

Atchison County



Employee Manual

*Revised 2009
Updated 1/14/2020*

Employer's Copy

Welcome to Atchison County. We hope that you will have a long and productive relationship with our County. To help with this, we are providing you with your own copy of our employee manual. Please read this manual carefully. The information in it will acquaint you with County policies and will answer many of your questions. Please keep in mind that this manual does not contain all of the information you will need as an employee. You will receive other information through written notices as well as orally. When the County changes a policy, it overrides the past policy.

This manual is not an employment contract. Unless you have a written employment contract with Atchison County signed by the Chairman of the County Commission, you legally are an at-will employee. This means you or the County may terminate the employment relationship at any time, with or without a reason. At all times, including after successful completion of the introductory period, employment with Atchison County is considered to be at-will.

In the future, your status as an at-will employee can only be changed through a written contract signed by both you and the Chairman of the Board of the County Commission. No other oral statements, promises, or agreements by anyone regarding the terms and conditions of your employment are valid.



Receipt and Acknowledgement

I have received a copy of Atchison County's Employee Manual. I have read the above information and I acknowledge that it is a correct statement of my employment status. I understand that this employee manual is not a contract for employment and does not affect my employment status in any way. I understand that this manual is County property and must be returned to the County at the end of my employment with the County.

Signature

Date

Employee Copy

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Introduction

Intent

It is the intent of the County to establish employment policies and procedures through the use of this employee manual. The County further intends to ensure, protect and clarify the rights and responsibilities of employees through this manual, as well as to provide a uniform system of personnel administration throughout the County.

Although the County has attempted to make this manual as comprehensive as possible, realize that this manual cannot possibly cover every conceivable aspect of employment. Please contact your supervisor for clarification on the content of this manual or for questions that this manual does not cover.

Scope

This employee manual applies to all County employees, other than elected officials and independent contractors. In the event of a conflict between this manual and any law, ordinance or resolution, that law, ordinance or resolution shall supersede this manual. Employees of the Atchison Senior Village and/or Sheriff's Office shall be subject to compliance of Departmental Policy & Procedures.

Amendments

The County will review this manual periodically and make changes as the County deems necessary. The County specifically reserves the right to repeal, modify or amend this manual at any time, with or without notice.

Any changes to this manual must be approved by an affirmative vote of the Board of County Commissioners. The change will be recorded in the minutes of the meeting at which the vote took place, be published in the format of this manual and be furnished to each County employee and official.

Amendments to this manual will supersede the original policy it is intended to replace.

Your Responsibility

You are expected to read, understand, and comply with this manual and ask questions about any parts you do not understand. This manual is the property of the County and should not be provided to individuals who are not our employees except through the Department Head as part of a valid Open Records Act request. Upon termination, you must return this manual to your Department Head, as well as all other County property before your final departure.

It is your responsibility to keep your personal copy of the manual up-to-date by immediately inserting revisions when issued.

Supplemental Departmental Regulations

An elected or appointed official, or a department head under the supervision of such official, may formulate administrative or operational departmental regulations which supplement the provisions of this manual and which are pertinent to only that department. Departmental regulations may enhance the provisions contained herein but may not conflict with these provisions or decrease the right and benefits established in this manual. This manual may/may not supersede any departmental regulation in the event of a conflict.

Employment

Equal Employment Opportunity

The policy of the County is to ensure all decisions relating to recruitment, hiring, training, promotion, and other conditions of employment are made without discrimination on the basis of race, color, religion, sex, national origin, age, or disability. County officials responsible for personnel decisions will ensure that all applicable state and federal regulations are complied with. The Designated EEO Officer is the Human Resource Director.

Types of Employment

All County employees are designated as one of the following employment types:

- **Regular Full Time-** Employees will be considered full-time employees if they are regularly and customarily scheduled to work at least 37 1/2 hours per week.
- **Regular Part Time-** Employees will be considered as part-time employees if they are regularly and customarily scheduled to work less than thirty seven and one-half (37 1/2) hours per week.

Class A: A regular part-time employee is one who is regularly scheduled to work at least 20 hours per week but less than 37 1/2 hours per week. A regular part-time employee is subject to all provisions as delineated in this manual. Part-time employees will be eligible for fringe benefits only as delineated in these policies unless otherwise agreed to in writing.

Class B: Part-time employment Class B is an established job requiring less than 20 hours per week except a part-time Class B may work as much as five 40 hours weeks in any three-month quarterly period during the calendar year. Class B has no benefits.

- **Temporary-** An employee is designated a temporary employee if appointed for a designated period of time which is six (6) months or less. Employees on temporary appointment shall not be eligible for benefits or accrue service time. Salaries for temporary employees will be set by the Department Head in cooperation with their established budget with consideration being given to comparable positions and salaries with the County. Time spent as a temporary employee will not be credited to service, and accrual of benefits will not be retroactive to include time in temporary status.
- **Elected Official-** County Clerk, Commissioners, Register of Deeds, Treasurer, Sheriff, and County Attorney are elected officials in this County. They are responsible to the electorate of the county, state statutory requirements, and fiscally responsible to the Board of County Commissioners. They do not earn or report any forms of leave time but are eligible for other benefits offered to County employees.
- **Appointed Official-** Certain officials are appointed by the Board of County Commissioners to perform statutory or other duties defined by resolution. They are responsible to the Board of County Commissioners and are employees of the County government. Appointed officials are eligible for the same benefits as elected officials.

Fair Labor Standards Act

Each position description is analyzed for compliance and designation under the Fair Labor Standards Act. These definitions are as follows:

- **Non-Exempt Employee:** Those employees who do not meet the legal definitions of an exempt employee are designated as non-exempt or hourly. They are paid by the number of hours they perform their job including compensation for any hours worked of overtime. The majority of County employees are in this category and are eligible for overtime compensation for hours worked over 40 in a week. Employees who normally work 37.5 hours per week will be paid the regular hourly rate for hours worked up to 40; subsequent hours will be paid at the one and one-half time overtime rate.

- **Exempt Employee:** Those employees legally classified as exempt from overtime Compensation due to their occupational designation as executive, professional, technical or administrative are salary-exempt employees. These employees are paid for fulfillment of job responsibilities on a salary basis and are not paid an hourly rate or overtime pay. Normally elected officials, non-elected County Officials and certain supervisors are exempt.
- **Law Enforcement:** Law Enforcement employees may work under the 28-day pay period and 171 hour FLSA exemption, which states that overtime is paid after meeting those requirements.
- **Minor Work Permits:** The Department Head is to check with the Human Resource Department for FLSA Regulations regarding employment of minors.

Workweek

The workweek begins and ends at midnight Saturday night of each week unless otherwise identified in standard procedures and documented in employment records.

Evaluation Period

Every regular full-time and regular part-time employee initially employed with the County, and every employee transferred or promoted to a different position, shall be in an Evaluation Period for six (6) months. The evaluation period permits department heads and supervisors to observe and evaluate the ability and willingness of employees to carry out the duties of the position and provides the employee the opportunity to determine that the position meets their skills and goals. The Department Head may require up to (1) six month extension for further evaluation of an employee. During the evaluation period, the employee is not entitled to sick leave pay.

If an employee who has been transferred or promoted to a new position does not perform acceptably during the evaluation period, the employee may be returned to the former position or a similar position at the previous salary range if an appropriate vacancy exists.

During this time, an employee is not entitled to any vacation. We request the employee to have complete focus in learning the new position so the employee can be totally productive.

Disability Accommodation

If you require accommodation for a medical condition or disability, contact your supervisor so that we can evaluate if and how we may accommodate your needs. We will make every effort to handle your request for disability accommodation sensitively and to protect the confidentiality of the information you share with us whenever possible. If you do not believe accommodation has been reasonably met, contact the individuals on page 25.

Nepotism

The County shall not employ two (2) or more members of the same family if it would cause one to directly supervise the other unless prior approval is granted by the Board of County Commissioners. For this policy, "family" includes but is not limited to the following: parent; stepparent; parent-in-law; sibling; stepsibling; brother-in-law; sister-in-law; child; stepchild; spouse; and cohabitant.

Citizenship Requirement

The County intends to comply with all immigration policies. As a condition of employment, each new employee must:

1. Properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9.
2. Provide appropriate documentation as required for the I-9 to Human Resource Department. The Immigration Reform and Control Act of 1986 requires this documentation to be in the office of the County designee within three days of beginning employment.

Application and Recruitment

The policy of the County for recruitment and selection of employees is designed to assist department heads in obtaining the best possible match between applicants and open positions and to ensure compliance with federal, state and local laws, policies, and procedures concerning employment.

It is the County's philosophy to promote from within whenever appropriate. Those supervisors involved in employee selection are encouraged to consider qualified County employees whenever a position becomes available.

The County will post the position internally for a minimum of three working days. The position shall be advertised with at least one additional resource.

Unsolicited applications and resumes for positions not currently being recruited for shall not be considered part of any active applicant pool. Such resumes and applications shall be retained for six months. During that time, should an opening occur for which the individual wants to apply, the applicant must notify the Department Head and request that their application be considered for the opening.

Applicant Expenses-Before reporting for the interview, the applicant should be advised that unless approved in writing by the Atchison County Board of Commissioners, the County does not reimburse any applicant for travel costs in conjunction with the hiring process. Relocation costs are paid in full by the employee unless otherwise approved by the Atchison County Board of Commissioners.

Driver's Licenses-An appropriate valid driver's license is required by any employee if the employee is required to operate any County vehicle. Any employee must be able to get to his/her employment station under normal driving conditions within 30 minutes from leaving employees residence. Failure to maintain a valid driver's license required by your position shall be grounds for termination.

The Department Head or the appropriate elected official will make all official offers of employment.

Pre-Employment Physicals

All new employees will complete a pre-employment physical. This physical shall identify the person's ability to perform a job according to the specific job description.

All employees must pass the physical exam and drug abuse test prior to employment.

Documentation of the examination, signed by a physician, shall be maintained in the employee's personnel record.

All costs for pre-employment physicals and related testing shall be paid by Atchison County.

Testing Guidelines

Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of oral interview/application review, a structured questionnaire, practical tests, written tests, or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities for the position.

Reclassification Procedures

Statement of Policy-Revision of position descriptions and re-allocation within classification plan shall be made as often as is necessary to provide current information on positions and classes.

From time to time it may be necessary for the Department Head to re-assign employee to a different position and/or hours to improve efficiency of their Department, facility, or offices. Job descriptions will be periodically reviewed and amended.

Transfers

Statement of Policy-All openings for county positions will be posted for a minimum of three work weekdays at each county facility. Any job opening resulting from employee holding position less than six (6) months shall not require posting.

Selection of Transferee-If the current employee is selected; his/her department head will be advised before the offer is made to the employee.

If the employee accepts the position, it will be the responsibility of the two department heads, along with the employee, to reach agreement on a transfer date. Every effort should be made to accomplish the transfer within 30 days of the offer's acceptance.

Resignation

Atchison County requests a two-week written notice by an employee to her/his immediate supervisor or department head if employee intends to terminate employment. An employee doing so and otherwise in good standing will be considered to have terminated in good standing. An employee who terminates their employment in good standing is eligible for re-hire.

Pay on Termination-An employee will receive his/her final paycheck the first regularly scheduled payday following his/her termination.

Employees discharged or those who voluntarily terminate not in good standing shall not be eligible to receive pay for any accrued benefits other than unused vacation leave under the conditions set forth.

Employees who voluntarily terminate in good standing shall be eligible for all unused vacation and unused sick leave up to 240 hours. Voluntary termination without giving the county at least two weeks advance notice will be one reason an employee will be considered leaving not in good standing.

Exit Interview-Upon termination, all terminating employees will be entitled to an exit interview with the department head. The main reason for this interview is to be certain that the reasons for the employee's termination are not founded on a misunderstanding or erroneous information that might be corrected by either Atchison County or the employee. Additionally, terminating employees may have certain rights under the fringe benefit program that may require explanation.

Reinstatement:

An employee who has been terminated in good standing and who is re-employed within a period of 120 days from separation may be reinstated at the same position at no more salary than he or she was receiving at the time of his or her termination. The reinstated employee will receive the same benefits as a new employee.

Atchison County encourages the hiring of Atchison County Residents, when possible.

Outside Employment

Outside employment constitutes a county employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment:

1. is considered secondary to service with the county;
2. does not interfere with the performance of duties for the county; and
3. no legal, financial or ethical conflict of interest results from such dual employment.

An employee must obtain approval in writing from his/her department head prior to accepting outside employment or any change in the nature of such outside employment. A request to perform continuous outside employment must be renewed annually by the employee and reauthorized by the department head.

Compensation

Salary and Wage Scale

The County's salary and wage schedule is comprised of ranges relating to the requirements of the position, not the qualifications, performance or longevity of the employee. Salary and wage schedules are available through the County Clerk and are reviewed and/or revised periodically by the County elected officials.

Overtime Pay

The department heads may prescribe and schedule periods of overtime work (i.e., in excess of 40 hours) when necessary to meet operating needs. Non-exempt employees who are required to work more than forty (40) hours in a given workweek shall be compensated at the rate of one and one-half (1 1/2) times his/her regular rate for all hours worked beyond the fortieth hour.

All employees without regard to number of hours worked in the week, shall be paid time and a half when removing snow or ice at their department/building heads' direction during hours that employee is not regularly scheduled to work.

Hours worked over eight hours on a county holiday shall be paid time and one-half in addition to holiday pay when directed by department head to remove snow or ice.

All overtime hour expenses shall be charged to the requesting building head's department, unless prior arrangements are worked out among department/building heads.

- Sick leave, vacation leave, or any other approved absence will not be included in computing overtime hours even though the leave may have been in a paid status.
- Employees who are exempt under Fair Labor Standards Act do not receive overtime compensation.

Pay Period

The County's pay periods are on a two (2) week cycle, beginning every other Sunday and ending every other Saturday. Employees will be paid on the Friday following the last day of the pay period, unless it is a¹ designated holiday, in which case they will be paid on the last day of business, prior to the scheduled payday. Final authority on all pay disputes shall rest with the Department Head/Elected Official.

On-Call Status and Pay

The employer may require an employee to be on stand-by. Stand-by means a period of time outside the employee's regularly scheduled work hours, during which the employee is required, at the employer's direction, to remain available to the County within a specified response time. An employee on stand-by shall remain available at the employer's direction for recall to perform necessary work. Stand-by assignments shall be limited to work situations where a probability for emergency recall of employees exists.

Employees on stand-by who are called in to work shall be compensated for actual hours worked at the appropriate rate of pay. They generally shall not be paid compensation for stand-by time.

An employee on stand-by as defined above who is not available when called and who does not present reasonable justification for failure to report when called, shall be subject to discipline.

A County employee shall not consume alcohol or be under the influence of mind-altering drugs while on a stand-by status.

¹ Revised 4/2011

Attendance

Work-Hours

Normal working hours for each department are listed as follows:

Department	Hours	Days
County Clerk	8:30 a.m. – 5:00 p.m.	M – F
County Attorney	8:30 a.m. – 5:00 p.m.	M – F
Emergency Management/Noxious Weed	8:00 a.m. – 4:30 p.m.	M – F
Register of Deeds	8:30 a.m. – 5:00 p.m.	M – F
Country Treasurer	8:30 a.m. – 5:00 p.m.	M – F
County Appraiser	8:30 a.m. – 5:00 p.m.	M – F
Sheriff's Office, Joint Communications, Community Corrections, & Senior Village	As scheduled	Sun - Sat
Road and Bridge	7:00 a.m. – 3:30 p.m. Summer: 7:00 a.m. – 5:30 p.m.	M – F M – Th
Transfer Station	8:30 a.m. – 3:30 p.m. Summer: 8:30 a.m. – 6:00 p.m. 8:30 a.m. – 3:30 p.m.	M – Sat M / W T / TH / F / Sat

It is acknowledged that certain departments may make modifications to this basic work schedule and such modifications, such as "flex time," shall be written in departmental regulations and shall take precedence over the above schedule. Employees are not to conduct any work-related duties before or after normal operation hours without prior notice by or approval from their supervisor and in accordance with departmental regulations.

Time Clocks/Software

All employees must "clock in" when they come to work. Pay reduction will be made for an employee that "clocks in" after their scheduled work hours.

Any employee leaving the Atchison County property for non work related reasons² shall "clock out" immediately prior to leaving and "clock in" upon return.

The time clocks round to 7 minute intervals, rounding to the nearest quarter hour. You are expected to arrive at work at your scheduled time, and not leave early, even though the clock will round within the 7 minute time frame. Any employee abusing the 7 minute rounding will be subject to disciplinary action.³

No employee is authorized to clock in or out for another employee. Any employee clocking another employee in or out will be subject to a job action including possible dismissal.

Falsification of time records for payroll purposes is reason for disciplinary action.

Meal Breaks

Unpaid meal breaks will be taken around the noon hour (or according to departmental policy for second and third shift employees), but will be flexible and will be scheduled by department heads according to a staggered schedule, which will allow offices to remain staffed throughout the noon hour. Certain departments have half-hour meal breaks while others have one-hour meal breaks. Check your department's supplemental regulations.

² Revised 4/2011

³ Revised 4/2011

Rest Breaks

Federal law does not require break periods but rest breaks may be important to the productivity and efficiency of the employees. Rest breaks, not to exceed 15 minutes, are encouraged when possible. The Department Head may approve up to one break in the morning and one in the afternoon. Breaks are not an employee "right" or "entitlement benefit" and may not be combined with the lunch period or "saved" for extra paid time off. If workload does not allow time for a rest break on a particular day, no extra compensation or consideration is owed to the employee. Rest breaks must be taken on the job premises.

Holidays

At the beginning of each calendar year, the Board of County Commissioners designates the year's paid holidays for County employees. This list of holidays is distributed by the County Clerk's Office to all departments for posting.

If a legal holiday occurs during an employee's vacation, that day will not be charged to the employee's accrued vacation time.

The official paid holidays for Atchison County will be decided by the Atchison County Commissioners at the Annual organizational meeting. Official holidays which have been designated by the Board of County Commissioners and which occur within the period of an employee's vacation time shall not count as one of the vacations days allowed. Any employee who is absent without prior approved leave the day before, the day of (if scheduled) or day after a holiday shall not receive holiday pay, unless a request for exception is submitted by the Department Head with documentation and holiday pay is approved by the County Commissioners. Calling in sick the day before and/or after a holiday will not be considered a special circumstance.

Class A Part-time employees receive holiday pay of 4 hours straight time hourly pay after one year of continuous employment. In no event shall a part-time employee receive more than 4 hours straight time hourly pay for a holiday.

As approved by the Board of County Commissioners, some departments may have variations from the general courthouse employees' holiday pay.

Holiday pay may not exceed the number of hours the employee is regularly scheduled to work, i.e., if an employee is regularly scheduled to work 7 ½ hours per day, no more than 7 ½ hours may be compensated per day for a holiday.

OT Rate for working Christmas and Thanksgiving

Any county employee schedule to be ~~Atchison County Sheriff Office and Atchison Senior Village employees~~ working from 12:01 a.m. through 11:59 p.m. on Christmas Day, December 25th, and Thanksgiving Day, fourth Thursday in November, will be paid time and a half for those hours in addition to any holiday pay.

Bad Weather Days

In the event inclement weather may affect the ability of County employees to come to or remain at work, the Department Head of each department shall have the discretion to allow any employee to take a vacation day or personal day available to said employee to allow the employee's absence from work. The only time County Departments can be closed is when the Chairman of the County Commissioners closes County Departments. The Board of County Commissioners reserves the sole right to determine whether or not the Court House shall be closed for any reason. All other departments must receive approval from the Chairman of the Board of County Commissioners if deemed necessary by Department Head.

Leave

Leave Requests

Any employee who must be absent from scheduled work shall complete a written Leave Request Form specifying the kind of leave, the reason and the dates of absence. The request will be submitted and approved in advance, using the appropriate form(s) ~~provided in the Appendix~~. The only exceptions to the advance approval requirement shall be sick leave. All other absences are unauthorized.

Absenteeism/Tardiness

Employees will report to their workstations at their scheduled shift time to prepare to conduct their duties by the beginning of the normal work-hour, or as otherwise defined by departmental regulations. Any absence which does not conform to the County's leave policy will be considered unauthorized and may be grounds for disciplinary action. If an employee has a history of unauthorized absences, such may constitute the basis for discipline up to and including discharge.

Notice of Illness and Tardiness

Employees are required to notify their Department Head/Elected Official or their designee, a minimum of 2 hours prior to their scheduled shift. Employees may be required to find a replacement to fill their shift. Employees are required to notify department head if they will be delayed in reporting to work, prior to the beginning of their shift.

If an employee's accumulated sick leave has been exhausted, the employee's earned vacation will be used as sick leave.

Return to Work Certification

Employees returning from leave because of their own serious health condition will be required to provide a fitness-for-duty certification from their healthcare provider.

Notice for Vacation/Birthday Request

An employee must complete a Vacation and Birthday Request Form (~~see Appendix~~) and obtain the approval of the department head prior to the employee's scheduled absence. Department heads may waive advance notice, but the department head or designated supervisor must approve the leave request, which must be in writing.

If an employee is absent from work without notifying and receiving approval from their supervisor or department head, it may be assumed that the employee has voluntarily resigned and, after a reasonable effort is made to contact the employee, recruitment may begin to fill the position.

Vacation Leave

Employees in a full or Class A part-time position shall earn vacation according to the following scheduled:

FULL-TIME

Completion of first year of service 40 hours

Each month after the first year of service:

To 10 years of service 3.7 hours per pay period
Over 10 years of service 4.7 hours per pay period⁴

CLASS A PART-TIME:

Completion of first year of service 20 hours

Each month after the first year of service:

To 10 years of service 1.9 hours per pay period
Over 10 years of service 2.4 hours per pay period⁵

⁴ Revised 4/2011

Employees must be county compensated a minimum of 80 hours for full-time employees and 40 hours for part-time Class A employees during the pay period before any vacation time will accumulate for that period. The Department Head shall provide written notification to the Human Resource Department whenever an employee does not meet this requirement.

No more than 80 hours vacation may be carried over and used in a succeeding calendar year. When vacation has been scheduled with prior approval during a holiday, holiday pay will be granted. Exceptions may be granted when in the best interest of the county, as determined and approved by the Board of County Commissioners.

Vacation leave may be granted in minimum and maximum periods as provided by the Department Head concerned; provided vacation leave will not be granted in excess of vacation credit earned prior to the starting day of the leave. Department Heads have the authority to deny vacation for a given time period based on the Department needs.

Vacation paid may not exceed the number of hours the employee is regularly scheduled to work, i.e., if an employee is regularly scheduled to work 7 ½ hours per day, no more than 7 ½ hours may be compensated per day for vacation.

Each Department Head shall keep the necessary records of vacation leave allowance. Vacation schedule shall be worked out between the Department Head and the department. The employee in the classification with the longest consecutive length of service with the County shall be given first choice, the next senior employee second choice, and the like for succeeding conflicts, if any. The Department Head shall have the right to determine if, when and how many employees in his/her department may be off on vacation.

The employee is responsible for making sure his/her vacation accrual does not exceed the maximum vacation accumulation. A vacation request as set out in this book shall be submitted to the Department Head by the 10th day of the month prior to the vacation month. All Departments must be covered at all times.

It is the responsibility of the employee to use all accumulated vacation hours within the calendar year. If the employee is unable to take excess vacation leave, the Department Head may authorize the employee to take any excess hours over the carryover amount, to be compensated at 60% of the employees regular pay rate. This will only be authorized if the Department Head determines that it is in the best interest of the County. This compensation will be added to the first paycheck of the next calendar year.

If not authorized by the Department Head, the employee will lose any excess vacation hours over the available carryover.

The term Employee in regards to vacation leave refers to employees of Atchison County and not elected or salaried.

Vacation may be authorized if an employee fills the absence request form and said request is approved. Said request form shall be used for floating holidays, sick leave, funeral leave, and jury duty leave.

The nursing home administrator has final approval for vacation requests made by the nursing home employees. The request is to be made to the Administrator.

Vacation leave is earned by the pay period and may not be taken until the first of the pay period following accrual. **Vacation leave may be taken in no less than four hour increments.**⁶

⁵ Revised 4/2011

⁶ Revised 4/2011

Vacation will be scheduled so as to meet the operating requirements of the county, departmental seniority rights, and insofar as possible, the preference of the employees.

A legal holiday or other day on which County offices are closed, which occurs during an employee's vacation, shall not be charged against the employee's vacation leave credits.

When an employee is on vacation leave and becomes ill during his/her vacation, the employee may request the period of illness be charged to sick leave. The department head may require the employee to furnish proof of illness before the request is approved.

Employees on Leave Without Pay will not earn vacation leave for that time period. Vacation leave for partial month worked will be prorated according to number of hours in pay status.

The Human Resource Department shall keep records of earned and used vacation. It is the responsibility of the employee to assure that their vacation leave balance does not exceed the maximum accrual listed above by December 31 of each year.

Birthday

Employees receive 1 day of annual leave for birthday. The day can be taken on or after date of birth and prior to end of the calendar year. Employees must have successfully completed their introductory period on their birthday to be eligible. Eligible employees whose birthday falls in December have until January 31 of the following year to use this leave.

Military Leave

A County employee who is a member of any reserve component of the United States Armed Forces will be allowed leave of absence for required training or duty.

The employee shall request military leave in advance on a Leave Request Form, and a copy of the employee's military orders shall be submitted to the department head for inclusion in the employee's personnel file. These orders should be furnished prior to the absence, if possible.

An employee who takes military leave of two (2) weeks or less during a twelve (12) month period will be unpaid, but they will continue to accrue vacation and sick-leave credit during the absence. If an employee is on military leave of more than two (2) weeks' duration, the employee will not earn vacation leave and sick-leave credit for the absent period.

An employee may choose to use accrued vacation or compensatory leave credits for their annual active-duty training but will not be required to do so.

If an employee desires to keep his/her life insurance and health insurance in effect during the military leave, the employee must make arrangements with the Human Resource Director to pay the amount that is regularly deducted from his/her paycheck while on paid status. The County will continue to pay its share of payment for life and health insurance for an employee on military leave of two weeks or less.

For longer periods of time on active duty, employees are entitled, upon return to the County, to reinstatement of the former position and certain other benefits in accordance with applicable federal and state law. See the Human Resource Department for details.

Civil Leave

An employee shall be granted civil leave with pay when required to do any of the following:

- perform jury duty;
- appear in court as a witness by subpoena; if work related as an employee of Atchison County.
- appear in court as a party in a civil law suit related to the performance of the employee's official duties with the County;
- serve as an expert witness because of professional knowledge related to the employee's County position;
- serve as a witness before equal opportunity or civil rights commissions or bodies;

An employee granted civil leave for the purposes above shall receive full pay and benefits for the time absent from work provided he/she was scheduled to work during the time missed. If the employee receives pay or fees for the jury duty or required appearance, he/she shall return that payment or fee through the HR Director. The employee may retain any amount paid for expenses in traveling to and from the place of the jury duty or required appearance (mileage).

If an employee is involved in a personal court case as a party in a suit not resulting from duties with the County, the employee will not be granted civil leave with pay. Any absence from work in these cases shall be charged to the employee's accrued vacation leave or to leave of absence without pay.

Sick Leave

Our sick-leave policy is designed to provide "paid time off" for personal illness, medical appointment, injury, or the illness/medical appointment/injury of a parent, child, or spouse. Sick leave is not an entitlement for extra days off, but rather a benefit to be used only in time of need.

- A. Full-time employees accumulate paid sick leave at the rate of 1.9 hours per pay period beginning with the date of employment; 49.4 hours per year.⁷
- B. Regular Class A part-time employees are entitled to .95 hours per pay period of sick leave; 24.7 hours per year.⁸
- C. Temporary employees are not eligible for sick leave.

Full-time employees must be county compensated a minimum of eighty (80) hours during a pay period before any sick leave will accumulate for that pay period. Full-time employees are not entitled to sick leave accrual if they are not in full-time pay status or are not on paid accumulated leave. Part-time employees must work a minimum of 40 hours during a pay period. Accumulated leave may be utilized as work hours.

Sick time paid may not exceed the number of hours the employee is regularly scheduled to work, i.e., if an employee is regularly scheduled to work 7 ½ hours per day, no more than 7 ½ hours may be compensated per day for sick time.

Sick leave will accumulate each month beginning when the employee is employed on the 1st day of the payroll period and the employee is employed to the last day of the payroll period.⁹

The term employee in regards to sick leave in these policies refers to employees of Atchison County and not elected or salaried personnel officials; elected, appointed officials, and salaried employees are not eligible for accumulated sick leave.

⁷ Revised 4/2011

⁸ Revised 4/2011

⁹ Revised 4/2011

Medical appointments shall be cleared through the department head at least 2 days in advance when possible. The time for employee's absence shall be deducted from sick leave.

Anyone found abusing the sick leave privilege shall lose all sick leave accumulated. Abuse of sick leave is grounds for dismissal from employment.

The Department Heads shall maintain employee's sick leave records.

Anyone absent from work for two (2) consecutive days on sick leave must deliver a doctors statement verifying the employee's condition unless waived by the department head.

Injury while employed by another – The County will not be held responsible for injuries to an employee when that employee is injured on a job outside their county employment.

Employees on Leave Without Pay will not earn sick leave for that time period. Sick Leave for partial month worked will be prorated according to number of hours in pay status.

Sick leave must be used in increments not less than one hour.

Approval of sick leave taken by an employee shall be requested on a County Leave Request Form and shall be required upon the employee's return to work. Failure to provide the requested certification of sickness or injury may result in loss of pay for the absence and may be grounds for disciplinary action. If a pay period ends while the employee is on sick leave, request may be made by phone to the Department Head to use leave, and then put in writing upon the employee's return.

A department head may request verification and a healthcare provider's statement may be required. The employee must claim all sick leave for the pay period during which the leave is used. This report shall be made to the department head or other person designated for recording purposes.

Employees are required to notify their Department Head/Elected Official or their designee, a minimum of 2 hours prior to their scheduled shift. Employees may be required to find a replacement to fill their shift.

If an employee's accumulated sick leave has been exhausted, the employee's earned vacation will be used as sick leave.

Salaried employees may take up to a maximum of 30 working days (or 6 weeks) paid time off (for vacation, sick or personal needs, including holidays¹⁰) in a twelve month period. All time off must be approved by the salaried employee's supervisor. The salaried employee's supervisor shall track time off taken by the salaried employee. Time/days needed beyond the 30 working days for situations covered by the Family Medical Leave Act (FMLA) will follow the FMLA policy as outlined in the policy manual, and shall be considered unpaid leave.

Funeral Leave

Requests for funeral leave shall be made on a Leave Request Form and shall be submitted to the department head for approval as soon as possible. Use of funeral leave must be approved by the department head. Funeral leave cannot be accrued.

Regular full-time and regular part-time Class A employees will be granted from one to three regular work shifts leave with pay to attend a funeral of the employee's spouse, parents, step-parents, grandmother, grandfather, brother, sister, child, grandchild, step-children, mother-in-law or father-in-law. Extended travel requirements will be given consideration to determine number of days granted. Regular part-time Class A employees will be granted not more than 4 hours for each work shift taken. Leave without pay may be granted for additional time

¹⁰ Revised 1/2011

or to attend the funerals of those other than immediate family members. All such leaves are subject to one (1) day's prior clearance with the Department Head. Any employee performing as a pallbearer for a funeral will be given four (4) hours paid leave. Requests shall be made on the Absence Request Form.

Family and Medical Leave Act

Purpose

To define **Atchison County** policy and procedure with regard to family and medical leave.

General

- a. Employees who have been employed by **Atchison County** for at least one (1) year, *and* worked at least 1,250 hours during the preceding 12-month period, *and* work at a location where at least 50 employees are employed by **Atchison County** within 75 miles are eligible for family and medical leave.
- b. For employees who are not eligible for family and medical leave, **Atchison County** will review business considerations and the individual circumstances involved.

Basic Leave Entitlements

- a. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:
 1. for incapacity due to pregnancy, prenatal medical care, or child birth
 2. to care for the employee's child after birth, or placement for adoption or foster care;
 3. to care for a spouse, son or daughter, or parent who has a serious health condition;
 4. for a serious health condition that makes the employee unable to perform the employee's job.
 5. A qualifying exigency which occurs while the employee's spouse, child, or parent is a member of a Reserve component or a retired member of the Regular Armed Forces or Reserves and is on active duty or on a Federal call to active duty.
 6. A spouse, parent, son, daughter, or next of kin who is a service member has a serious illness or injury.
- b. The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement. If two employees are married, they are entitled to a collective total of 12 weeks of leave for the birth or placement of a child, rather than 12 weeks each.

Military Caregiver Leave

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. Qualifying exigencies to manage the service member's affairs are described on the DOL form [Certification of Qualifying Exigency for Military Family Leave](#).

An eligible employee who is the spouse, son or daughter, parent, or next of kin of a covered service member are permitted to that up to 26 weeks of unpaid, job-protected leave to care for a covered service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty, as determined by the U.S. Department of Defense, that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status, or is on the temporary disability retired list. The 26 weeks may only be taken during the single 12-month period following the beginning of leave. An employee is not entitled to any more than 26 weeks of FMLA leave during any 12-month period, including leave taken for any reason.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continued treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt **Atchison County** operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Atchison County requires employees to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with **Atchison County** normal paid leave policies. The paid leave will run concurrently with the FMLA leave. Once all accrued paid leave has been used, any remaining FMLA leave will be unpaid. The entire leave period (both paid and unpaid) will be counted towards the employee's FMLA entitlement.

Application for Leave

- a. To request leave for the birth or placement of a child, to care for a family member with a serious health condition, or for the employee's own serious health condition, an employee must complete the attached "Application for Family and Medical Leave" and return it to HR Director. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave.
- b. To request leave for a qualifying exigency, an employee must complete the form Certification of Qualifying Exigency for Military Family Leave and return it to HR Director.
- c. To request leave to care for a covered service member, an employee must provide **Atchison County** human resource office with a completed DOL Form Certification for Serious Injury or Illness of Covered Service member for Military Family Leave.
- d. In all instances when certification is requested, it is the employee's responsibility to provide **Atchison County** with complete and sufficient certification. Failure to do so may result in delay or denial of FMLA leave.

Notice of Leave

- a. Employees must provide 30 days advance notice of the need for FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with **Atchison County** normal call-in procedures.
- b. An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her immediate supervisor *and* to Human Resource Department as soon as the necessity for the leave arises.
- c. Employees must provide sufficient information for **Atchison County** to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member

is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform **Atchison County** if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Atchison County must inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, **Atchison County** must provide a reason for the ineligibility.

Atchison County must also inform employees in writing that they may be eligible for Family Medical Leave if they have been absent for 3 consecutive days from work for any of the above listed reasons.

Atchison County must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If **Atchison County** determines that the leave is not FMLA-protected, **Atchison County** must notify the employee.

Benefits Coverage During Leave

- a. During a period of family or medical leave, an employee will be retained on **Atchison County** health plan on the same terms as if the employee had continued to work. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage.
- b. If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse **Atchison County** for payment of health insurance premiums during the family leave, unless the reason the employee fails to return to work is due to the continuation, recurrence, or onset of a serious health condition that would entitle the employee to FMLA leave; the continuation, recurrence, or onset of a covered service member's serious injury or illness that would entitle the employee to FMLA leave; or other circumstances beyond the employee's control.
- c. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. However, an employee is not entitled to the accrual of any additional seniority or employment benefits during the period of time the employee is on unpaid leave.

Restoration to Employment

- a. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- b. However, if an employee would not otherwise have been employed at the time reinstatement is requested, such as because of a layoff, the County is not obligated to reinstate the employee.
- c. **Atchison County** may deny job restoration to a "key employee" if necessary to prevent substantial and grievous economic injury to **Atchison County** operations.

Return from Leave

An employee must complete a "Notice of Intention to Return From Family or Medical Leave" before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to HR Director at least five (5) working days prior to the employee's planned return.

Failure to Return from Leave

The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who

requests an extension of family leave or medical leave due to the continuation, recurrence or onset of her or his own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's immediate supervisor. This written request should be made as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period.

Unlawful Acts and Enforcement

The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right provided under the FMLA; or discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Miscellaneous Employee Benefits

Health Insurance

Any part-time (A) and full-time employee is eligible to participate in a group health insurance program. Atchison County will only pay the non-tobacco user discount rate for those enrolled in the county health plan. For those enrolled that do not satisfy the tobacco discount policy, the employee will pay the difference between the discounted rate and the non-discounted rate. Employees may also enroll in a family health plan, for which the County will pay a portion, the amount of which will be determined by their employee status and whether those enrolled satisfy the tobacco discount policy. Our current health insurance plan includes dental and vision coverage which may be under a different insurer, and with additional costs.

The County offers life insurance, accidental death and dismemberment and short-term disability policies for the employee. See Human Resource Department for details.

The County cannot guarantee coverage or benefits in any way. The County specifically reserves the right to change or eliminate benefits when the County deems it necessary.

Supplemental Insurance

The County makes available to employees other insurance policies on an optional basis. Representatives visit the county employees at least one time per year to offer plans and answer questions. Most policies are available on a pretax basis.

Retirement Program

The County is a member of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fireman's Retirement System (KP&F). After enrollment, both the County and the employee contribute to the system. The employee's contributions are fixed by statute as a percentage of gross salary. KPERS has provisions for full retirement at age 65 and early retirement based upon age and service. Participants under KP&F Retirement Systems have different retirement benefits. Employees may receive that information and any further KPERS details from the Human Resource Department.

Upon retirement, an employee shall be paid accrued vacation leave pay, not to exceed the maximum accrual for the employee's years of continuous service, and sick leave up to an accrued maximum of 240 hours. To qualify for these benefits, a retiree must fall into one of the following classifications:

- An eligible employee who retires at age 65 or over.
- An eligible employee who elects to retire under early retirement provisions of KPERS and who has completed a minimum of ten (10) years of continuous service.
- An employee with a minimum of five (5) years continuous service with the County, who is forced to retire for disability reasons as certified by a physician.

Upon retirement, any employee, with at least 10 years of service, who is qualified for KPERS retirement benefits and not yet age 65, is eligible to continue on the group health insurance plan (single or family plan) ~~with the county paying for one-half of the single premium.~~ Should the retired employee default, take insurance with another County, cancel the policy or when they turn 65, the payments will stop. Details on KPERS can be obtained at the Human Resource Department or online at www.kpers.org.

Safety in the Workplace

Each and every employee shall be instructed regarding Atchison County's Safety Program at the time of employee orientation. Said instruction shall include but not be limited to the following:

- How to report an injury
- How Worker's Compensation works

- Accident Trends
- Employee role/responsibility in the safety program.

Every supervisor shall conduct an accident investigation as soon as possible after an accident in the workplace; said investigation shall take place no later than 24 hours after a workplace accident.

All employee evaluations prepared by Department Heads shall include employee's safety performance and whether or not the employee adheres to proper standards of maintaining safe working conditions as required by current Workman's Comp Carrier.

Workers' Compensation

The County provides workers' compensation coverage for all County employees, as required by Kansas Law. There is no cost to the employee. Workers' compensation provides for payment of medical bills, physical and vocational rehabilitation, and financial compensation while the employee is disabled, either temporarily or permanently, and is unable to work due to injuries sustained in the course of employment. For more information, contact the Human Resource Department.

All personal injury and property damage related to your performance as a County employee must be immediately reported to a supervisor in writing.

Longevity Pay

~~Longevity pay shall be paid to all employees, including Elected Officials, who have achieved five years of consecutive employment as of the end of the calendar year. The longevity pay will be paid with the last paycheck of the year. Employees will be paid a rate determined by the County Commissioners.~~

~~Revised: 11/10/2009~~

~~Effective Date: 1/1/2010~~

~~Longevity pay shall be paid to all employees, including elected officials, who have achieved five years of consecutive employment.~~

~~Beginning January 1, 2010 the longevity pay will be paid on the first pay period after said five year anniversary date. It is the responsibility of each department to request the longevity pay for the employee.~~

Training

Purpose

To promote and facilitate training and career education which meets the needs of Atchison County.

Definitions

As addressed by this policy, training is defined as any work-related program, seminar, conference, convention, course or workshop attended by an employee who tuition and expenses are funded in whole or in part by Atchison County while the employee is on a paid status with Atchison County.

Statement of Policy

It is the policy of Atchison County to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to Atchison County will be more efficient and effective.

From time to time, employees may identify individual courses or seminars that would contribute to their job performance, the understanding of their position, or Atchison County's operations. Employees are encouraged to summarize their thoughts on how the program would aid the employee in benefiting Atchison County and submit a request for training to their supervisor. If approved, tuition and expenses will be funded in whole or in part by Atchison County, provided the employee attends all classes. If the County has funded tuition and expenses and employee fails to attend the classes, the employee must reimburse the county for the amount funded.

Other Courses

Atchison County may reimburse for other educational expenses for an employee only when such course is required for an employee to retain their present position with the county.

Training Programs & Professional Certification

It is our policy to maximize comprehension, retention and transference of training provided by Atchison County. Attendance at all training and professional certification programs will be pre-approved by the employee's immediate supervisor or by the HR Director.

All outside training and conference attendance shall be processed through the Travel Authorization and Expense Report (~~See Appendix~~) and processed as instructed thereon.

All training materials, outlines and manuals shall become the property of Atchison County.

County Sponsored and Required Training Programs

County sponsored and required training shall generally be arranged during regularly scheduled work hours. The Human Resource Department or the employee's immediate supervisor may change the standard work hours of "nonexempt" employees under the Fair Labor Standards Act to accommodate or require attendance at such training activities. Such required training shall be recorded as time worked within the meaning of this policy

Employees who acquire training on their own time and expense are encouraged to notify the Human Resource Department so the information can be noted in the employee's personnel file.

Certificates of Completion shall be provided to the Department Head.

Special Licenses and Membership Dues

Atchison County will pay the current annual dues or fees for each employee who is required by ordinance or state or federal law to be a member of a professional organization or who must maintain current a particular designation, certification or license as a condition of employment. Membership in other professional organizations that promote individual growth, competence and effectiveness are encouraged. Atchison County will pay the current annual dues or fees for employees to belong to an organization of their choice subject to

budgetary restrictions and supervisory approval. Approval of a payment request is made at the sole discretion of the employee's department head with County Commission approval and is subject to budgetary limitations of Atchison County.

Employees who belong to professional organizations that promote individual professional growth, competence and effectiveness in functioning as Atchison County employees will be allowed time off with pay whenever practicable to attend local, state and national meetings. Approval of an attendance request is made at the sole discretion of the employee's department head with County Commission approval and is subject to budgetary limitations of Atchison County.

Business Travel

Purpose

To establish policy guidelines on reimbursement for expenses while on Atchison County business.

Statement of Policy

It is the policy of Atchison County to reimburse employees for reasonable and necessary expenditures made by employees while on official Atchison County business. This includes mileage reimbursement at the rate allowed by Atchison County Commission, lodging and meal expenses and other related expenses including but not limited to car rentals and telephone calls. All expenses must be itemized. Claims for reimbursement of travel expenses, other than mileage, shall, whenever possible, be accompanied by invoices and/or receipts showing proof of payment of such claims. Full itemization should be made when receipts are unavailable.

Overnight Trips

Lodging-Hotel and motel expenses will be reimbursed upon submittal of proper claim. A reasonable class of accommodation shall be selected where choice is available. The single government rate should be clearly indicated on all receipts.

Meals-Meal reimbursement for all trips is to be itemized on the Travel Authorization and Expense Report (See Appendix). (Receipts to be attached)

Meals will be reimbursed at the rate as approved by the Commissioners at their annual reorganization meeting. No tips will be reimbursed by the Commissioners. Meals purchased during meetings not requiring overnight stays will be taxable per IRS Regulations.

Mileage Allowance-Employees who utilize their personal vehicle on travel assignments will be allowed mileage rate per mile as authorized by County Commission. Each employee who drives a private vehicle on Atchison County business must have liability insurance on said vehicle. (The actual odometer reading using the most direct route from employee's point of origin to destination and return to Atchison County's principal office will be basis for employee's submission for mileage allowance. See Appendix.)

Carpooling-When two or more employees are attending the same seminar, convention or meeting; carpooling shall be practiced whenever possible.

Travel for Employee Convenience-if an employee for his/her own convenience travels by an indirect route or interrupts travel by not using the most economical route; the mileage allowance shall not include the unnecessary mileage. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel the most direct route.

Out-of-State Travel

All out-of-state travel on behalf of Atchison County shall have the prior approval of the employee's department head. Employees may receive advances to cover anticipated travel costs.

Atchison County recognizes that occasionally weekend stay-overs are desirable in order to secure the most favorable travel fares. Stay-overs must be approved by the employee's department head in advance and will be evaluated on a case-by-case basis.

Local Travel and Expenses

Local Mileage-No mileage will be paid for community from an employee's personal residence to the work place.

Local Meals-Reimbursement for meals at the rate approved by the County Commissioners will be allowed only where the employee is attending a seminar or conference as a representative of Atchison County or where the employee's attendance will directly benefit Atchison County. No reimbursement for tips shall be made. No reimbursement will be allowed for meetings that are of a purely social nature. The request for reimbursement

of local meals should include the following information: 1) date, 2) place, 3) meeting attended, and 4) specific reason for attendance.

Parking and Turnpike Fees-parking and turnpike fees will be reimbursed for actual cost and receipts shall be presented when possible.

Reimbursement-If an employee reimbursement is necessary, the reimbursement will be processed by the County Commissioners after the "Travel Authorization & Expense Report (~~See Appendix~~); is turned in and approved by the employee's immediate supervisor.

Non-allowable Expenses-non-allowable expenses include but are not limited to: laundry, cleaning or valet services (except for trips of over four day's duration); tobacco/alcohol; personal telephone calls; first class travel accommodations when economy or coach class are available; fines or penalties; rental vehicles except as approved by Atchison County; expenses of a spouse or other non-employee; loss or damage to personal property; barber, beauty parlor, shoe shine or toiletries; personal postage.

Itemized expenses are required and may be subject to taxation in accordance with IRS regulations.

Disciplinary Procedure

The County expects employees to meet standards of high-quality work performance and conduct. Occasionally, an employee will fail to meet those standards and disciplinary action may be necessary to ensure the effective operation of the County's business. Disciplinary action by a department head or supervisor shall be exercised discretely and in such a manner as is appropriate to the immediate problem, taking into consideration the employee's past conduct as reflected by the employee's personnel file.

The County prescribes to a policy of progressive discipline. The County reserves the right to skip progressive discipline when deemed necessary. Depending on the conduct, it is our general policy to take disciplinary steps in the following order:

- Verbal warnings
- Written warnings
- Suspension, with or without pay
- Termination

To decide on the appropriate course of action, the County may consider:

- The seriousness of the violation
- Your employment record
- Your ability to correct the conduct
- Actions the County has taken for similar conduct by other employees
- How your actions affect customers/clients/the public

Some conduct may result in immediate dismissal. Here are some examples:

- Violence or the threat of violence
- Theft of County property
- Excessive tardiness or absenteeism
- Arguing or fighting with co-workers or customers
- Using or possessing alcohol or illegal drugs at work
- Being under the influence of alcohol or illegal drugs at work
- Insubordination or failing to carry out reasonable job assignments
- Making false statements in a job application and/or related to job duties
- Violating County rules and regulations, or state statutes
- Unlawful discrimination or harassment
- Unauthorized use of county owned property
- Accepting gratuities in the performance of the employee's official duties for Atchison County in exchange
- Sleeping on the job
- Failure to report personal injury or property damage accidents to supervisory personnel
- Political activity during work hours

These are only examples and are noninclusive. You may terminate your employment at any time without notice or cause; the County reserves the same right. However, the employee must provide a written two week notice to leave in good standing to be eligible for re-hire and receive payment for accrued sick time.

Harassment Policy

Statement of Policy

It is the policy of the County to maintain an environment for visitors and staff that is free of sexual and other unlawful harassment. All employees of the County should be aware that the County is concerned about sexual and other unlawful harassment and is prepared to take prompt remedial action to prevent and correct such behavior. Employees who engage in sexual and other unlawful harassment will be subject to discipline, up to and including termination. Retaliation against a person who properly reports, complains about or participates in the investigation of sexual and other unlawful harassment is likewise prohibited.

The County is committed to protecting the freedom of expression of all members of the County. This policy against harassment shall be applied in a manner that protects the freedom of expression of all parties to a complaint. Freedom of expression includes but is not limited to the expression of ideas, however controversial, in the workplace. Expression may be subject to regulation, however, to the extent that it does not enjoy the protection of federal or state constitutional guarantees of freedom of speech and expression and creates an unlawful hostile environment based upon **sex, race, ethnicity, religion, age, sexual orientation, and physical or mental disability in violation of Titles VII or IX of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Kansas Act Against Discrimination** or other applicable state or federal law.

Information concerning an allegation of sexual and other unlawful harassment will be handled in a confidential manner insofar as possible. Any employee of the County who receives a complaint of sexual and other unlawful harassment or who otherwise learns of an alleged occurrence of sexual and other unlawful harassment has the responsibility to take prompt steps to ensure that the matter is addressed, even if the complainant refuses to be identified.

Harassment Defined

Harassment in General

Harassment includes verbal, physical and visual forms of harassment and conduct related to sexual favors, based upon a person's protected status **including race, color, national origin, ancestry, sex, sexual orientation, age, religious creed, physical and mental disability, medical condition, marital status, physical condition, including but not limited to obesity**, or other status protected by law. Physical harassment includes conduct such as assault, impeding or blocking movement, or any physical interference with normal work or movement. Visual forms of harassment include derogatory posters, cartoons, or drawings. Conduct related to sexual favors includes unwanted sexual advances which condition an employment or other County benefit upon an exchange of sexual favors.

Sexual and other unlawful harassment is defined as unwelcome or unsolicited verbal or physical conduct of a sexual nature or other conduct prohibited under applicable federal and/or state laws and/or regulations relating to harassment, such as:

1. Where submission is made an explicit or implicit term or condition of an individual's employment or education;
2. Where submission or rejection is used as the basis for making employment or educational decisions affecting an individual; or
3. Which is the creation of a hostile or intimidating environment, in which verbal or physical conduct, because of its severity and/or persistence, is likely to interfere significantly with an individual's work or affect adversely an individual's living conditions.

The conduct alleged to constitute harassment under this policy shall be evaluated from the perspective of a reasonable person similarly situated to the complainant and considering all the circumstances.

If possible, an individual who experiences sexual and other unlawful harassment should make it clear to the harasser that such behavior is offensive, unwelcome, and contrary to the policies of the County. Whether or not the individual can confront the harasser, such behavior should be brought immediately to the attention of a designated individual identified below. Under no circumstances is an individual compelled to report the sexual and other unlawful harassment to a supervisor who is accused of the harassment.

Sexual Harassment Further Defined

Sexual harassment does not refer to occasional compliments generally accepted as not offensive or other generally accepted social behavior. It refers to conduct which is offensive, not welcomed by those to whom it is directed and inappropriate to the educational or work environment.

Examples of sexual harassment include such conduct as:

1. Physical assault;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letter of recommendations;
3. Direct propositions of a sexual nature;
4. Subtle pressure for sexual activity, an element of which may be repeated requests for private meetings without a work-related purpose;
5. A pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, that includes one or more of the following: (1) comments of a sexual nature; or (2) sexually explicit statements, questions, jokes, or anecdotes;
6. A pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (1) unnecessary touching, patting, hugging or brushing against a person's body; (2) remarks of a sexual nature about a person's clothing or body, whether or not intended to be complimentary; or (3) remarks about sexual activity or speculations about previous sexual experience;
7. Visual displays of suggestive, erotic, or degrading sexually-oriented images; and/or
8. Letters, notes or electronic mail containing comments, words, or images as described in (6) above.

Other Conduct Prohibited by the Harassment Policy

1. Reprisals
 - Against the Complainant: It is a violation of the County's Harassment Policy to retaliate against a complainant for filing a charge of harassment. A complaint of retaliation may be pursued using the steps followed for a complaint of harassment.
 - Against the Respondent: Lodging a complaint of harassment is not proof of prohibited conduct. A complaint shall not be taken into account during reappointment, tenure, promotion, merit or other evaluation or review until a final determination has been made that the County's Harassment Policy has been violated.
2. Knowingly false or malicious complaints. To file a knowingly false or malicious complaint of harassment or of retaliation is a violation of the Harassment Policy. A complaint of such conduct may be pursued using the steps followed for a complaint of harassment. A complaint under this provision shall not constitute prohibited retaliation.

Reporting, Investigation and Discipline

Individuals who believe they are victims of, or witnesses to, sexual and other unlawful harassment are urged to report alleged incidents as soon as possible after the incident. Complaints involving allegations of sexual and other unlawful harassment should be filed as promptly as possible, but no later than 60 days following the incident, unless there are compelling reasons for further delay, except in cases of sexual assault where charges must be filed within 12 months of the alleged incident. The complainant may request the complainant's immediate supervisor, department supervisor, the immediate supervisor, or department supervisor of the department in which the accused harasser works for an informal resolution of the problem. If a formal complaint is desired, the incident should be reported to the applicable forenamed person(s). All reports of sexual and other unlawful harassment will be promptly and thoroughly investigated and, when warranted,

disciplinary action, up to and including termination, will be taken against the harasser. Throughout the complaint and investigation process, every effort will be made to assure confidentiality to the fullest extent reasonably possible to protect against retaliation. Subject to applicable law, communication will be limited to a minimum "need to know" basis, coupled with a direction not to discuss the matter outside the process. However, the investigation of such complaints will generally require disclosure to the accused party and other witnesses in order to gather pertinent facts.

In determining whether or not the alleged conduct occurred and/or constitutes sexual and other unlawful harassment, consideration will be given to the totality of the circumstances and context in which the alleged incidents occurred.

The remedies for violation of this sexual and other unlawful harassment policy will depend on the nature of the offense and may include, but are not limited to, one or more of the following actions: required counseling, a verbal or written reprimand, a verbal or written warning or suspension or termination of employment. A proven occurrence of sexual and other unlawful harassment may result in severe disciplinary action, up to and including termination. For more information, copies of the pertinent policies, or to report an incident you may contact any of the individuals listed below:

HR Director
423 N 5th Street
Atchison, KS 66002
913-804-6002

or

County Counselor
423 N 5th Street
Atchison, KS 66002
913-804-6022
913-367-1912

WORKPLACE VIOLENCE PREVENTION POLICY

The County is dedicated to providing safe, dependable working conditions and services to its citizens and employees. In order to achieve this goal, it is our policy to provide a workplace free from violence and violent acts. Consistent with this policy, the County has adopted a "zero tolerance" for workplace violence. In other words, acts or threats of physical violence, including intimidation, harassment and/or coercion between employees in the workplace or job-related contacts with citizens or persons outside the County will not be tolerated.

Definitions

Workplace Violence - Includes, but is not limited to, intimidation, threats, physical attack, or property damage.

Threat- The expression of intent to cause physical or mental harm.

Physical Attack- The unwanted or hostile physical contact such as, but not limited to, hitting, fighting, pushing, shoving, or throwing objects.

Intimidation- Includes but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress.

Property Damage- The intentional damage to property, which includes property owned by the County, employees, visitors, or vendors.

Zero Tolerance- Violations will not be tolerated and will result in severe disciplinary action up to and including termination of employment.

Policy Parameters

Any threats or acts of violence:

- Occurring on County property during normal business hours and involving County employees.
- Occurring on County property during normal work-hours and involving employees, vendors, visitors or contractual employees.
- Occurring away from County property during normal work-hours involving employees.

Prohibited Behavior

The following is a list of some behavior that is prohibited. It is not an all-inclusive list.

- Hitting or shoving an individual.
- Threatening to harm an individual, their family, friends, associates, or property.
- Intentional destruction or threat of destruction of property owned, operated, or controlled by the organization.
- Making harassing or threatening telephone calls, letters, or other forms of written or electronic communications.
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the County.
- Harassing surveillance (stalking), which is the intentional and malicious following of another person, and may include making a credible threat with the intent to place the other person in reasonable fear for their safety.
- Making a suggestion or otherwise implying intent to injure persons or damage property is inappropriate, without regard to the location where such suggestions occur.
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on County property.
- Concealed Carry Issues: All Atchison County employees and departments shall enforce and be compliant with Kansas State Laws regarding Concealed Carry Issues. It may be necessary for various departments to restrict and/or prohibit firearms within their facilities.

Disciplinary Action Against Employees

Employees violating this policy will be subject to disciplinary action up to and including termination of their employment. Additionally, criminal charges can be filed.

Actions Against Persons Not Subject to County Policy

Persons committing any threat or acts of violence, who are not County employees, will be handled through the criminal justice system.

Employee Obligation

- Each employee of the County and every person on County property is encouraged to report incidents of threats or acts of violence of which they are aware. Where the reporting party is not a County employee, the report should be to local law enforcement.
- Where the reporting party is an employee, the report should be made to that party's supervisor, or to local law enforcement. In all cases, the report should be made as soon as possible.
- Employees who act in good faith by reporting real or implied violent behavior or violations of this policy will not be retaliated against or subjected to harassment.
- All employees are encouraged to be alert to the possibility of violence.
- Any report will be handled in a confidential manner, with information released only on a need-to-know basis, or as required by local law.

Employee Assistance

- County policy is to provide assistance to employees for certain emotional/personal problems that may adversely affect job performance.
- Employees are encouraged to voluntarily seek assistance in dealing with emotional, physical or mental health problems.
- Confidential professional assistance, treatment planning, and rehabilitation services are available under the employee's health insurance.
- In an instance where managerial referral is made, confidentiality means that only the appropriate supervisory personnel will be aware of the circumstances of the referral.

CONCEALED CARRY INFORMATION

Prohibited Placed and Posted Signs

The Legislature established a list of places where licensees cannot carry concealed handguns (K.S.A. 75-7c10). Those places generally include state and local government buildings, courthouses, schools, athletic events, public libraries, bars, day care facilities, churches, and temples.

Pursuant to K.S.A. 75-7c11, employers may restrict or prohibit employees licensed to carry a concealed handgun from doing so while on the employer's premises or while engaged in employment. Additionally, business owners, business operators and property owners can restrict or prohibit licensees from carrying concealed handguns on their premises provided the premises are posted in accordance with K.A.R. 16-11-7. This regulation and the graphic can be accessed on the Attorney General web site at www.ksag.org. Carrying a concealed handgun in violation of these restrictions is a class B misdemeanor.

Violations of the Concealed Carry Law **New Violations**

K.S.A. 75-7c12 – It is a class A misdemeanor for a CCH licensee to carry concealed while under the influence of alcohol and/or drugs (CUI). It is also a class A misdemeanor for a CCH licensee to refuse to a lawful request, based on a law enforcement officer's reasonable belief that the licensee is carrying concealed while under the influence, to submit to a breath, blood, and/or urine test. It is a class B non-person misdemeanor for a person to sign a CUI certification submitted to the Attorney General knowing it contains a false statement.

K.S.A. 75-7c10 – It is a class A misdemeanor for a CCH licensee to carry concealed into certain enumerated locations; including state office buildings, city halls, county courthouses, churches and temples, day care facilities, mental health facilities, schools and other places prohibited by state and federal law.

K.S.A. 75c711 – It is a class B misdemeanor for a CCH licensee to carry concealed into a "posted" no concealed carry establishment and/or property.

K.S.A. 75-7c06 – It is a class A misdemeanor for anyone to reveal, other than to law enforcement personnel, that a certain individual or individuals are CCH applicants or licensees, or have been denied licensure.

K.S.A. 75-7c05(a)(5) – Providing false answers on the CCH application, or the submission of any false document by the applicant, subject the applicant to criminal prosecution under K.S.A. 21-3805 (perjury), or other appropriate charges.

A CCH licensee, who is carrying concealed off of the property of their abode or fixed place of business, but their CCH license is either suspended or revoked, is subject to arrest and prosecution pursuant to K.S.A. 21-4201(a)(4) for unlawful concealed carry of a firearm.

Restraining and Protection from Abuse Orders

Restraining orders issued pursuant to the Protection from Abuse or Stalking Acts, interlocutory restraining orders in a divorce, restraining orders in child-in-need-of-care cases and similar orders from other jurisdictions that are entitled to full faith and credit not only disqualify an applicant but, if issued during the period of licensure, result in summary revocation.

The sheriff of the county where the restraining order is issued must notify the Attorney General "immediately upon receipt of such order." K.A.R. 16-11-8 sets forth the process of notification and revocation, in addition to providing an opportunity for a hearing. Stays of revocation orders are not possible. However, reinstatement is available once the restraining order is dissolved, if the person is otherwise eligible.

City Ordinances and County Resolutions

The Personal and Family Protection Act preempts local regulation of carrying concealed handguns. City ordinances and county resolutions that regulate, restrict, or prohibit the carrying of concealed handguns beyond

the restrictions established by the Act, do not apply to licensees. However, as cities and counties are employers, they may restrict or prohibit their employees who are licensed from carrying concealed handguns while on the job. Moreover, as cities and counties are property owners, they may restrict or prohibit licensees from carrying concealed handguns on city or county-owned properties that are properly posted (K.S.A. 7c11(a)(3)).

The Attorney General's Concealed Carry Unit

Web site: www.ksag.org (click on concealed carry link)

Email: ksagcc@ksag.org

Phone: 785-291-3765

Fax: 785-368-6468

Mail: Office of the Attorney General
Attn: Concealed Carry Unit
20 SW Tenth Avenue, 2nd Floor
Topeka, KS 66612-1597

Administrator: Charles Sexson
785-368-6316
sexsonc@ksag.org

Staff Attorney: Charles "C.W." Klebe
785-368-6363
klebec@ksag.org

PERSONAL APPEARANCE OF EMPLOYEES

Policy

It is the policy of the County that each employee's dress, grooming and personal hygiene should be appropriate to the work situation.

Comment

- Employees are expected at all times to present a professional, businesslike image to customers, prospects and the public. Acceptable personal appearance, like proper maintenance of work areas, is an on-going requirement of employment with the County. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted.
- Office workers and any employees who have regular contact with the public must comply with the following personal appearance standards:
 - (a) Employees are expected to dress in a manner that is normally acceptable in similar business establishments. Employees should not wear suggestive attire, jeans, athletic clothing, shorts, sandals, T-shirts, novelty buttons, baseball hats, and similar items of casual attire that do not present a businesslike appearance.
 - (b) Hair should be clean, combed and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
 - (c) Sideburns, moustaches and beards should be neatly trimmed.
 - (d) Tattoos and body piercings (other than earrings) should not be visible.
- Employees who do not regularly meet the public should follow basic requirements of safety and comfort but should still be as neat and businesslike as working conditions permit.
- Certain employees may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms, depending on the nature of their job. It is the employee's responsibility to comply with specific departmental dress regulations.
- At its discretion, the County may allow employees to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear or similarly inappropriate clothing.
- Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy also may result in disciplinary action.
- This policy is not intended to apply to Law Enforcement personnel working in undercover operations.
- Sheriff's Office and Senior Village Employees shall be compliant with their departmental protocols.

Operation of Motor Vehicles by County Employees

Purpose

The operation of County vehicles is necessary in conducting the day-to-day business of the County. The use of County vehicles represents one of the greatest liabilities facing the County. Recognizing this, it is imperative that the County takes reasonable steps to control the use of County and privately owned vehicles used while performing County business. This policy sets forth the guidelines and policies governing the operation of vehicles used in the performance of official County business. Department heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department.

Scope

This policy applies to all County-owned motor vehicles operated on public roads and includes specialty-use vehicles such as construction and excavation equipment designed to operate primarily off-road, but driven on public roads to a job site. For emergency personnel responding to emergency situations, their departmental regulations will take precedence over this policy.

Definitions

For the purpose of this policy, a "motor vehicle" is defined as a self-propelled wheeled conveyance, such as a car or truck that does not run on rails.

General Guidelines

- Except as outlined below, only county employees are authorized to operate County vehicles. Persons volunteering services to the County are considered employees of the County for purposes of this policy and may operate County vehicles when their duties require travel, as long as such travel is under the approval and direction of the department head and necessary in the course of performing official County business.
- Intentional abuse, moving violations, reckless operation or negligent actions while operating any County vehicle may result in the suspension of the employee's driving privileges and is grounds for further disciplinary action.
- Employees shall obey all applicable laws while operating County vehicles.
- County vehicles are to be used for county business and shall not be used by employees for personal reasons.
- When cargo, material, or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the vehicle or trailer. All passengers must be seated and secured prior to the vehicle moving.
- No person shall be allowed to ride anywhere on the vehicle which is not designed or approved by the vehicle manufacturer for passenger seating.
- The driver shall not operate any vehicle when normal vision is obstructed. In inclement weather, necessary precautions to ensure adequate visibility shall be taken, when driving a County vehicle is required.
- A qualified operator must be at the vehicle's controls any time it is running, unless otherwise approved by the vehicle manufacturer. No vehicle shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting the parking brake, and locking the doors or otherwise securing the vehicle to prevent theft, vandalism and unintentional movement. Law Enforcement may be required to leave vehicle motor running for special situations.
- The County shall not be responsible for personal property in County-owned vehicles or personal vehicles used on official County business.

Operator's License

- A valid Kansas vehicle operator's license must be in the employee's possession at all times while operating a County-owned vehicle. In the case of commercially rated vehicles, the proper commercial driver's license for the vehicle's weight and class must be valid and in the possession of the driver at all times.
- Any employee, who operates a vehicle in the performance of official County duties, and

whose operator's license is suspended or revoked, shall immediately report this fact to their department head.

Cellular Phones

For safety reasons, employees are encouraged to follow the procedures below:

- For incoming phone calls while operating a motor vehicle: the employee should answer the call while observing traffic, if it is safe to do so. The caller should be told to hold, the phone set down in a safe location and the vehicle should be stopped in a safe manner in a location where it is legal to do so. The call may then resume.
- For outgoing phone calls: the employee should stop the vehicle where it is safe and legal to do so, and then initiate the call.
- If the employee has a hands-free device, it is acceptable to operate the motor vehicle while speaking on the phone. However, the employee still is required to stop the vehicle in a safe and legal manner prior to dialing a phone number.
- Regulations, restrictions and security may cause individual departments to establish further protocols pertaining to cellular phone and page usage.

Training

All County drivers are required to attend driver-training classes as requested by the County and/or its auto insurance carrier.

Out-of-Town Travel and Meeting Attendance

With department head approval, an employee may take a County vehicle home prior to leaving for an out-of-town trip or attending a late evening or early morning meeting that would require a return to the work place after normal duty hours. The employee may use the County vehicle only for travel necessary to accomplish official County business.

Trailers and Towing

- A driver whose vehicle is towing a trailer, dolly, or other equipment shall assure that the trailer hitch is securely latched, adequate for the load being towed, properly installed on the towing vehicle and that safety chains are securely latched.
- The driver shall assure that the trailer or other towed equipment is supplied with proper lighting including brake lights, turn signals, and running lights.
- Any vehicle having a load that extends more than four feet beyond the rear shall have the end of the load marked with a red flag that shall be at least twelve inches square.
- All trailers and dump trucks that are carrying loose material such as gravel are required to have the top of the trailer/bed covered with a tarp to prevent material from escaping from the container during transport.

Leased/Rented Vehicles

- When it is necessary for an employee to rent a vehicle for County business, the employee's department shall purchase optional comprehensive/collision damage coverage through the renting agency at the time the vehicle is rented.
- Long-term leases (more than 30 days) may be insured through KCAMP with proper notification.

Parked Vehicles

- Any vehicle left unattended shall be legally parked in a designated parking space. Vehicles responding to emergency situations or those parked on job sites shall be parked with due regard to safety and security considerations.
- County vehicles not taken home shall be secured in a County parking lot during nonduty hours. When it is necessary to leave a vehicle at a job site overnight, the operator shall make sure that the vehicle is parked and secured in an area that provides reasonable security.

Accident Reporting Requirements

- Any accident involving a County-owned, leased, rented or privately owned vehicle used in the performance of County duties shall be reported as follows:
 1. Summon medical care for any injured parties.
 2. Notify appropriate law enforcement authorities.
 3. Notify employee's immediate supervisor.
- The supervisor shall immediately notify the County Clerk or the Insurance Coordinator, who will in turn notify the County's auto insurance carrier.
- The supervisor shall be responsible for obtaining a written statement from the involved employee(s), completing all required County reports, and recommending any follow-up preventative actions.
- When the County employee is determined to be more than 50% at fault in an accident by the County's liability insurance carrier, or has violated any of the provisions of this policy, the supervisor shall conduct the following disciplinary actions:
 1. First offense in a three-year period - written reprimand.
 2. Second offense in a three-year period - written reprimand and one-week suspension without pay.
 3. Third offense in a three-year period – termination or reassignment to a new nondriving position that does not require vehicle/equipment operation.

Use of Safety Restraints

- All occupants of County vehicles must properly wear seat belts, when so equipped, any time the vehicle is in motion.
- The operator of construction, excavation, and other off-road equipment shall use the occupant restraint system any time the vehicle is in operation.
- Employees are prohibited from removing, deactivating, modifying, or otherwise defeating any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.

Motor Vehicle Driving Record Review

- As a conditional offer of employment to a prospective County driver, a MVR must be requested for that driver and a copy forwarded to KCAMP and/or Insurance Provider for review.
- At least annually, the Insurance Coordinator/Safety Officer shall request a copy of the transcript of driving record from the Division of Driver's Licensing for each employee whose position requires operation of a County vehicle and will forward those documents to the County's auto insurance carrier for review.
- An accumulation of eight or more driving violation points on the Motor Vehicle Report Program may be cause for disciplinary action up to and including suspension of County driving privileges and/or termination.
- Refusal to submit to a lawful roadside sobriety test shall, for the purposes of this policy, constitute a conviction for DUI.
- An employee who is suspended from driving privileges under this policy, who is in a position that requires driving, may be assigned to a nondriving position at the supervisor's discretion, at the new position's rate of pay. The employee will be considered for the open position along with other applicants, and no preferential treatment will be given to the employee. If the employee is not offered a nondriving job within thirty days of his removal from the driving position, he/she shall be terminated. If the employee is offered and accepts a nondriving position within the thirty-day period, the employee's service record will remain unbroken.

Motor Vehicle Report Program

Conviction	Points
Minor Citation, not involving an accident	1
At-Fault accident	2
Major Conviction (past 3 years)	8
Major Conviction (4-5 years old)	6
IN ADDITION	

Two incidents within the last 18 months	2
OR	
Three incidents within last 18 months	3

Definitions

Minor Citation- Any moving citation you receive, unless it qualifies as a "Major Conviction" as defined below.

Major Conviction- Any conviction that involves:

- DUI;
- Homicide, manslaughter, or assault arising out of the operation of a motor vehicle;
- Reckless Driving;
- Driving with a suspended or revoked license;
- Possession of an open alcohol container;
- Attempting to elude an officer of the law.

At-Fault Accident- Any accident where the county driver was determined to be more than 50% at-fault by the County's liability insurance carrier AND the total amount of all damages exceeds \$500.00.

Incident- Includes minor citation, major conviction, and at-fault accident, as defined above.

Miscellaneous

County vehicles shall have visible exterior markings designating Atchison County and the appropriate department thereof. All users of said vehicles shall maintain an accurate log of mileage and maintenance. The log shall be kept in the vehicle. County vehicles are to be used for business purposes only. Abuse of County owned equipment may result in appropriate disciplinary action, including termination. Non-emergency County vehicles which are taken to employees' residences will be reported as a benefit, in accordance with IRS Guidelines.

Atchison County will pay mileage when it is necessary for employees to use their personal vehicles for county business. The mileage rate shall be as designated by the Commission. Employees shall contact the Human Resource Department for mileage rate and necessary forms.

Use of Computer Equipment, Fax Machines and Telephones

Computer equipment, telephones, fax machines and other electronic tools are provided for official county business purposes. Employees are encouraged to fully utilize this equipment in the conduct of their duties. Atchison County acknowledges that these tools are a valuable and acceptable means for professional and personal development, provided they are not misused.

Employees are responsible for protecting their computers from being used inappropriately by someone else. Employees will be held accountable for the inappropriate use of their computers by others unless they can demonstrate they took reasonable care to safeguard against such access.

As a condition of continuing employment, all employees are expected to report to their supervisor any misuse of county equipment.

Any use of this equipment for personal reasons should be limited. County equipment shall not be used to facilitate inappropriate personal behavior nor to conduct activity related to a personal enterprise. Employees are expected to be able to distinguish between the "appropriate" and "inappropriate" use of this equipment. The following examples of inappropriate use do not represent an exhaustive list of infractions or violations.

In general, it is inappropriate to use any of this equipment for excessive personal use; to conduct personal business enterprise, for gambling or sexual activities; or any illegal activity.

Additionally, and in particular, the inappropriate use of the computer includes excessive personal usage, visiting any internet site in which images or sounds would be inappropriate in an office area.

Employees are to immediately notify their supervisor, by e-mail or note, if they inadvertently visit an inappropriate internet site. Such notice is to include the name of the site and date and time the site was inadvertently visited.

The personal use of the telephone, computer equipment or the fax machine is considered excessive when it interferes with assigned work responsibilities and impacts an employee's ability to appropriately manage his/her work responsibilities in a timely manner.

Other Issues

Employees are responsible to comply with all copyright laws. Copyright laws prohibit employees from copying or distributing copyrighted publications and from installing, copying, or distributing non-licensed copyrighted software on or from their county computer.

E-mail, transferring files, and other forms of internet communications can easily be intercepted, read, changed, or deleted by the wrong people. Atchison County information of a confidential or restricted nature should not be communicated over the internet unless specifically approved for release through the internet. Employees should consult with their supervisors with questions about the confidentiality of, and restrictions on, information.

Employee communications using this equipment are not considered private. Department Heads may regularly review telephone and internet usage reports. Access to internet sites in direct conflict with this policy will be blocked at the discretion of the Department Head.

Atchison County has the authority and capability to review and monitor any and all usage of electronic equipment and services, and will use that capability if there is concern that electronic systems or services are being used inappropriately or if Atchison County believes evidence of criminal behavior or conduct detrimental to Atchison County could be found in such usage.

Personal Equipment

The excessive and/or inappropriate use policy described above also applies to personally owned equipment, including, but not limited to, cell phones, laptops, computer equipment and pda's.

Personally owned equipment may not be attached to the County network, installed on or connected to Atchison County equipment without the consent of the employee's supervisor and approval of Information Technology Services. Personally owned software should not be installed on Atchison County equipment.

Violation of this policy may result in the proposal of disciplinary action up to and including termination of employment and/or criminal prosecution under state and federal statutes.

Information Systems Policy

1. Our email, computer, Internet, and voice-mail systems are County property. Anything you create or load on the system becomes County property.
2. These systems are in place to facilitate your ability to efficiently and productively do your job. To that end, these systems are solely for business purposes.
3. We reserve the right to intercept, monitor, copy, review, and download any communications or files you create or maintain on these systems, at any time, without prior notice to you.
4. When using the Internet, do not send materials of a sensitive nature or which constitute our "confidential information" unless the information is appropriately encrypted to prevent interception by third parties. Treat all "confidential information" just as you would if it was in written "memo" form. Don't access "confidential information" that you are not authorized to see.
5. Your communications and use of email, computer, Internet, and voice-mail systems will be held to the same standards as all other business communications, including compliance with our antidiscrimination and antiharassment policies. We expect you to use good judgment in your use of our system. If you receive unsolicited, offensive materials on any of these information systems, the employee should notify their immediate supervisor. In the event that the offensive material is received from the employee's supervisor, the employee should report the incident to either their supervisor's superior or the individuals listed on page 25.
6. Information on the Internet may be protected by copyright law. Before downloading any information on the internet, creating a web page with links to other material or using other's materials, consult with the County Counselor.
7. In the event that the County is placed in a severe thunderstorm warning or a tornado warning while the employee is at their work station, the employee is responsible for:
 - Shutting down their computer;
 - Unplugging the power cord from the wall;
 - Unplugging the modem line or network cord from the computer;
 - Unplugging the phone line from the back of the phone.

The same conditions apply if the employee is leaving their workstation, either for the evening or the weekend, and they have a reasonable belief that severe weather will occur while they are away.

8. Your consent to and compliance with these information systems policies is a term and condition of your employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing and downloading of any communications or files is grounds for discipline, up to and including termination.

Inappropriate Use of County Equipment

The willful abuse of county-owned equipment such as computer equipment, fax machines, copiers, and telephones is grounds of disciplinary action, including possible dismissal from employment. When in doubt about whether a particular action could be considered willful abuse of county-owned equipment, an employee should check with his/her immediate supervisor.

Smoking Policy

Policy

It is the policy of the County to comply with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well being of its employees.

Comment

- The County recognizes that smoking in the workplace can adversely affect employees. Accordingly, smoking is restricted at all of its facilities.
- Smoking is prohibited inside all County facilities except for areas where it is specifically authorized. The Department Heads are responsible for implementing and monitoring smoking regulations, and supervisors are expected to enforce the regulations. The smoking policy applies to employees, customers and visitors, while on the County's premises.
- Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers with regard to the smoking policy. Smokers have a special obligation to keep smoking areas litter-free and not to abuse break and work rules. Complaints about smoking issues should be resolved at the lowest level possible.
- Smoking is prohibited in all county owned vehicles.

Solicitations and Distributions Policy

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-county literature during your working time or in work areas at any time or in a manner that would cause litter. Working time is defined as the time assigned for the performance of your job and not permitted to sell chances, merchandise or otherwise solicit or distribute literature.

Personal Telephone Calls

Atchison County phones are to be used for Atchison County business and may be used for personal business on a limited basis only. Telephone calls received during business hours must be held to both a minimum number and time limit and must not interfere with the employee's work.

When a toll call must be placed, the call is to be billed to the employee's home number or collect. It is the employee's responsibility to ensure that no cost to Atchison County results from their personal telephone calls.

Violation of this policy will minimally result in cost reimbursement to Atchison County and may subject the employee to disciplinary action.

Performance Review Policy

Purpose and Scope

To establish a performance-based evaluation system for County employees, which provides for an objective, consistent and uniform method of measuring on-the-job performance. This policy is applicable to all employees within the County.

Frequency

1. Each employee's performance will be reviewed after the first six months of employment, or in a new position. The intention of this review is to provide an opportunity for the supervisor to educate the new employee on the philosophy of the County and any lack of skills on the part of the employee.
2. Each employee's performance shall be reviewed and evaluated on an annual basis. The employee's immediate supervisor shall be responsible for conducting the evaluation.

Objectives of Performance Reviews

1. Assist supervisory personnel in making systematic and objective evaluations of work performance, which can be especially useful in determining certain personnel actions.
2. Provide a basis for determining job training needs of individual employees.
3. Give employees a detailed evaluation of their performance and provide them with the information needed to assist them in improving or sustaining their performance.

Guidelines

- The evaluation shall be completed using standardized forms.
- The evaluation shall be based on job performance and employee qualifications, which shall, in turn, be based upon each position's job description and work standards.
- Other factors, such as personal habits, outside activities, etc., shall not be considered if they are not directly related to the job.
- The reviews and evaluation should give the employee a clear picture of where he or she stands in terms of performance standards and provide an opportunity for the individual to express disagreement with any points made.
- Each employee should also be encouraged to seek and receive guidance in improving performance.
- All supervisors are required to share the evaluation with the employee concerned within two weeks of the evaluation performed.
- The employee shall have the right to make any written comments concerning the evaluation.

Personnel Records and Privacy Policy

Access to personnel files is restricted to authorized employees of the Human Resource Department, supervisors, Department Heads and Elected Officials on a need-to-know basis. Requests for information from employee files received from other departments and inquiries from outside the County, including requests for references of former employees, will be directed to the Department Heads. Supervisors and other employees are prohibited from providing personal or employment references on former or current employees.

The following information may be verified by the Department Head and Elected Officials via telephone:

1. Date of hire and date of separation
2. Job title

Wage information may be verified by requesting, in writing, to the Human Resource Department.

Written Inquiries

If the request for information is in writing, all the above information will be verified. This verification will be in writing and a copy retained in the employee's file.

References With Written Approval

With written approval of the current or former employee, salary, job chronology, and performance information may be released.

Examination of an Employee's Personnel File

Inspection of an employee's personnel file may be accomplished at reasonable times during office hours under the following conditions:

- **Employee:** Under Kansas law, employees do not have the legal right to view the contents of their personnel file. Any request made by the employee to view their personnel file will be at the discretion of the County. The employee may request to inspect his or her personnel file and may do so in the presence of the Department Head or Elected Official, if the request is approved. The employee is NOT allowed to remove, alter, or copy the contents of the file.
- **Managers:** Should a manager outside of the employee's chain-of-command need access to the employee's personnel file, (i.e., in the case of a hiring situation) the employee must first give written approval.
- **Government Inquiries:** The County will cooperate with federal, state, and local government agencies investigating an employee if the investigators furnish proper identification and proof of legal authority to investigate. The Department Head or Elected Official may permit a government investigator to review a personnel file on County premises, but the investigator will not be allowed to remove or reproduce this information without consent.
- **Subpoenas:** In the event that an employee file is subpoenaed, the County will provide all information it is legally required to provide in the subpoena.

Confidentiality and HIPPA

Upon hiring, new employees will receive initial HIPPA training from the County HIPPA Officer. Newly hired employees will review and sign the Confidentiality and Non-Disclosure Agreement. The Confidentiality Agreement will be placed in the employee's personnel file. The County HIPPA Officer will note on the Confidentiality Agreement that the new employee has received the required training and submit a copy to the department head. Documentation will be maintained by the County Privacy Officer regarding trainings.

Cell Phone Policy

If the department head authorizes the use of an employee's cell phone for the benefit of the county, and the employee voluntarily chooses to use his/her own cellular phone for county business, the County will reimburse the individual at the rate authorized by the County. Request for this reimbursement must be made on the Cell Phone Reimbursement form (~~see appendix~~) and submitted to the Human Resource Department. Reimbursement is taxable pursuant to IRS Guidelines.

Voice calling only	\$30 per month (Rates adjusted 1/13/2020 in Commission Meeting)
Voice, text and data	\$60 per month (Rates adjusted 1/13/2020 in Commission Meeting)

Request for this reimbursement must be made on the Cell Phone Reimbursement form (~~see appendix~~) and submitted to the Human Resource Department. Reimbursement is taxable pursuant to IRS Guidelines.

This policy will not apply to employees of Atchison Senior Village. The Administrator of Atchison Senior Village may set reimbursement rates for Atchison Senior Village employees.

PURCHASING CARD POLICY

Atchison County, Kansas has contracted with UMB Bank for a Visa Purchasing Card Program. The purpose of the program is to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions (under \$2000) and all travel expenses.

All cards are issued at the request of the Elected Officials or Department Heads, Card usage will be monitored, and misuse of the credit card is sufficient basis for its prompt withdrawal/termination. It is not intended that every employee will have a credit card, nor that credit cards will be used on a widespread basis.

Your signature on the cardholder agreement indicates that you understand the intent of the Policy and agree to adhere to the established guidelines. Your Department will be issued a Purchasing Card after receipt of the signed agreement by the County Counselor. You may begin to use the card immediately after completion of the training provided by the Human Resource Department or your Department Head.

Record keeping will be essential to ensure the success of the program. Standard payment policies require retention of receipts and other documentation. As with any card, you must retain sales slips, cash register receipts, invoices, order forms and receiving documents. In addition, a Purchasing Card transaction log will be maintained.

No individual transaction, by department head, including shipping and handling, may exceed \$5000. Each card has also been assigned a dollar limit for monthly billing cycles at \$500 per employee, \$5000 per department head and total for each department \$5,000. If for some emergency the department head must contact the Purchasing Card Administrator to increase that amount.

Purchases must be for the use and benefit of the County. **NO PERSONAL PURCHASES ARE ALLOWED.**

Vendors are paid by UMB Bank. Please indicate to vendors that they **MUST NOT** invoice the County because it might result in a duplicate payment. **BE SURE TO REMIND THE VENDOR OF THE COUNTY'S SALES TAX EXEMPT STATUS WHEN MAKING A PURCHASE.** (We realize that out of state we have no control of sales tax charges.) If purchases are for services, notify your Department Head or the Human Resource Department for 1099 information.

The Purchasing Card is not intended to avoid or bypass appropriate purchasing or payment procedures. Rather, the Purchasing Card complements the existing processes.

You are responsible for the security of this card and the transactions made against it. The card is issued in your Department's name and any purchases made against the card will be your responsibility. Use of the card not in accordance with guidelines established may result in person liability.

RESPONSIBILITIES

PROGRAM ADMINISTRATOR –

- Maintains a record of Cardholders' names, account numbers, card issuance dates, etc., which is to be kept secured at all times.
- Coordinates the program and responds to Purchasing Card related questions and policy issues.
- Participates in ongoing program reviews.
- Coordinates new card requests as well as cancellations.
- Helps Cardholders resolve billing disputes when Cardholders' attempts are unsuccessful.
- Develops and maintains data furnished by UMB Bank (provider bank) for standard and ad hoc reporting.
- Provides orientation session for Cardholders as needed.
- Develops and maintains the Preferred Supplier Listing.
- Periodically reviews reports for compliance with program requirements.
- Notifies Department Heads of changes that affect Cardholders' spending limits and/or status.
- Notifies Department Heads of changes that require re-issuance of purchasing card.
- Regularly audits new accounts and periodically audits existing accounts on a random or as-needed basis.

DEPARTMENT HEADS

- Continually assess cardholder's eligibility for Department card use.
- Review monthly statement with cardholder.
- Verifies limits for all Cardholders.
- Handle disputed items.
- Forward approved statement and a copy of log to Accounts Payable along with the budgetary account to be charged on each receipt/invoice.
- Request Purchasing cards for Department.
- Hand deliver signed agreements to the Program Administrator and pick up cards.
- Collects cards from Cardholders who end employment.
- Issue cards.
- Notify the Program Administrator of terminated, lost or stolen cards.
- Retain a photocopy of the front and back of each new or renewed card issued.
- Daily and monthly reports provided by UMB should be reviewed by the Department Head. Evidence of this review can be documented by initialing and dating the reports.

CARDHOLDER

At the time of issuance, the Department Head will advise you of all restrictions that apply to your card, such as maximum transaction amount and the type of purchase(s) allowed.

As a Cardholder, you are expected to:

- Adhere to all responsibilities agreed to in the **Purchasing Card Cardholder Agreement**.
- Purchasing card should always be treated with at least the same level of care that you treat your own personal credit cards.
- Retain, for monthly statement reconciliation, all charge slips, cash register receipts, invoices and packing lists associated with card purchases. Documentation must be itemized for auditing purposes.
- For telephone or catalog orders, make sure complete shipping address and instructions are given along with your name (e.g. name and department name)
- Reconcile monthly statements and retain documentation.
- Resolve errors and disputes, coordinate returns, and verify that appropriate cards are issued.
- Immediately notify the Department Representative of changes in Cardholder status.
- You will have to advise the merchant that this is a tax-exempt purchase. If they require an exemption certificate, one may be obtained from the Accounting Department.

Cardholders and their Department Head will receive a variety of information on their purchases (card activity, etc.). Please remember such data concerning the card and procedures are proprietary and should not be disclosed outside Atchison County. Card usage will be monitored and cards may be rescinded at any time. Remember, Cardholders are committing Atchison County funds each time they use the Purchasing Card. This is a responsibility that cannot be taken lightly. Unauthorized or inappropriate use may constitute a criminal offense and may be grounds for termination. **The County will not pay for transactions that do not have supporting detail – no exceptions.** Include a review and verification of any credits that may be due to appear on the statement. If taxes have been charged on any tax-exempt purchases, you are responsible to see that they are removed and a credit obtained from the merchant in question.

Any transactions not appearing on the statement for which you have invoices on file will carry to the next month. The Department Head is responsible for approving purchases and forwarding the information to the Accounting Department.

TAX EXEMPT INFORMATION

- Purchases made with this card are Sales Tax Exempt under KSA 79-3606.
- The County is not exempt from hotel excise taxes.
- **Cardholders must inform vendors that the County is tax exempt before order is processed. Some vendors may require sales tax exempt purchases to be processed at Customer Service.**

CARD SECURITY

You are responsible for the Purchasing Card entrusted to you. Carefully guard it and use it responsibly.

- Safeguard cards and card numbers.
- Prohibit others from using your Purchasing Card.

REPORTING A LOST OR STOLEN CARD

Immediately report lost or stolen cards using the following procedure. Atchison County is liable for all charges incurred before the card is reported lost or stolen to UMB Bank.

- Immediately call UMB Bank at 800-821-5185 ext. 2412. Record the name of the person you spoke to, the time and date the loss/theft is reported, and the reference number provided by UMB Bank.
- Inform the Department Head and complete FORM TO REPORT A LOST OR STOLEN PURCHASING CARD. The original will be sent to the UMB Bank at the address listed on the form, forward a copy to the Program Administrator, give one to the Department Head and keep one copy for your records.

CHANGES TO CARDHOLDER INFORMATION

The Department Head should complete the Visa Purchasing Card Cardholder Account Action Request to advise UMB Bank of name, address, cost code, and employment status changes, as well as other changes in Cardholder information and sent to the Program Administrator.

CARD RENEWAL

Every two years, renewal cards will be sent to the Program Administrator for distribution. Renewal dates will be the same for all Atchison County Purchasing Cardholders, regardless of the card issuance date.

REPLACEMENT CARD

The Department Head will complete the Visa Purchasing Card Cardholder Account Action Request and forward it to the Program Administrator.

Cards do not transfer to other departments. They stay with the department they were issued.

RETURNS

- **Contact the** supplier to request an authorization for materials to be returned and to receive any vendor instructions required to issue credit on the card.
- Keep a copy of the packing slip and make a notation showing the details of the return.
- Verify that the credit is applied by the vendor on the monthly billing statement.
- The cardholder or their supervisor is responsible for processing the returns.

DISPUTES

If discrepancies are noted on the monthly statement (quantity, price, duplicate billing, no credit from prior transactions, billing for item not received, etc.) the following steps should be taken.

- Check the purchasing card log to determine who had the card on the date of the disputed purchase. Did someone purchase something and forget to turn in the documentation? Do we have the material alleged to have been purchased? Was this an authorized purchase for a legitimate public purpose?
- If the issue can not be resolved internally, contact the supplier and try to reconcile the difference.
- If the supplier does not agree that an error has been made, contact the Program Administrator and provide all of the relevant information. We will then work with UMB to dispute the charge.

WHAT CAN BE PURCHASED

Most small dollar value items (under \$2000) can be purchased using the card including, but not limited to:

- Books, videotapes, and subscriptions
- Maintenance supplies and tools
- Seminars
- Incidental and miscellaneous purchases
- Office supplies not available through Central Supply

- Emergency purchases
- Lodging, airfare, car rental
- Meals while out of County on County business

WHAT CANNOT BE PURCHASED

- To ensure items not approved for purchase in compliance with Purchasing Procedures, and Department Procedures
- Personal purchases – personal entertainment
- To secure cash for returns or cash advances
- Consulting services
- Professional services
- Personal services
- Lodging incidentals such as movies, video games, personal telephone calls and alcoholic beverages

RECEIVING MATERIALS

Cardholders should verify that all materials ordered are received. The Cardholder should also follow up with the supplier to resolve delivery problems, discrepancies, back orders, and damaged goods. Retain receipt and packing/shipping documentation for monthly statement reconciliation.

AUDIT

The cardholder is responsible for insuring that the required documentation is obtained and on file for each purchase. Periodic audits will be made. The Department Head, Accounting or our independent auditors may do these. It is critical that any users of the card obtain sales receipts specifically identifying the nature of the purchase, and that the cardholder maintains an up to date log of card activity.

Substance Abuse and Testing Policy

I. PURPOSE

As a part of its commitment to safeguard the health of its employees and provide a safe place for its employees to work Atchison County (hereinafter "County") has established this policy on the use or abuse of alcohol and illegal drugs by its employees. Substance abuse, while at work or otherwise, seriously endangers the safety of employees and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the County. The County has established this policy to detect users and remove abusers of alcohol and illegal drugs from the workplace. It is also the policy of the County to prevent the use and/or presence of these substances in the workplace in accordance with the following guidelines.

Employment with the County is at-will. County policies, procedures, and/or employee assistance programs are not intended to create any implied or express contracts, written or verbal, between the County and its employees, independent contractors, or job applicants. The County reserves the right to alter any policy, procedure, or program at its discretion and without notice to its employees, independent contractors, or job applicants. The County creates no promises with any of its policies, procedures, and programs, and remains free to change wages and all other working conditions without having to consult employees or anyone else and without anyone's agreement. The County reserves the right to terminate an employee with or without cause and to refuse to hire any job applicant, as is consistent with existing law.

II. SCOPE

As a condition of employment, employees are required to abide by the terms of this policy. This substance abuse policy primarily governs actions in the areas of alcohol and drugs. Other County policies may apply in these areas to the extent that they do not conflict with this policy.

(Certain employees may be subject to additional requirements under state and/or federal regulations.)

III. DEFINITIONS

A. "ILLEGAL DRUGS"

"Illegal drugs" are drugs or controlled substances that are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful or prescribed manner. Examples include, but are not limited to, cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP) as well as prescription drugs that are not lawfully obtained and/or not properly utilized. The term "illegal drugs" also includes mind-altering and/or addictive substances that are not sold as drugs or medicines but are used for the mind- or behavior altering effect (e.g. glue, peyote).

B. LEGAL DRUGS

"Legal drugs" are those prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose for which they were prescribed and sold.

C. COUNTY PROPERTY

The term "County Property" includes work sites; parking lots; vehicles; offices owned, rented, utilized or serviced by the County or by any customer of the County; employee-owned or employee-rented vehicles on the property of the County or of any customer of the County while on County business; and locations where the employee represents the County in any capacity.

D. APPLICABILITY

This policy applies to any employee of Atchison County whose primary job responsibility is considered safety related. All safety related employees are subject to random, unannounced drug and alcohol testing. Failure to comply with these requirements will result in termination.

1. Law Enforcement Personnel
2. Nursing Home Personnel
3. Employees driving a County vehicle
4. Employee driving own vehicle for regular duty requirement
5. Communications Center Personnel
6. Non-Regulated Road Department Personnel
7. Transfer Station Personnel
8. County Appraiser
9. Community Corrections Personnel
10. Joint Communications Personnel

E. ON DUTY

The term "On Duty" includes all working hours as well as meal periods and break periods, regardless of whether on premises, and all hours when the employee represents the County in any capacity.

IV. DRUG USE PROHIBITIONS

- A. The use, sale, purchase, possession, manufacture, distribution or dispensing of illegal drugs on County property or while on duty is against County policy and is cause for immediate termination.
- B. It is also against County policy for any employee to report to work or to work with the presence of illegal drugs in the employee's body. Employees who violate this policy are subject to termination.
- C. The use of legal drugs can also affect the safety of the employee, fellow employees or members of the public. Therefore, any employee who is taking any legal drug that might impair safety, performance or any motor function [must advise his or her supervisor before reporting to work under such medication. A failure to do so may result in termination. Improper use of "legal drugs" is prohibited and may result in disciplinary action up to and including termination].
- D. Refusal to submit to, efforts to tamper with, or failure to pass a drug test will result in termination.
- E. Persons terminated (hereafter referred to as 'person') under the provisions of this Article IV Drug Use Prohibitions may apply for reemployment with Atchison County after six months from their termination date if person has documentation verifying person has successfully completed a rehabilitation program acceptable to Atchison County and person has submitted to testing as directed by Atchison County during the six month period with testing showing non-positive results. To be eligible for reemployment person must indicate a commitment to comply with county's requirements for reemployment at time of termination. Atchison County's reemployment of person will be at the discretion of the department head of any department where application is made. Person shall not have any right to reemployment with Atchison County or any particular department of Atchison County.

V. ALCOHOL USE PROHIBITIONS

- A. The consumption, possession or being under the influence of alcohol on County property or while on duty is prohibited and will result in disciplinary action, up to and including termination. There may be occasions, however, removed from the usual work setting, at which it is permissible to consume alcohol in moderation (e.g., County picnics, receptions, civic activities, sporting events).

- B. Notwithstanding the exception mentioned above, it is always against County policy to report to work or to work under the influence of alcohol and such action will result in disciplinary action, up to and including termination.
- C. Employees asked to submit to an alcohol test and the test result is .04 or higher will be considered non-negative.
- D. Refusal to submit to, efforts to tamper with or receiving a non-negative test will result in termination.

VI. TESTING EVENTS

A. TESTING OF APPLICANTS

1. Applicants will be advised of the County's pre-employment testing requirements in writing following an offer to hire and prior to referral for a physical and/or drug and/or alcohol testing. Applicants will be asked to sign the Applicant Drug/Alcohol Testing Consent Agreement.
2. All applicants considered final candidates and who have received an offer for a position will be tested for the presence of illegal drugs and/or alcohol and must receive negative test results as a part of the hiring process.

B. POST-ACCIDENT TESTING

Employees who are involved in an accident that results in an injury or \$1,000.00 or more damage, will be tested for the presence of drugs and/or alcohol following an accident or other occurrence that involves one or more of the following covered events: a fatality, an injury to an employee or other individual, or damage to vehicles and/or other property.

C. RANDOM TESTING

1. All covered employees are subject to random, unannounced drug and/or alcohol testing.
2. Selection of employees for random testing shall be conducted through the use of a computerized random number generator.

D. REASONABLE SUSPICION TESTING

Employees will be required to submit to a drug and/or alcohol testing if reasonable suspicion as permitted by current law exists that an employee is violating, or has violated this policy. Any supervisor or employee who believes another employee is violating this policy should report his or her belief to his department head.

E. ADDITIONAL TESTING

Additional testing may also be conducted as required by applicable state or federal laws, rules or regulations, or as deemed necessary by the County. Upon initial implementation of this substance abuse policy, all current employees will be subject to testing.

VII. TESTING PROCEDURES

1. The County will determine for which drugs and/or alcohol testing will be performed.
2. Specimen samples will be analyzed by an appropriately licensed or certified laboratory.
3. Employees will be informed of the results by the Department Head or Other appropriate County official.
4. The testing laboratory will report the finding of a confirmed positive test result to a designated Medical Review Officer (MRO). The MRO will contact the employee to verify the positive result. Following the verification of a positive result by the MRO, the Department Head will be informed of the positive test result.
5. An employee may request and receive from the County a copy of the test result report.
6. If an employee challenges the validity or accuracy of the verified positive result, he/she may appeal, in writing, to the MRO, within three (3) working days of the employee having been notified

of the non-negative result.

7. The employee will be responsible for all costs associated with conducting any requested retest.

VIII. DISCIPLINARY ACTION

- A. Any violation of the County's substance abuse policy, including a verified non-negative drug or confirmed alcohol test, will result in discipline up to and including termination.
- B. Any employee engaging in the use, sale, purchase, possession or distribution of drugs or alcohol on duty or on County property is subject to disciplinary action, up to and including termination.

IX. INVESTIGATION

- A. To ensure that illegal drugs and alcohol do not enter or affect the workplace, the County reserves the right to search all vehicles, containers, lockers or other items on County property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon County request.
- B. Failure to consent to a search or to display personal property for visual inspection will be grounds for termination or denial of access to County premises.
- C. The County will turn over all confiscated drugs to the proper law enforcement authorities. Further, the County will cooperate with and may enlist the services of the proper law enforcement authorities in the course of any investigation.

X. ARREST OR CONVICTION FOR DRUG-RELATED CRIME

- A. If an employee is arrested or convicted of a drug-related crime, the County may investigate the circumstances and County officials may require a drug test.
- B. As a condition of employment, an employee shall notify the County's Department Head of any criminal drug statute conviction or for any plea of guilty, nolo contendere or suspended imposition of sentence or diversion agreement that has been entered on a criminal drug statute charge. The employee must give notice in writing to the County within five (5) days of such conviction, plea or imposition.

XI. CONFIDENTIALITY

Results of an applicant's or employee's test for the use of illegal drugs or alcohol shall be remitted to the Department Head. In order to effectively address the employees with drug or alcohol problems, it will be necessary for the Department Head to consult with other persons in the process. However, such results may be disseminated only on a need-to-know basis.

Employees are encouraged to approach their supervisor or Department Head at any time with any questions they have about the County's substance abuse policy as stated herein.

XII. TRAINING AND EDUCATION

Supervisory Training

Since Supervisors have a key role in establishing and monitoring a drug-free workplace, Atchison County shall provide training to assist supervisors in recognizing and addressing illegal drug use by County employees. Supervisory training will be required of all supervisors and may be presented as a separate course or be included as part of an ongoing supervisory training program. Training will be provided as soon as possible after a person assumes supervisory responsibility; however, failure to receive such training will not invalidate otherwise proper management decisions relating to this program. The purpose of supervisory training is to provide the following information:

- County policies relevant to work-performance problems and drug use
- The rights of employees
- The ways that performance and behavioral changes should be recognized

and documented

According to FMSCA regulation, all employees of Atchison County designated to supervisors drivers will receive training on this program. The training will include at least 60 minutes of alcohol misuse and 60 minutes on drug use. The training content will include the physical, behavioral, speech, and performance indicators of probably alcohol misuse and drug use. The training allows supervisors to determine reasonable suspicion that a driver is under the influence of alcohol or drugs.

Employee Education

All DOT drivers will be given a copy of this policy and the regulations, and a publication that explains the effects of alcohol and drugs.

Drug education for employees includes the following:

- Objectives of the program
- Types and effects of drugs
- Rights of the employee
- Symptoms of drug use and the effects on performance and conduct

Drug education activities may include the following:

- Distribution of written materials
- Videotapes
- Lunchtime employee forums
- Employee drug-awareness days

Personal Use of County Property

Taxpayers have the right to depend on the County to manage tax dollars wisely and effectively. County employees have been given many tools needed to effectively carry out their assigned responsibilities.

Generally speaking, there is little incentive for an employer to allow employees to use the employer's property for private use. That is, the employer generally does not benefit from the employee's personal use. Allowing the use, however, may be justifiable if the personal use of property is already widespread. Also, allowing limited use may boost morale in the workplace without incurring additional expense.

The Commission has indicated a desire to promulgate a policy that will allow for limited use of County property by employees. The Commission has recognized that limited use of County property by employees has been allowed in the past. The Commission has indicated that allowing limited personal use of these tools will help enhance the quality of the workplace and help the County retain qualified and skilled workers.

This proposed policy is largely borrowed from the United States' General Services Administration Office of Government wide Policy MEMORANDUM dated June 07, 1999 concerning Model "Limited Personal Use Policy" of Government Equipment.

PROPOSED POLICY

Generally, employees may use County office equipment for authorized purposes only. County employees are permitted limited use of county equipment for personal needs if the use does not interfere with official business and involves minimal additional expense to the County. This limited personal use of county office equipment should take place during the employee's non-work time. This privilege to use County office equipment for non-county purposes may be revoked or limited at any time by the County or by individual department heads.

This policy does not create right to use county office equipment for non-county purposes. Nor does the privilege extend to modifying such equipment, including loading personal software or making configuration changes.

"Minimal additional expense" means that employee's personal use of county equipment is limited to those situations where the county is already providing equipment or services and the employee's use of such equipment or services will not result in any additional expense to the county or the use will result in only minimal wear and tear or the use of small amounts of electricity, ink, toner or paper. Examples of minimal additional expenses include, making a few photocopies, using a computer printer to print a few pages of material, making occasional brief personal phone calls, infrequently sending or receiving personal e-mail messages, or limited use of the Internet for personal reasons.

"Employee non-work time" means times when the employee is not otherwise expected to be addressing official business. Employees may for example - use county equipment during their own off-duty hours such as before or after a workday (subject to local office hours), lunch periods, or authorized breaks (if their duty station is normally available at such times).

County equipment may be taken off-premises for personal use only with the prior written permission of the employee's department head. Such off-premises use shall be limited to a short period of time and shall only be allowed if the equipment is not needed for county business during that time. Each department head shall keep a written record of any equipment taken off-premises for personal use, including a description of the equipment, including the condition of the equipment, the date(s) authorized for removal of the equipment, and the employee's acknowledgement of the same.

Employees are authorized limited personal use of County office equipment. This personal use must not result in loss of employee productivity or interference with official duties. Moreover, such use should incur only minimal additional expense to the County in areas such as:

- Communications infrastructure costs; e.g., telephone charges, telecommunications traffic, etc.;
- Use of consumables in limited amounts ; e.g., paper, ink, toner, etc.;
- Wear and tear on equipment;

- Minimal data storage on storage devices;
- Transmission impacts with moderate E-mail message sizes such as emails with small attachments.

Employees are expected to conduct themselves professionally in the workplace and to refrain from using county office equipment for activities that are inappropriate. Misuse or inappropriate personal use of county office equipment includes:

- Any personal use that could cause congestion, delay, or disruption of service to any county system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network.
- "Push" technology on the Internet and other continuous data streams would also degrade the performance of the entire network and be an inappropriate use.
- Using the County systems as a staging ground or platform to gain unauthorized access to other systems.
- The creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.
- Using county office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but are not limited to: hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.
- The creation, download, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials;
- The creation, download, viewing, storage, copying, or transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities or activities otherwise prohibited, etc.
- Use for commercial purposes or in support of "for-profit" activities or in support of other outside employment or business activity (e.g. consulting, sales or administration of business transactions, sale of goods or services).
- Engaging in fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any partisan political activity.
- Use for posting agency information to external newsgroups, bulletin boards or other public forums without authority.
- Any use that could generate more than minimal additional expense to the county.
- The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information including computer software and data, that includes privacy information, copyrighted, trademarked or material with other intellectual property rights (beyond fair use), proprietary data, or export-controlled software or data.

It is the responsibility of employees to ensure that they are not giving the false impression that they are acting in an official capacity when they are using county equipment for non-county purposes. If there is expectation that such a personal use could be interpreted to represent an agency, then an adequate disclaimer must be used. One acceptable disclaimer is –“*The contents of this message are mine personally and do not reflect any position of Atchison County.*”

Employees have no inherent right to use county equipment. Therefore, all departments may establish controls to ensure that the equipment is used appropriately.

County employees do not have a right, nor should they have an expectation, of privacy while using any County office equipment at any time, including accessing the Internet or using E-mail. By using county office equipment, employees imply their consent to monitoring and recording. The County may employ monitoring tools to detect improper use.

Unauthorized or improper use of County office equipment could result in loss of use or limitations on use of equipment, disciplinary action (including termination) criminal penalties and/or employees being held financially liable for the cost of improper use.¹²

Email Policy

Atchison County will use email to disseminate information to employees. Some of this information may be of confidential nature. Accordingly, each employee of Atchison County will be assigned an email address using either the atcoks.org or atchisonlec.org domain.

Each elected official or department head shall allow each employee at least one opportunity per workday to check email. In addition, employees may access email through webmail services or through other computers, including smart phones.

Email addresses are provided for official County business. Email may not be used for transmitting, retrieving or storing any unlawful communications, or communications of a discriminatory or harassing nature. Brief and occasional messages of a personal nature involving matters of necessity and not casual conversation may be sent and received, so long as these personal messages do not impede County business. Employees shall not send messages with non-county business content, such as jokes, anecdotes, or gossip.

All emails and other data stored on the County's computer systems are County property. Emails and other data may be accessed, read, downloaded, or deleted in the County's regular course of business. The County reserves the right to disclose employee e-mail messages or internet records to law enforcement or government officials or to authorized parties, without notification to or permission from the employee sending or receiving the messages.

Any employee found to be abusing the privilege of County facilitated access to electronic media or communication services shall be subject to disciplinary action including termination of employment.

Social Media Policy Policies and Procedures Regarding Social Media Use

Atchison County endorses the secure and responsible use of social media technology to enhance communication, collaboration, and information exchange; to streamline processes, and to foster productivity improvements. Use of social media must not compromise data confidentiality and integrity. All standards of conduct that apply to the employees of Atchison County in the performance of their assigned duties also apply to employee social media technology use.

Due to the widespread use of social media to engage in communication over the internet and the potential risks for that medium of communication to be used in a way that violates the Policies and Procedures of Atchison County, the Board of County Commissioners has adopted the following guidelines concerning appropriate use of social media.

Guidelines

The same principles and guidelines found in Atchison County's Policies and Procedures Handbook apply to employee's activities online. Ultimately, each person is solely responsible for what he or she posts online. Before creating online content, each employee should consider the risks and rewards that are involved, keeping in mind that any conduct that adversely affects the employee's job performance, the performance of fellow employees, or otherwise adversely affects employees, members of management, customers, vendors, suppliers, or Atchison County's legitimate interests may result in disciplinary action.

An employee's personal social media use may not be represented as official county agency sites. When posting on social media sites, employees should not speak on behalf of Atchison County unless specifically authorized to do so. Employees who mention Atchison County, its services or its employees in any capacity on any website, or social media site, without prior authorization to speak on behalf of the county, must explicitly include a disclaimer that the views expressed are the poster's personal views and do not necessarily reflect the views of Atchison County.

Employees shall refrain from using social media while on work time or on equipment provided by the County, unless it is work-related as authorized by your supervisor and consistent with the County's Technology Policy. In all cases, employee use of social media during work hours shall not interfere with work duties. Employees shall not use Atchison County email addresses to register on social networks, blogs or other online tools utilized for personal use.

Employees are encouraged to be fair and courteous to fellow employees, members of management, customers, vendors and suppliers, or people who work on behalf of Atchison County.

Definition

Social media/social networking is defined as internet sites where individuals and organizations may share information and/or engage in conversations with others in a public setting which include—but are not limited to—sites such as Facebook, Flickr, Twitter, YouTube, blogs, podcasts and RSS feeds.

Policy

Private Use of Social Media

County employees who use social media for strictly personal use outside of the workplace do not require any prior approval to do so. Employees shall refrain from discussing County business that is not considered public information. Employees are reminded that they may be viewed by the public as

representatives of the County. Accordingly, employees are urged to use discretion and common sense when using social media.

Official Use of Social Media

In order to foster the trust and confidence of those who may come across official county social media messages, all such use shall accurately convey the authority of the person making the post. No person shall use social media in such a way as to portray that such use has the endorsement of the County except in accordance with these guidelines.

Non-elected County employees who use social media for County use must have prior approval of their department head and the Board of County Commissioners before registering on social media on behalf of the County.

Elected officials who use social media for County use are responsible for the content of each and every posting. Elected officials may designate an employee within the office to post on behalf of the elected official.

Official County Social Media

No individual may use social media in a way that suggests that they have the official backing of the County, unless approved by the Board of County Commissioners. County Commissioners may post from an individual account to the official County social media site, provided such post shows that the post is made in the Commissioner's individual capacity.

Individual departments within the County may utilize Official County social media sites by contacting the IT director.

Compliance

Atchison County social networking sites shall adhere to applicable state, federal and local laws, regulations and policies including all County technology policies and other applicable County personnel policies.

Administration

Access to the technologies and sites will be granted by the Information Technology Department (hereafter referred to as the IT Department) after the following takes place:

- 1) Receipt of a social media policy acknowledgement form signed by the department head and the designated employee.
- 2) Verification of Commission approval.

The IT Department will maintain an archive of signed acknowledgements and applicable Commission approval documentation.

All social media administrators shall be trained regarding the terms of this policy, including their responsibilities of reviewing content submitted for posting to ensure compliance with the policy.

All social media administrators shall respect copyright, fair use and financial disclosure laws. Do not post others' material, for example, photographs, articles or music, without ensuring they've granted appropriate permissions.

All social networking sites shall clearly indicate they are maintained by Atchison County and shall have the County's contact information prominently displayed.

Content

Atchison County reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. Before removing inappropriate content, administrators shall take a screenshot of the content for documentation purposes.

Where possible, social media sites shall link back to the official Atchison County website for any forms, documents or further information.

Material that is inappropriate for public release shall not be posted nor shall personal opinions or editorial comments. Responses shall not be made to hate speech, non-sequiturs (i.e. sarcastic comments) or issues that do not deal with agency objectives or goals.

Atchison County social networking content and comments containing any of the following forms of content shall not be allowed for posting:

- 1) Comments not topically related to the particular site or blog article being commented upon;
- 2) Profane language or vulgar content;
- 3) Content that promotes or perpetuates discrimination on the basis of race, creed, age, religion, gender, marital status, status with regard to public assistance, national origin, disabilities or sexual orientation;
- 4) Personal attacks of any kind;
- 5) Sexual content or links to sexual content;
- 6) Solicitations of commerce or endorsement of commercial products, unrelated to County goods or services;
- 7) Endorsement of political parties, candidates or groups;
- 8) Conduct or encouragement of illegal activity;
- 9) Information that may tend to compromise the safety or security of the public or systems;
- 10) Information on County related legal proceedings or controversies, including communications with County attorneys;
- 11) Disclosure of—or speculation on—confidential, financial, technical or operational information pertaining to the County;
- 12) Citing or referencing County clients, business partners or suppliers without their approval;
- 13) Content that violates a legal ownership interest of any other party;
- 14) Any other content that can discredit or negatively affect the reputation or perception of the County, or
- 15) Government content on any site is generally public domain and therefore cannot become the intellectual property of an individual or be protected by a site provider. Care must be taken to not create the appearance of a copyright on a government created work, unless specifically permitted by statute.

The above list shall not be deemed to be all-inclusive and Atchison County reserves the right to add additional criterion.

Personal Media Sites

A personal media site is any site that is not officially approved and operated by Atchison County. County employees shall not present themselves as representing Atchison County on any personal social media site.

Social media administrators found in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

Account Security

1) In order to ensure password security, all departments with social media administrators shall adhere to the following procedures:

- a) Any user identification and password information for social media accounts must be provided to the IT Department upon creation and/or modification of said information. An Atchison County email address supplied by the IT Department shall be used for any social media account that utilizes an email address to establish user credentials or retrieval of passwords. The supplied e-mail addresses will be crafted for the intended purpose and not indicative of the particular individual that would be utilizing it.
- b) Social media accounts created for official county use shall be the property of Atchison County and not the intellectual or personal property of the officer, employee or public official who creates, administers or maintains said account. Any user identification and password information for social media accounts must be provided to the IT Department upon creation and/or modification of said information.
- c) Departments will immediately change user names and/or passwords if an employee designated as a social media administrator for the department/agency leaves employment or is otherwise no longer designated as a social media administrator.
- d) Use strong passwords: i) Make a password at least eight characters long using upper and lower-case letters, numbers and special characters
- e) Use passwords safely: i) Create different passwords for different accounts and applications. If one account is breached, the other accounts won't be at risk as well. ii) Never enable the "save password" option, even if prompted to do so. Pre-saved passwords make it easier for anyone else using your computer to access the accounts.