination or reduction in hours, you may be entitled to continuation coverage for up to 29 months.

Your eligible dependents may extend coverage, at their expense, for up to 36 months in our group health insurance plans in the event of your death, divorce, legal separation, or enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.

If you or your eligible dependents elect to continue in the group health insurance plan, you may be charged the applicable premium plus an additional two percent. Failure to make timely payments may result in termination of coverage.

**The Benefit Administrator is the County Auditor’s Office.**

The Benefits Administrator will contact you concerning continuation options at the time termination occurs or your work hours are reduced. The Benefits Administrator will contact your qualified beneficiaries in the event of your death or enrollment for Medicare benefits. However, in the event that you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plan, you or your dependent is responsible for contacting the Benefits Administrator within 60 days to discuss continuation/conversion rights. You and your qualified beneficiaries are also responsible for notifying the County Auditor within 60 days of qualifying for social security disability benefits.

**Continuation Coverage under Iowa Code Chapter 509A**

Employees who retire from County employment before age 65 are eligible to continue enrollment for themselves and eligible family members in the County’s group health insurance plan up to Medicare eligibility. Coverage must be continuous; that is, the employee must elect the same coverage at retirement, and the retired employee must pay the full cost of the premium. For purposes of this section, a retired employee is one who has applied for and is receiving an IPERS retirement allowance.

**FLEXIBLE SPENDING**

**5.3**

Benton County currently offers pre-tax flexible spending. Employees should contact the HR or Auditor’s Office for information.

**SECTION SIX: WORK REGULATIONS AND DISCIPLINE**

**ATTENDANCE AND PUNCTUALITY**

**6.1**

Your position with the County exists because it is necessary to assure the smooth and efficient handling of daily County operations. The County expects all employees to assume responsibility for their attendance and promptness. You are expected to be at your work site/station on time each business day. In the event you are absent or late due to illness, accident, or other reason, inform your department head well in advance of your scheduled start time, so that your department can make other arrangements while you are absent. Absenteeism or tardiness that is unexcused or excessive in the judgment of the department head or supervising authority is grounds for disciplinary action, up to and including an unpaid suspension or termination. You are required to be present at the worksite

## **GENERAL EMPLOYEE OBLIGATIONS**

**6.2**

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Employees are expected to maintain good work habits including regular attendance and punctuality, and to conduct their job duties in an ethical fashion. Employees must avoid any activity outside of their employment with the County that would adversely affect their performance on the job or involve a possible conflict of interest. Employees must maintain the confidentiality of any protected information revealed to them during the course of their employment with the County.

## **OUTSIDE EMPLOYMENT**

**6.3**

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Employees shall not engage in any outside employment activity or enterprise that is inconsistent, incompatible with, or interferes with the employee's ability to effectively perform assigned duties for the County.

The County expects regular, full-time employees to consider County work their primary employment. Any other employment must be compatible, without conflict of interest, or schedule.

Employees may not engage in outside employment or self-employment activities, that prevents an employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is an expectation of the employee's job; activities that involve so much of the employee's time that it impairs the employee's attendance or efficiency in the performance of duties assigned by the County; or activities that may reasonably be perceived by members of the public to constitute a conflict of interest or otherwise discredit public service.

Employees who engage in any outside employment or self-employment must notify their department head in writing of such activities.

## **CONFLICTS OF INTEREST**

**6.4**

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It is the intent of Benton County that all county employees abide by Iowa Code Section 331.342 regarding conflicts of interest. Employees must avoid any activity outside of their employment with the county that would adversely affect their performance on the job or involve a potential or apparent conflict of interest. No county employee shall sit on a board, committee or commission if there is a legal conflict. Members of the Board of Supervisors are exempt by law from this prohibition. Any employee who may have such a conflict shall contact the County Attorney's Office for a legal determination of whether a conflict exists.

Employees in violation of this policy must remove themselves from the position causing the conflict of interest immediately. Failure to remove themselves from the position causing the conflict of interest shall result in disciplinary action.

## **DRESS AND GROOMING**

**6.5**

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Because you may be in daily contact with the public, the public will remember you as a

representative of the County. Employees are required to dress appropriately considering the demands of their particular position.

## **EMPLOYEE LICENSES AND CERTIFICATIONS**

**6.6**

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It is the employee's responsibility to keep licenses and/or certifications current. All required licenses and certificates shall be brought to the appropriate department head to be copied for the employee's personnel file. Failure to keep required licenses and certifications current may result in disciplinary action, up to and including the termination of employment.

## **USE OF COUNTY PROPERTY**

**6.7**

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It shall be the policy of Benton County to prohibit employees from using or permitting the use of any property owned by Benton County for the personal convenience or advantage of the employee or any other person, except for that use which is generally available to the public.

For purposes of this policy property shall include but is not limited to the following:

1. Real Property
2. Personal Property
3. Equipment
4. Labor
5. Service Supplies – new, surplus, scrap, or obsolete.

Nothing in this policy shall be construed as prohibiting county employees from using county equipment outside of their normal place of employment or hours of employment provided said use is for county purposes.

Violation of this policy may result in disciplinary action, which can include, but is not limited to, reprimand, suspension, or dismissal from employment.

## **COUNTY OWNED VEHICLES**

**6.8**

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1. County owned vehicles shall be used for the purpose of conducting business for Benton County.
2. A Benton County employee shall observe all the laws of the State of Iowa pertaining to the operation of a motor vehicle while operating a county owned vehicle. This paragraph shall not be construed as to prohibit a county employee from performing his/her prescribed duties, which includes but is not limited to, snow removal and road maintenance, etc.
3. A Benton County employee shall not use a county owned vehicle for his/her own personal use.

4. A Benton County employee shall limit passengers in a county owned vehicle to other employees of Benton County, persons for the purpose of conducting county business, or as may be provided by the Code of Iowa, except in emergency situations.
5. The Benton County employee shall be responsible for checking the normal service items pertaining to the operation of the vehicle assigned.
6. The operation of a county owned vehicle at times other than Benton County's normal working hours shall be approved by the Head of the Department or the Benton County Board of Supervisors. These operations shall include but would not be limited to emergency maintenance operations, construction and other county functions.
7. The use of a county owned vehicle by an employee shall be for the convenience of Benton County and shall not be taxable to the employee.
8. Violation of this vehicle policy by any county employee shall result in discipline and/or discharge.
9. Smoking shall be prohibited in county-owned vehicles

## **CREDIT CARDS**

**6.9**

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For departments which have credit cards, each department head or elected official is responsible for credit cards issued to their department. The maximum credit limit is set at \$2,500.00. The Board of Supervisors may authorize a higher limit if it is deemed appropriate. Credit cards are to carry no annual fees. Credit card users and credit limit approvals are at the discretion of the Board of Supervisors.

### *Policy Requirements*

1. The Department Head or elected officials are responsible for assuring that the cardholder receives and reads a copy of this credit card policy prior to issuance of a card.
2. The department head or elected official shall authorize all credit card usage within their department. Such includes the department head or elected official approval of expenditures made with a credit card. Any employee charging through the credit card system is responsible for arranging the sales tax exempt status of Benton County.
3. All credit card invoices shall be immediately submitted for payment to avoid finance charges, **and in no event shall they be submitted later than 10 business days after the credit purchase.** All credit card bills shall be accompanied by a detailed itemized receipt for each charge. Charges not accompanied with a receipt will be the responsibility of the employee. Department Heads or elected officials are responsible for timely submission of

credit card statements with original, detailed, and itemized receipts for each charge on the statement to the Auditor's office. Finance/late charges will be the responsibility of the department head or elected official. Confirmation statements, shipping receipts or similar reports may be used to document telephone orders, e-mail orders or fax orders. Charges not accompanied with a receipt will be the responsibility of the employee. Repeated occurrences of untimely submission of statements and receipts may result in suspension or cancellation of card privileges as deemed necessary by the Department Head, Elected Official or Board of Supervisors.

4. The monthly credit card statement is required to be submitted to the Auditor's office each month, regardless of whether any charges have been incurred or not.
5. No food or drink purchases are allowed on the credit card. Further, the County credit cards shall not be used for the employee's personal purchases or any family member's expenses. Even if the employee intends to reimburse the County later, it is still prohibited. Cash advances, tips/gratuities and purchases of alcoholic beverages on a county credit card are not allowed under any circumstances. Charging personal expenses on credit cards is a misuse of County funds and will result in disciplinary action.
6. The only eligible travel expenses that may be charged on the credit cards are those noted in the Benton County Mileage and Expense Reimbursement Policy 2.7. All per diem amounts and restrictions within that policy are still applicable. Any other use while traveling is prohibited.
7. All charges are subject to the maximums set forth in other county policies.
8. **Any misuse of a county credit card may result in disciplinary action, up to and including termination.**
9. Employees who have county credit cards in their possession shall be responsible for protecting the credit cards from unauthorized use. Lost or stolen credit cards shall be immediately reported to the department head or elected official so that the proper procedure is followed to cancel the card. Department Heads or Elected Officials shall notify the Auditor's office of lost or stolen cards immediately, and if the loss or theft of the card is discovered after normal business hours then this notification shall be made the very next business day.
10. For record keeping purposes, Department Heads or Elected Officials shall maintain/provide the Auditor's office with the number of cards issued to a department, a current list of employees issued credit cards, and all pertinent information for each card such as card number, expiration date, and authorized users.
11. Each cardholder and person authorized by the card holder to use the card must read and sign a "Benton County Credit Card Agreement" form (Attachment A) setting forth their obligations under this program and file the Credit Card Agreement form with the Auditor's office. The employee's signature will evidence that the employee has read this policy and agrees to comply with all of its provisions. This signed copy will be kept in the employee's personnel file maintained in the Auditor's Office.
12. Any employee noting cardholder irregularities (i.e. overdue claims or non-business expense) will report the information to the County Auditor.
13. When terminating employment or changing departments, credit cards must be turned in to the department head, elected official or the Auditor's Office. The

- associated credit card must be completely canceled. A new card should be issued for the incoming employee to ensure proper financial management and security. Use of the credit card or its account number after it is turned in is prohibited.
14. When using the credit card for internet purchases, cardholders are advised to use best practices to insure they are purchasing from a secure website.

These are overall guidelines for the issuance and usage of Benton County credit cards. Department Heads or elected official may implement more restrictive policies and procedures but may not adopt any that are less restrictive. If Department Heads or elected official implement a more restrictive policy, the Auditor's Office must retain a copy of policy and procedure.



**Benton County  
CREDIT CARD AGREEMENT**

Employee: \_\_\_\_\_ Department: \_\_\_\_\_

Approve by (Department Head/Elected Official/Board of Supervisors): \_\_\_\_\_

The employee listed above has been provided with a copy of the County’s credit card policy, and hereby agrees to comply with all terms and conditions set forth therein, including but not limited to:

- 1. County credit cards are for official County use only. I understand that any misuse of the County credit card may result in disciplinary action, including termination of employment.
- 2. Credit card payments must be processed on a timely basis. All charges need accompanying original, detailed, and itemized receipts. If appropriate receipts are not turned in and cannot be produced, I agree to reimburse the County for any undocumented charges or any charges that do not comply with county policies.
- 3. The credit card will be immediately surrendered upon retirement, termination or upon request of the Department Head, Elected Official or a representative of the Board of Supervisors. I understand that the use of the credit card for any purpose after its surrender is prohibited.

I have read Benton County’s Credit Card Policy and procedures and accept them.

**If permanently issuing card to individual:**

Cardholder Signature \_\_\_\_\_ Date Issued \_\_\_\_\_

**If checking out a credit card for temporary use:**

Cardholder Signature \_\_\_\_\_ Date Checked Out \_\_\_\_\_

Cardholder Signature \_\_\_\_\_ Date Checked In \_\_\_\_\_

## **TOBACCO USE**

**6.10**

Iowa law prohibits smoking in enclosed public buildings, vehicles, and on public grounds. Benton County prohibits any form of smoking (e-cigarettes, vaping, etc.) in all county buildings, all county-owned vehicles, and on county owned property with the following exceptions:

Persons may smoke at the following locations:

1. The parking lot located across the street east of the law enforcement center
2. The parking lot located across the street east of the courthouse
3. The parking lot located south of the secondary road's main facility in Vinton
4. Areas where the general public may park while conducting business with county offices

Benton County Conservation is responsible for enforcement of the smoking ban under their jurisdiction.

A no-smoking sticker shall be displayed on all county vehicles. Vehicles used for undercover criminal investigations are exempt from the sticker requirement but are subject to the no-smoking policy.

## **INVESTIGATIONS**

**6.11**

All employees are required to fully cooperate with any member of management who is conducting a work-related investigation. Employees will be disciplined for lying to any member of management, or providing information to any member of management which is dishonest, misleading, inaccurate, or incomplete.

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any member of management. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by management, and discouraging other individuals who may be contacted by management from responding to or cooperating with management. "Failing to cooperate" includes, but is not limited to, failing to provide information, documents, or materials requested by management, and providing information, documents, or materials to management which are dishonest, misleading, inaccurate, or incomplete.

## **GUIDELINES FOR EMPLOYEE CONDUCT AND DISCIPLINE**

**6.12**

In order to maintain safe, efficient and harmonious operations, and to continue to provide the highest standard of public service, the County has adopted the following rules outlining examples of unacceptable employee conduct. Each rule reflects a common understanding of what behavior is acceptable in the workplace.

These rules can be modified by the County as changing conditions warrant. The County may take whatever disciplinary action it deems appropriate in response to an offense, even if it is not included in the following list. You must understand that any offense, whether or not it is included in these work rules, may result in disciplinary action, up to and including immediate termination, without prior warning.

The County expects your complete cooperation in observing these rules which have been designed for our common protection and benefit.

### **Employee Conduct**

While it is not possible to list all the offenses for which you will be disciplined, the following are examples of inappropriate, unacceptable conduct:

1. Unsatisfactory work performance.
2. Falsifying employment or other job-related records.
3. Violating the County's policy against workplace harassment of any kind.
4. Establishing an unacceptable pattern of tardiness or absenteeism or failing to report for work without notification to the County.
5. Unauthorized failure to return from a leave of absence.
6. Engaging in unnecessary, or unauthorized use of County property or supplies, particularly for personal use.
7. Reporting to work intoxicated or under the influence of non-prescribed drugs, alcohol, or other substances.
8. Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
9. Bringing or using alcoholic beverages or illegal drugs to or in County workplaces or using alcoholic beverages while engaged in County business off of County premises.
10. Fighting or using obscene, abusive, or threatening language, or any other behavior the County believes jeopardizes the safety of the public or other County employees.
11. Stealing property of coworkers, customers, clients, or the County.
12. Having unauthorized firearms or other weapons on County premises or while on County business
13. Disregarding smoking, safety or security regulations.
14. Engaging in insubordination or failing to cooperate with assigned employees, co-workers, supervisor, or managers.
15. Failing to follow County job instructions or to perform work requested by a supervisor or manager.
16. Violating a county safety rule or practice or creating or contributing to unsafe, unhealthy, or unsanitary conditions.
17. Failing to maintain confidentiality of County, client, patient, or customer information.
18. Failing to maintain necessary licenses and/or certifications.
19. Failing to maintain motor vehicle insurability.
20. Engaging in activity outside of employment with the County that would adversely affect your performance on the job or involve a possible conflict of interest.
21. Violating a provision of this Employee Handbook.

## **Discipline**

The County reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including immediate termination, without regard to the progressive discipline guidelines explained below.

The County may determine that an offense may be corrected using progressive discipline. Situations that the County believes will respond to corrective discipline may be handled as follows:

1. **Verbal Warning** The employee's supervisor may give the employee a verbal warning.
2. **Written warning:** If the unsatisfactory conduct continues, the employee's department head may issue a written warning.
3. **Suspension:** If sufficient improvement has not been made, or if the conduct continues, the employee may be suspended without pay.
4. **Termination:** If the conduct continues, the County may terminate the employment of the employee.

## **SECTION SEVEN: DRUGS AND ALCOHOL IN THE WORKPLACE**

### **DRUGS AND ALCOHOL IN THE WORKPLACE**

**7.1**

The County requires all employees to report to work on time and in the appropriate mental and physical condition for work. Employees using alcohol or drugs in the workplace or in the course of their employment are subject to discipline up to and including termination.

The County recognizes that drug and alcohol dependency and abuse pose major health, safety and security problems. Employees needing help with such problems are encouraged to use resources available through the Iowa Substance Abuse Information Center at 1-800-247-0614.

### **DRUG FREE WORKPLACE AND DRUG AND ALCOHOL TESTING POLICY**

**7.2**

Benton County has an interest in maintaining safe, healthful and efficient working conditions for its employees. Being under the influence of an illegal drug or of alcohol on the job may pose serious safety and health risks not only to the user, but also to all of those who work with the user and to the general public as well. Benton County requires a drug-free workplace. For that purpose, the following conduct is prohibited:

- A. The use, sale, offering for sale, possession, distribution, or manufacture of illegal drugs, controlled substances, imitation controlled substances, or counterfeit controlled substances on the job, on employer premises, or in County vehicles;
- B. Any improper use of "legal" or health care provider-prescribed drugs on the job, on the County's premises, or in County vehicles.

- C. The use, sale, offering for sale, or possession of alcoholic liquor (beer, wine, or alcohol) on the job, on the County's premises, or in County vehicles; and
- D. Being under the influence of illegal drugs or controlled substances, alcoholic liquor (beer, wine, or alcohol) or improperly used prescription drugs on the job, on the County's premises, or in County vehicles.

Benton County Conservation is responsible for enforcement of the drug and alcohol ban under their jurisdiction.

### **Application**

This policy applies while employees are on the job, on the County's premises, in County vehicles, and to off-site lunch periods or breaks when an employee is scheduled to return to work. Employees may be asked to submit to chemical testing for workplace illegal drug or alcohol use if reasonable suspicion exists that they are under the influence while at work. If the employee refuses to submit to testing to detect the presence of illegal drugs or alcohol in the employee's body, they shall be subject to disciplinary action.

### **Post Injury Testing**

Employees will be subject to testing if they have suffered a work-related injury for which a report could be required under Iowa Code Chapter 85. It is permissible for the employee to obtain necessary emergency medical care, but the employee will be subject to post-injury testing and must remain available for testing or the employee will be deemed to have refused to submit to testing.

Alcohol tests will be administered as soon as practicable but no later than 8 hours after the injury. Tests for controlled substances will be administered as soon as practicable but no later than 32 hours after the injury.

### **Drug testing of employees required to maintain a commercial driver's license**

Federal law requires drug testing of certain employees required to have a commercial driver's license (CDL). Employees covered by those federal regulations will receive a supplement to this substance abuse policy.

### **Employee Assistance Program (EAP)**

Employees may seek drug counseling, rehabilitation, or assistance through the Abbe Center for Community Health, the Area Substance Abuse Council and through many other institutions and individuals.

### **Drug and Alcohol Policy for Transportation-Adopted January 8, 2019**

\*\*Only applies to employees in the Transportation Department

\*\*See Addendum

## SECTION EIGHT: INFORMATION TECHNOLOGY

### **DEFINITIONS**

**8.1**

**DEPARTMENT HEAD:** As used in this policy, Department Head includes the Board of Supervisors, Elected Officials, appointed Department Heads and their designees.

**ELECTRONIC MEDIA:** Any electronic device designed to transmit, receive, or store information in the form of data, voice, video, or Internet.

**IT DEPARTMENT:** The IT Department refers to the County Information Technology Department. **IT COORDINATOR:** The IT Coordinator refers to the IT Director or designee

### **USE OF ELECTRONIC MEDIA - GENERAL**

**8.2**

#### **Authorized Use**

Employees are responsible for safeguarding County information and assets by complying with this policy. Only employees or other users who are given authorized access may utilize computerized electronic communications. Electronic communications are for County business use only, except where noted otherwise.

Employees should not say, do, write, view, or acquire anything that would not be considered to be County Business; that does not require access to job related responsibilities; and/or that the employee wouldn't be concerned to have everyone in the world learn about if the electronic records were requested for disclosure. Each Department Head, in consultation with the IT Coordinator, is responsible for determining the types of electronic communication or services which are required to fulfill an employee's job responsibilities. The IT Coordinator, along with Department Heads, shall have responsibility for administration of this policy. This policy applies to all County employees and other authorized users of all types of electronic communications including, but not limited to, fax, Internet, Intranet, e-mail, messaging, attachments, downloadable files, and file systems (*network/local*). *No employee should consider their electronic communications private.* This policy covers all types of electronic communications with emphasis on the Internet and e-mail. These guidelines are not all-inclusive but are intended to illustrate both appropriate and inappropriate use.

Examples of appropriate uses of these resources include: Official intradepartmental communications with supervisors and other employees; Communications with members of professional organizations; Research of issues related to the County; Maintaining communication with supervisors and other employees when the employee is working off-site; Completion of reports and data entry; Retrieval of official reports; Performance of other tasks directly related to the employee's job description and assignment.

#### **Unauthorized or Prohibited Use**

Electronic media may not be used to transmit, retrieve, and/or store any communication which:

Discriminates or harasses (including but not limited to sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability); defames, threatens, or derides (i.e., contain derogatory comments toward or about) any individual group or protected class; Contains obscene, profane or pornographic material; Is used for any purpose which is illegal or infringes upon a copyright; Is inconsistent with County's personnel policies or work rules; Involves any prohibited activity; Interferes with the productivity of the employee or his/her co-workers; Consumes system resources or storage capacity

on an ongoing basis; Involves large file transfers or otherwise depletes system resources available for business purposes without permission of the IT Coordinator; Involves gambling or online game playing; Downloads or installs unofficial or unauthorized software from the internet, CDs, removable disks, or any other source; Involves messages for personal gain, promotion, advertising or commerce; Operates a personal or freelance business or sells goods or services using County system(s) except by established procedures for use of the County Intranet system; Attempts to remotely access any County system(s) using non-official means such as a backdoor or Trojan program or any other method in an attempt to circumvent the firewall and/or Internet monitoring software (*see management personnel exception this addendum*); Sends or distributes any County licensed software or data unless specifically authorized to do so by the IT Coordinator; Uses the County's electronic media to gain unauthorized access (hacking) to remote or external systems (*see management personnel exception in below*).

## **Violations**

Employees violating this policy are subject to discipline according to County policy, up to and including termination of employment. Any employee found to be deliberately accessing prohibited sites will have their connection immediately revoked (with the exception of certain management personnel such as the IT Coordinator and the respective Department Head for the purposes of investigating policy infractions and/or testing of Internet monitoring software as well as specifically assigned Law Enforcement Officers for official investigative assignments). This would exclude any bona fide law enforcement intelligence according to Iowa Code. Employees using the County computer system for defamatory, illegal, or fraudulent purposes may also be subject to civil liability and criminal prosecution.

Employees must immediately report to their Department Head any suspected violations of this policy. Department Heads must notify the IT Coordinator as soon as reasonably possible when the department head believes an employee has violated this policy.

## **Expectation of Privacy**

Electronic media and output generated by such, and/or communicated by an employee using e-mail, messaging, word processing, utility programs, spreadsheets, voice mail, telephones, Internet/bulletin board system access, etc. are the sole property of County.

The County IT Coordinator will monitor usage patterns of any and all electronic media if requested by the respective Department Head. Elected Officials and/or Department Heads may, at their discretion, review an employee's electronic files, messages and usage to the extent necessary to ensure that electronic media and services are being utilized in compliance with the law and

County policies. Anyone accessing this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, the County may provide the evidence of such activity to law enforcement officials.

Electronic communications, including but not limited to e-mail and text messaging can be used during discovery in a court of law. The County will disclose any such communications to law enforcement officials or others so authorized by a court of law if legally required. When under legal obligation, the IT Coordinator will review requests for access to the contents of electronic communication without the consent of a sender and/or recipient.

## **County Business Use**

Electronic media and services are for use while conducting County business. Limited, occasional or incidental personal use of electronic media is understandable and acceptable subject to the discretion of the Department Head. Commercial or partisan political use is a violation of Iowa Code Section 721.2.

### **County Image**

Messages or information sent by an employee to one or more individuals via electronic media are statements identifiable and attributable to the County. All communications sent by employees via electronic media must comply with this and other County policies and work rules and may not disclose any confidential or proprietary County information.

### **Security of System**

Electronic media and services shall not be used in a manner that is likely to cause network congestion or significantly hamper the ability to access and use the system. Streaming video, music, or gaming websites is prohibited without prior approval from the Department Head.

Passwords shall not be given to anyone except an employee's Department Head or IT Coordinator at the Department Head's request. Mailbox owners are accountable for all messages sent from their e-mail account.

Forgery of electronic mail messages is prohibited. Unless otherwise provided by this policy or by permission of the user, attempts to read, delete, copy or modify e-mail of other users is prohibited (see *management personnel exception in Section 1.3 of this addendum*).

Employees who are placed on a leave of absence, terminated or laid off from employment with the County have no right to the contents of their electronic messages and are not allowed access to the electronic communication system. Management may access an employee's electronic mail if

an employee is on vacation or other leave of absence and it is necessary for County business purposes or the enforcement of this policy.

### **Physical Security**

Department Heads shall be responsible for all hardware assigned to their department. The IT Coordinator will secure all hardware not assigned to a particular department. All electronic media will be stored in a secured location and/or locked environment. Data may not be removed from county premises without permission of the Department Head.

Employees are responsible for arranging their workstations in such a way so that the public and other employees without a need to know cannot casually see potentially confidential information on a workstation monitor. If this is not feasible, then privacy screen filters must be used on monitors.

Employees are required to notify the IT Coordinator if they believe it is not feasible to protect the confidentiality of what is visible on their monitors

### **Network Security**

The IT Coordinator shall assess risks to information from network, remote, and Internet connections and shall implement effective measures to protect the County's information. All users shall be granted their own user account on the County network upon receipt, by the IT Coordinator, of a written, or emailed, request from the Department Head (or designee). Users must select a secure password pursuant to the system's minimum requirements and shall not divulge that password to anyone, except on order of the



employee's Department Head or of the IT Coordinator. The password must be changed in 90-day intervals. Employees must be logged-out or otherwise secure their computers and other devices when the employee leaves their work location for the day.

### **Disaster Backup.**

The IT Coordinator shall maintain backups of all critical data daily at a minimum.

## **INTERNET USAGE**

### **8.3**

**Confidentiality:** Internet messages should be treated as non-confidential. Anything sent through the Internet passes through a number of different computer systems, all with different levels of security. The confidentiality of messages may be compromised at any point along the way. Employees working with protected information, including confidential health information or criminal justice information, must follow appropriate department procedures and encryption strategies to protect confidential documents.

**Security:** Under no circumstances shall information of a confidential, sensitive or otherwise proprietary nature be placed on the Internet. Because postings placed on the Internet may display the employer's address, information posted on the Internet must reflect the standards and policies of County.

**News Groups and Mailing Lists:** Subscriptions to news groups and mailing lists are permitted when the subscription is for a work-related purpose. Any other subscriptions are prohibited.

**Copyrighted Material:** Information posted or viewed on the Internet may constitute published material. Therefore, reproduction of information posted or otherwise available over the Internet may be done only with express permission from the author or copyright holder.

**Unauthorized Access:** Unless the prior approval of IT Coordinator has been obtained, users may not establish Internet or other external network connections that could allow unauthorized persons to gain access to County's systems and information. These connections include but are not limited to the establishment of hosts with public modem dial-ins, World Wide Web (WWW) home pages, File Transfer Protocols (FTP), File Sharing Sites, (Dropbox, Google drive, and similar), sites that allow County owned computers to be accessed remotely, and non-County authorized wireless or wired access points.

**Viruses:** All file downloads from the Internet must be checked for possible viruses. If uncertain whether your virus-checking software is current, you must check with the IT Coordinator before downloading any file or e-mail attachment.

**Inappropriate Use:** Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages or links to websites that are inconsistent with the County's policies concerning "Equal Employment Opportunity, Harassment, and ADA Compliance" and "Preventing Sexual Harassment in the Workplace." The County uses independently supplied software and data to identify inappropriate or sexually explicit Internet sites. Access from within the County network to all such sites may be blocked by the IT Coordinator. If an employee accidentally connects to a site that contains sexually explicit or offensive material, they must disconnect from that site immediately. Any employee found accessing prohibited sites in violation of this policy could have their connection revoked (see *management personnel exception*). Sexually explicit material includes any depiction of male or female nudity or partial nudity, or sexual activity, any offensive textual or verbal reference (voice recording) to sexual activity or nudity including jokes, stories, reports, blogs or any other material with content which could be construed as offensive or adult in nature.

**Display of Explicit Image or Document:** The display of any kind of sexually explicit image or document on any County system is a violation of the County's Workplace Harassment policy. Sexually explicit

material may not be archived, stored, distributed, edited or recorded using the County network or any County computing resources (*see management personnel exception*).

**Statutory Compliance Required:** County Internet services and computing resources must not be used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any material way. Electronic communications containing protected health information are subject to compliance with the County's Health Insurance Portability and Accountability Act (HIPAA) Policy. HIPAA Privacy and Security training shall be taken within the first 90 days of employment with the County. Use of any County resources for illegal activity is subject to disciplinary action in accordance with County policies.

**Self-Identification:** Each employee using the Internet services of the County shall identify himself or herself honestly, accurately and completely (including one's County affiliation and function where requested) when participating in chats or newsgroups on County time, or when setting up accounts that discuss County business on outside computer systems.

**Safe-guarding Information:** County credit card numbers, telephone calling card numbers, log-in passwords and other parameters which can be used to gain access to goods or services, must not be sent over the Internet in readable form. The County will not be held responsible for the security and use of personal credit card numbers, telephone calling card numbers, or other personal information sent via the Internet for business purposes.

**Loss Resulting from Personal Use:** The County accepts no responsibility for any loss incurred in relation to personal use of the County Internet and e-mail services including, but not limited to, technical problems with any County security system(s).

**Certain Uses Prohibited:** Installation and usage of instant messaging or chat programs/services or real-time messaging collaboration, online dating/friend finder services, real-time weather or time programs (unless specific for business needs as determined by the Department Head and the IT Coordinator) are prohibited.

**Outside Entities and Network Usage.** Outside Entities may request use of County Network resources, printers, etc. The IT Coordinator maintains a limited but free Wi-Fi connection for outside entities while visiting the county buildings. If the free Wi-Fi does not meet the needs of the outside entity then they may request to use the County's network resources. To obtain access to the County network, the entity must submit a written request to the IT Coordinator. Upon approval by the IT Coordinator, the entity must complete and return the last page of the current Electronic Media and Technology Policy Addendum which will be kept on file with the IT Coordinator's office. The entity will be bound by the current IT policy. The IT Coordinator may review any and all equipment, peripherals, drives, etc. to be used by the outside entity that will or could have direct or indirect contact with the County network. This policy supersedes any and all policies of an outside entity pertaining to the equipment that is attached to the County network. The outside entity must comply with the terms of this policy and any requests of the IT Coordinator

The electronic mail (e-mail) system hardware and software is the property of the County. All messages composed, sent, or received on the electronic mail system are the property of the County and are not the private property of any employee.

**Access without Permission:** Except for the IT Coordinator and/or Department Head, employees shall not attempt to gain access to another employee's messages without the employee's permission (see *management personnel exception of this addendum*).

**E-mail Gateway.** E-mail allows Internet mail to be sent and received via the County network. The IT Coordinator will maintain the e-mail gateway. There will be only one gateway in order to provide a common address naming structure for Internet users accessing e-mail through the County's network. Attachments to e-mail are allowed up to a file size as specified by the IT Coordinator.

The e-mail gateway and the Internet gateway connection point are the responsibility of the IT Coordinator. All employees must remember that data sent via the Internet could potentially be intercepted and read or subject to disclosure under Iowa's open records laws. It is essential that all data transmitted via e-mail through the Internet, as well as within the County, be of an appropriate nature. Employees will be accountable for the content of sent and retained e-mails.

**Use of E-mail:** The County's e-mail system is intended for official business usage only. Incidental usage that does not violate any of the other terms in this policy may be permitted on an occasional basis. All business or personal incidental usage is considered public information and subject to disclosure at any time.

**Prohibited Messages:** Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with County's Equal Opportunity and Workplace Harassment Policies.

**E-mail Audits:** The County reserves and intends to exercise the right to review, audit, intercept, access, and disclose all messages created, received, or sent over the electronic mail system for any purpose. E-mail may be audited by designated persons to ensure compliance with this policy. The contents of electronic mail properly obtained for legitimate business purposes may be disclosed without the permission of the employee.

**Confidentiality:** The confidentiality of any message cannot be assured. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. Electronic communications containing protected health information are subject to compliance with the County's Health Insurance Portability and Accountability Act (HIPAA) Policy. Messages containing protected health information or other confidential data or information should be encrypted. Contact the IT Coordinator for the current procedure for sending encrypted messages.

**E-mailing Large Files:** Exercise caution when transferring "large" files. If an employee is unsure about the current definition for a "large" file, they should contact the IT Coordinator about how best to handle "large" file transfers.

**Managing E-mail Account:** Employees are responsible for managing their e-mail, Sent Items, and Deleted Items folders. It is recommended to check for new messages at least once per workday.

**Sending/Receipt of Unacceptable E-mails:** The sending of chain letters, games and jokes, bulk mailings, and display of personal advertisements or solicitations over the County network is not permitted. Sending abusive or threatening e-mails or obscene or pornographic attachments is not permitted. If an employee receives any of these types of e-mails, they should delete them immediately and not forward

them to any other recipient. They should also notify any sender of these types of e-mails to cease and they should keep a record of such notice in case any discrepancies arise in the future. If messages do not cease or the employee cannot cease the messages after reasonable action taken on their part, the IT Coordinator should be contacted for assistance.

**Remote Access of E-mail:** Transferring County information to a home computer and/or any other personal electronic device is prohibited whether in the form of e-mail, file attachment, or wireless transmission unless approved by your Department Head. The County does provide for the use of remote access methods including remote e-mail access to access County files outside of the office environment. The proper method of transferring the files is e-mail unless another mechanism is specifically approved by the IT Coordinator. Please consult with the IT Coordinator as to the best method to use. Note: Employees who are not exempt under the Fair Labor Standards Act (FLSA) are not allowed to check e-mail remotely without prior approval of their Department Head.

**Remote Access of County Network:** In order to maintain network security and integrity, access is limited and strict security protocols will be implemented for employees that require access. Employees not exempt under the FLSA will not be allowed to access the County network remotely. The IT Coordinator will establish and maintain the necessary security procedures and policies needed to maintain a secure environment at the County. Employees must adhere to these policies and procedures.

**E-mail Backup and Retention:** E-mail messages (*both County email, and other email services including gmail, yahoo, and exchange accounts accessed on County computers*) are stored by the County for a predetermined time as established by the IT Coordinator as part of normal backup procedures. This predetermined time may change periodically, as necessary, in the normal course of operations. It should be noted that even though an e-mail message is marked "Deleted" by the user, it may still be stored through the County's normal electronic backup procedures

## **NETWORK FILES SYSTEM/PERSONAL COMPUTERS/ELECTRONIC DEVICES/PERIPHERALS 8.5**

**Software Licensing Agreements:** The County maintains, and will enforce strict adherence to, software vendor's licensing agreements. When using County computing and/or network resources, copying of software in a manner which violates the vendor's license agreement is prohibited. Participation (*including during off-hours*) in the use or distribution of pirated software, bulletin boards and similar activities is prohibited. Reproductions of words or images posted or otherwise **available over the Internet must be done only with the permission of the author/owner.**

**County's Right to Examine Stored Information:** The County reserves the right to examine e-mail, directories and files and any information stored on any County computer, tapes, disks, or other electronic media (*at any time and without prior notice*). Examination will be done to assure compliance with County internal policies, support the performance of internal investigations, and assist with the management of County information systems

**Authorized Downloads:** County employees may download only work-related files to the network or to their local hard drive, floppy drives, or other electronic media devices. All such files must be scanned for viruses prior to use.

**Resale or Transfer of Information Prohibited:** County software, documentation and all other types of information must not be sold or otherwise transferred to any non-County party for any purposes other than business purposes expressly authorized by the Board of Supervisors.

**Firewall System:** A "firewall" device is installed at the Internet gateway connection point to control access to/from the County network. This connection into the Internet is the only authorized link between the Internet and the County network. The use of proxies to disguise Internet activity is prohibited. No attempt should be made to bypass the County firewall system to obtain Internet access unless written

approval is obtained from the IT Coordinator (*see management personnel exception*).

**Temporary Internet Files:** No attempts shall be made to hide/encrypt any temporary Internet files unless approved by the IT Coordinator. Default (supplied) settings pertaining to temporary internet files; cookies, etc. are not to be altered. "Private" browsing sessions are prohibited.

**Purchase and Installation:** Only County-purchased hardware/software is allowed to be connected/installed to County-owned computer equipment and/or the County network. Personal devices will be allowed with the discretion of the IT Coordinator with approval by department head.

Department Heads are encouraged to communicate with the IT Coordinator prior to purchasing a technology related product to ensure the product is compatible with the County's network and IT capabilities. The IT Coordinator will research products, price compare, and provide recommendations to Department Heads at the Department Head's request.

All electronic hardware, wired, wireless, mobile or peripherals that are connected to the network must be purchased, installed and attached by the IT Coordinator with written authorization by the Department Head (or designee) of the department where it will be used.

All defaults set by the IT Coordinator shall be left as set when installed. Any attempts to change these defaults may be considered a violation of computer security.

**Connections:** Connection of any wireless access point or hub/switch to the network is prohibited unless approved by the IT Coordinator and installed by the IT Coordinator or designee.

**Use of Another's Password Prohibited:** Employees should never use another employee's password to access a file or retrieve any stored communication unless specifically authorized to do so either by the IT Coordinator and/or the Department Head for purposes of business continuity. Network passwords are to be kept in confidence and not to be divulged to any third party unless specific authorization is given by the IT Coordinator to release a password for purposes of vendor support. At the request of the Department Head, an employee must provide the County with a sealed hard copy record of all passwords and encryption keys for County use.

**Prohibited Actions:** Employees may not attempt to read or "hack" into other employees' assigned computer/e-mail, crack passwords, breach any computer or network security systems, or intercept any electronic communications not intended for the employee (*see management personnel exception in this addendum*).

## **Mobile Devices**

Mobile Devices, including but not limited to: laptops, cell / smart phones, iPads, etc. that are issued by the county as well as personal devices (limited to cell phones / smart phones only) that are used for business purposes and / or store county information shall adhere to the following guidelines:

Access to county information resources using a mobile device must be pre-approved by the IT Administrator and the Department Head / Elected Official; Mobile devices must require a pin / pattern / password lock to access; Mobile devices must require a pin / pattern / password lock after a period of inactivity; Encryption is required for all mobile devices that must store or access sensitive information. (Please contact the IT Administrator for assistance establishing data encryption); Users that use personal mobile devices for business must follow the same guidelines as those users who are issued County-owned devices; Users will physically secure mobile devices that are left unattended. (If left in a vehicle, mobile devices will be hidden from view, locked in glove compartment, etc.); Users are not allowed to provide unattended access to mobile devices by another user; Users will notify the IT Administrator immediately if mobile device is lost or stolen; Users will return county provided mobile devices at the end

of employment. At which time the device will be wiped. Personal devices, excluding cell phones / smart phones, shall not be connected to any County network.

County owned devices will also be required to have a MDM (mobile device management) application installed on the device to allow remote monitoring of the device and will allow the IT Department to remotely wipe the device if lost or stolen. The auditor's office will have access and authority to any departments cell plans to audit usage and plan details.

**Training:** The IT Administrator shall establish periodic End User Security Training. All End Users of County Systems shall be required to attend this training and / or review the training materials provided during the training session. Each training session shall include an End User Acknowledgement Sheet to be signed and dated by the End User.

## **SOCIAL MEDIA POLICY**

**8.6**

**Purpose:** The purpose of this policy is to establish guidelines for the use of social media and downloadable applications by employees of County, while at and off work. It is impossible to anticipate or address all aspects of social media within a policy; however, this policy should be used as a guideline. The Board of Supervisors, elected officials and department heads reserve the right to interpret this policy and apply it on a case-by-case basis within their respective departments.

**Personal Use of Social Media:** The County acknowledges employee rights to privacy and free speech that may protect online activity conducted on personal social networks. However, what is published on such personal sites should not be attributed to the County and should not appear to be endorsed by or originated from the County. Make it clear that your views do not represent those of your department, your Department Head, or the County. Employees that choose to list

their work affiliation or reference their employment with the County in any way on a social network should regard all communication on that network as if it were a professional network, and subject to review by the County.

County employees engaging in social media networks must at all times be conscious and respectful of the fact that their words and actions are representative of the County, regardless of when, where and how the content is posted. Any conduct that adversely affects your job performance or the performance of co-workers or otherwise adversely affects employees, supervisory staff, users of the services or the legitimate business interests of a department or the County may result in disciplinary action up to and including termination of employment.

Employees assume all risk associated with their off-duty personal blogging and use of social media. The County may require immediate removal of material and/or take disciplinary action for personal blogging or personal use of social media by employees that causes a disruption of the workplace or impairs the statutory and/or implied duties and responsibilities of County.

Employees are prohibited from accessing social media for personal use while on work time.

Employees are also prohibited from using equipment provided by the County to access social media unless approved or directed by their Department Head.

Employees who choose to engage in personal online blogging or social media on their own time and equipment may not: Attribute personal statements, opinions, or beliefs to the County; or Disclose confidential County information, including but not limited to personally identifiable information about co-workers, supervisory staff, clients, customers, patients, applicants for permits, inmates, persons taken into custody, calls for service, employee disciplinary actions, and other such matters; or

Use County logos or trademarks; or Post any material that constitutes hate speech, libel, or defamatory

comments; violates the privacy rights of fellow employees; is disruptive to the work environment by impairing discipline or control; interferes with job performance; creates a hostile or intimidating work environment under the harassment policies of the County; or obstructs operations; or Post photos, video, or audio taken inside or outside any county owned property without permission of the Department Head, or their designee(s).

Violations of this policy may result in disciplinary action as provided for in the County Employee Handbook including, but not limited to, termination of employment.

**County Endorsed/Approved Use of Social Media for Departmental Use:** Certain types of social media may be approved by the Board of Supervisors or a Department Head to promote the programs and activities of the department or as a means to disseminate information to the public.

The Department Head and IT Coordinator shall determine the types of social media that will be used, the content to be included in approved sites and feeds and designate the employee(s) responsible for posting to approved social media sites and feeds. The IT Coordinator or Department Head (or designee) will create and maintain all County endorsed social media sites. All changes, posts or updates must be done by IT Coordinator personnel or the Department Head (or designee).

A department with a social media site or feed is responsible for monitoring the content on those sites and feeds, establishing rules and guidelines for public use, and monitoring use for inappropriate posts. The IT Coordinator and Department Head will be responsible for notifying the public and/or issuing press releases if the site or feed is compromised. The IT Coordinator must also be notified if any inappropriate activity is found, as network security may be at risk. The IT Coordinator reserves the right to remove any/all information off a county social media site if it is determined that it does not meet County Social Media standards.

## **SECTION EIGHT: COMPLAINT PROCEDURE**

### **COMPLAINT PROCEDURE**

**9.1**

Misunderstandings, conflicts, problems, or other questions about your job can arise in any workplace. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. If your concern relates to any type of workplace harassment, follow the procedure outlined in Section 2.1 contained in this handbook. Also, certain complaints may fall under resolution procedures established by state law or any applicable collective bargaining agreement. For other complaints, the County has adopted the following procedure to respond to your concerns.

First, see your immediate supervisor. He or she is in the best position to resolve your problems or concerns. If, however, you do not believe a discussion with your supervisor is appropriate, or if you are not satisfied with the answer given by your immediate supervisor, you should request a meeting with your department head within five days of the response given by your immediate supervisor. In an effort to resolve the problem, your department head will consider the facts and conduct an investigation, if necessary. You will normally receive a response regarding your problem within ten days of meeting with your department head. If your department head is an elected official, his/her decision shall be final.

If your department head is not an elected official, and you are not satisfied with that person's decision, you may prepare a written summary of your concerns and request that the matter be reviewed by the Benton County Board of Supervisors, or appropriate governing body in cases involving employees of the Conservation Board or Department of Public Health. After a full examination of the facts (which may include a review of the written summary of your statement, discussions with all individuals concerned, and a further investigation if necessary), the Board of Supervisors or appropriate governing body will normally advise you of its decision within 15 days. The decision of the Board of Supervisors or governing body shall be final.



# Appendix A: Employee Acknowledgments

## EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK

I have received a copy of the Benton County Employee Handbook. I understand that the handbook has been provided to me for information purposes only, and that the County has the right to change or withdraw any policies, procedures, or benefit programs at any time. I acknowledge that this handbook is not a contract of employment, express or implied, and that I am not guaranteed employment for any specific duration. Either the County or I may terminate my employment at any time with or without notice or cause.

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Employee's signature

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Date