

Policy Handbook



Our Mission:

The mission of the Dunn County government is to deliver services in a fiscally responsible way that will enhance the health, safety, and quality of life of our residents.

Our Vision:

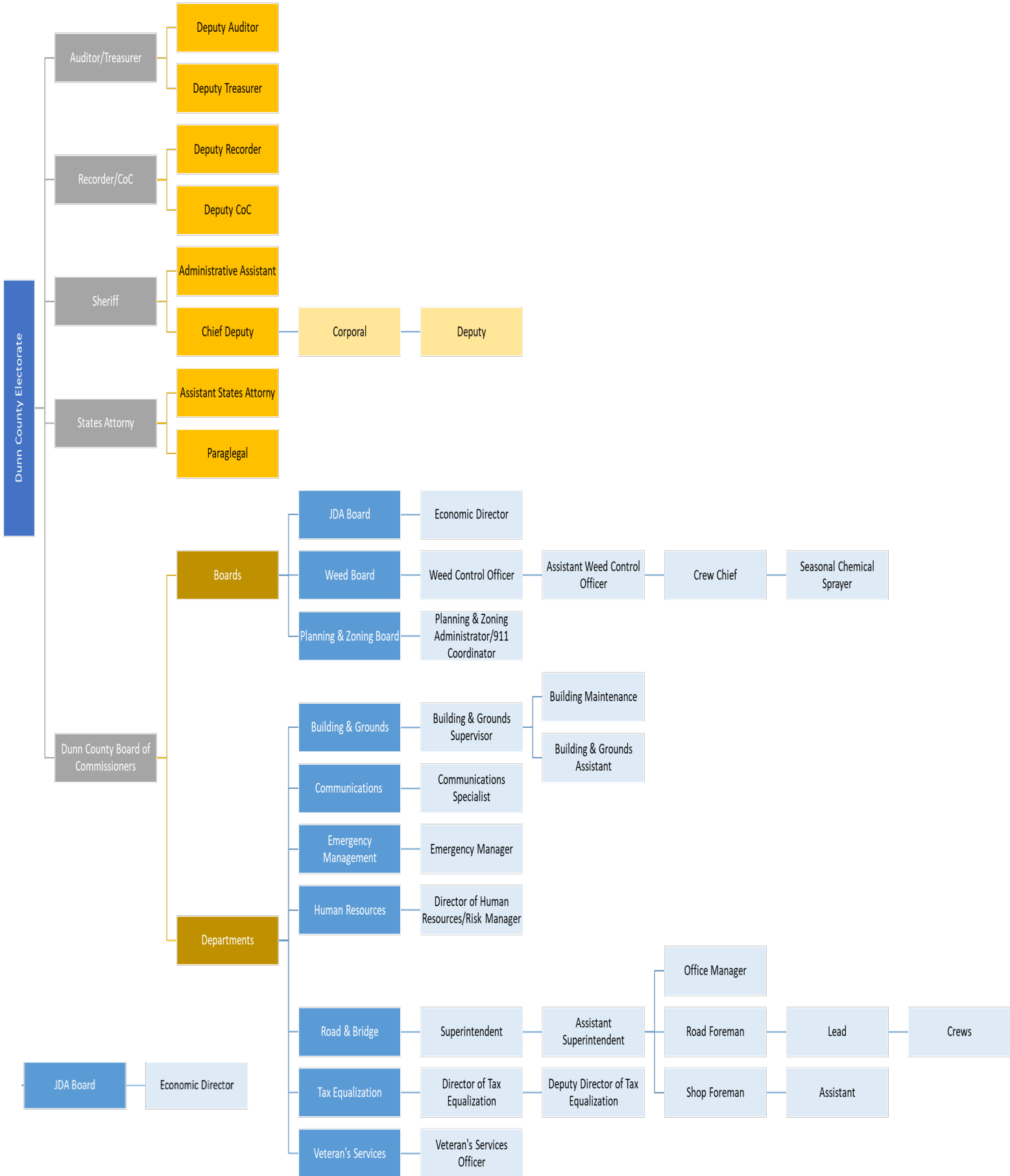
Dunn County government will strive to achieve greater efficiency while capitalizing on opportunities to build a stable and prosperous future for our county.

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Introduction

Citizens of Dunn County elect the Board of County Commissioners and some department heads. The remaining department heads are appointed by the Board of County Commissioners. Employees are hired by department heads within budgetary guidelines authorized by the Commissioners.

Employees are accountable to their department head or a designated supervisor. Department heads are responsible for day-to-day activities within their departments and are accountable to the Board of County Commissioners. The Commissioners and other elected officials are directly accountable to the citizens of Dunn County.

Dunn County has developed this employee handbook as a communication tool between Dunn County and all county employees. It is designed to acquaint you with Dunn County and contains personnel policy guidelines outlining benefits and the minimum requirements of job performance expected of you. These are conditions of your employment with Dunn County. Any part of the handbook that is not clear to any employee should be discussed with their department head, their designee, or Human Resources.

The employee handbook cannot anticipate every circumstance or question about policy. As the conditions in the county continue to change, the need may arise to change policies described in the handbook. The county retains the right to revise, change, add to, suspend, or cancel, in whole or in part, any of the policies contained in this handbook, at any time, without notice. A good faith effort will be made to communicate revisions, changes, additions to, suspensions, or cancellations to employees.

Should any policy in this handbook be found to conflict with requirements in law or be declared illegal by a court of competent jurisdiction, said policy shall be automatically rescinded to the extent that it violates the law. The remaining policies shall remain in full force and effect until rescinded or amended by the Dunn County Board of Commissioners.

All employees will operate under the most current version of the handbook as maintained in the office of the Dunn County Human Resource Director and the county website to include any updates or addendums. The policies in this handbook are not intended to cover every situation that may arise. It should be understood that this handbook must be used as a guide only.

The contents of this handbook are not to be considered a part of any employment agreement or contract with any employee. Employment with Dunn County is on an 'at-will' basis and is for no definite period and may, regardless of the date or method of payment of wages or salary, be terminated at any time with or without notice, and for any reason or no reason not prohibited by law. Other than Dunn County Commissioners, no department head, supervisor, or other person, irrespective of title or position, has the authority to alter the at-will status of your employment or to enter into any employment contract for a definite period of time with you. Any agreement with you altering your at-will employment status must be in writing and signed by the Dunn County.

Commissioner Chairperson. Employees are free to leave the employment of Dunn County at any time for any reason without notice.

The Dunn County Sheriff's Office may be required to deviate from this handbook. Only policies documented in writing in the Dunn County Sheriff's Office Policy and Procedure Manual or state law will take precedence over this handbook.

Welcome

On behalf of Dunn County Commissioners, we welcome you to our team and wish you every success here. At Dunn County, we strive to give the general public the best products and services possible.

We believe that each employee contributes directly to Dunn County's success, and we want you to take pride in being a member of our team. The wages, employment benefits, and policies outlined in this handbook contribute to an excellent work experience for county employees. The Employee Handbook is developed by Dunn County to describe our expectations of our employees and to help you understand some of the personnel policies and procedures that affect your employment. Review the policies closely. Requests for exceptions to the policy are to be brought first to the Department Head and Human Resources. If the Department Head and Human Resources cannot find a reasonable solution for the employee and the department while staying within policy, Human Resources will bring the request to the Dunn County Commission for review.

We are here to serve the general public. To properly serve them, we need to be cognizant of changes needed as well as providing the best service and holding expenses to acceptable levels. Employee input to these ends is always welcome. Suggestions are to be directed to your department head as situations arise or considerations are warranted.

As you begin your employment with Dunn County, direct any questions or problems you encounter to your Department Head or the Human Resources Director. We hope that your experience here will be challenging, enjoyable, and rewarding. As an employee of the county, you serve the people of Dunn County and we require that you treat them all with courtesy, respect, and a sense of duty. More information about the various county boards, departments, elected officials, and department heads is located on the county website at www.DunnCountyND.org

Sincerely,

Board of Commissioners Dunn County, North Dakota

History of Dunn County

Dunn County is located in western North Dakota and was formed in 1883 from Howard County but abolished that same year. It was later added to Stark County in 1897 and finally formed as Dunn County from Stark and Mercer in February 1908. The county was named for John Piatt Dunn (1839-1917), an early pioneer of western North Dakota, and later mayor of Bismarck.

When the West was expanding, the Northern Pacific Railroad could make or break a town. In 1908, they planned on building a line north and west from Mandan which would follow the Knife River. They went so far as to survey town sites and name them. This brought businesses and people to the new town sites. Towns like Emerson and Manning were thus born. Manning was a thriving community in the early years with a courthouse, newspaper, drug store, doctor, lawyer, bank, and other businesses.

When the railroad later changed its location north along Spring Creek from Mandan, these towns died and others like Werner, Dunn Center, Killdeer, Halliday, and Dodge emerged. Halliday was established in 1914 and was originally 2 miles north of its current location. Halliday was later moved to be closer to the railroad line that ran from Killdeer to Mandan. Dodge was platted in 1915 and was named for George W. Dodge, a Minneapolis banker who purchased this land once he heard the railroad was platted west of Golden Valley. One town along the original route did survive. Manning had been saved because it had won the county seat in 1908 and has kept it ever since. The Northern Pacific Railroad, which later changed to Burlington Northern, abandoned its line in 1986 so Dunn County is no longer served by a railroad.

A courthouse built on the Knife River in 1908 was burned to the ground in 1912. A wood structure was built in 1914 for a cost of \$3,800 to replace the original structure, then remodeled and added to twice until it was replaced with a brick structure in 1995. Faced with growing demands on County staff, the court system, the Sheriff's Office, and County Records, plus the County's desire to consolidate scattered departments like Social Services and NDSU Extension, plans for an expansion began in 2016. With direction from the Dunn County Commission and a Building Committee of Commissioners, County Officials, and Staff, the courthouse underwent renovations that included a major south expansion and a minor north expansion that bookend the existing courthouse – transforming the exterior image and interior organization. This three-year undertaking was completed in the spring of 2019. The County seat remains in Manning despite four attempts, three since 1988, to move it to one of the larger towns located in the county.

The Southern boundary of Dunn County was fixed at the 10th Standard Parallel with an area of 2,068 square miles. It is the 5th largest county of the 53 in the State of North Dakota. Dunn is surrounded by the counties of Billings, McKenzie, McLean, Mercer, Mountrail, and Stark. Major townships today in Dunn County are Dodge, Dunn Center, Halliday, Killdeer, and Twin Buttes along with the villages of Manning, New Hradec, Marshall, and Werner.

Dunn County's economy is based on Agriculture and Oil. The first "Oil Boom" reached Dunn County on Christmas Day in 1976 and reached its peak in the early 1980's. The oil economy dropped off considerably in the late 80s until the next big oil boom which started in the mid- 2000's. The Agricultural Economy is based on livestock and grain production and continues to be the mainstay of

the county. After experiencing extreme growth from 2010-2016 in oil and gas production, in August of 2019 Dunn County became the number two oil-producing county in the state of North Dakota with production of 10,636,452 barrels of oil per day from 2379 wells. The population of the County went from nearly 10,000 in the 1920's to a 2020 census population of 4095 people. Expanding oil activity continues to bring people from all over the country, many making Dunn County their permanent home versus a temporary working location.

Dunn County has the Fort Berthold Reservation to the north, the Killdeer Mountains, Lake Ilo (a rebuilt manmade lake on Spring Creek at Dunn Center), the Little Missouri Bay Recreation Area, and the Little Missouri State Park. Popular attractions include fishing, boating, hunting, rodeos, the Badlands, and The Scenic Highway.

The Little Mo Campground is a quiet oasis that is located in the Little Missouri Arm Recreation Area on Lake Sakakawea just 15 miles North of Dunn Center and is a great place for year-round activities. With a fishing license, Walleye, Northern Pike, Small Bass, Catfish, and White Bass can be caught. Several mowed walking trails exist. Dunn County Park Board opens the Little Mo Campground in May (weather permitting) and offers its facilities until late September. The campground will be operated and maintained from Memorial Day through Labor Day.

Section 1: Ethics and Conduct

All employees of Dunn County are expected to observe the highest standards of ethics and integrity in their conduct. Serving the general public is the primary reason for the existence of county government. When any reasonable request for assistance is made, we will respond positively and see the problem through to its completion. If we are unable to assist immediately we will inform the individual when we will be able address their request (if it is to be granted), keep them apprised of the progress, and adhere to that commitment.

Employees, while on duty or representing the county in an official capacity, are expected to follow the policies of Dunn County and in the case of the general public will present Dunn County's position positively. Any employee observing an unprofessional approach to the general public or observing an employee misrepresenting the County policies or procedures shall report the incident to their immediate Department Head or their designee for proper action.

Employees who have questions about how this code of business ethics applies in particular situations should discuss the exact circumstances with their department head or Human Resources. Each situation disclosed will be considered on its merits.

It is the expectation of Dunn County that all employees will:

- Faithfully carrying out county policies, rules, regulations, and contracts.
- Deal honestly, fairly, and compassionately with the general public, co-workers, and elected officials.
- Respect Dunn County's ownership of all County equipment, supplies, books, records, and propriety information, and preserve the confidentiality of County records classified as confidential under the North Dakota Century Code.
- Decline any gifts, gratuities, offers of free service, travel, merchandise, etc., or payments offered by anyone with whom Dunn County does business. Borrowing from such sources (except banks or where credit is extended as a general practice to the public) is prohibited. Only token gifts, including imprinted pens, or calendars and unsolicited gifts of nominal value may be accepted without the authorization of the employee's Department Head or their designee. Upon approval of the County Board of Commissioners, Department Heads may request sponsorship from business partners for county functions.
- Disclose any outside financial interests that might influence an employee's decisions or actions on the job, including interests in suppliers, or clients. Employees should not acquire such interests except for publicly traded securities in which the employee owns less than a one percent interest.
- Not accept any outside employment with a supplier or any other employment (including self-employment) that could interfere with responsibilities to Dunn County. Employment with any person or business that has dealings with Dunn County must be approved by the Department Head in writing, including the acceptance of directorships, honoraria for speeches, or consulting fees.

- Not use information or authority derived from employment with Dunn County for personal gain.

Any unusual requests that are beyond the scope of the employee's normal job responsibilities or which seem inappropriate to the employee should be referred to the department head or their designee, Human Resources, or the Dunn County Commissioners as soon as possible.

Employee Conduct

Dunn County considers a consistently positive, cooperative, self-motivated, courteous, and professional attitude to be an essential function of every position. You must serve the public in a fair, impartial, and respectful manner and treat County employees, supervisors, and officials with respect and courtesy. Each employee must understand that when in contact with the public, you project an image of the Dunn County government. Whether this image is favorable or adverse depends on fair, impartial, and respectful treatment. Instances where the public has been offended will be reported to the supervisor.

Employees whose conduct shows a lack of respect or professionalism will be disciplined. Even while off duty you should remember that as an employee of Dunn County, your activities may reflect upon Dunn County and may affect your ability to perform your job.

Code of Conduct

To ensure orderly operations and provide the best possible work environment, the county expects employees to follow rules of conduct that will protect the interests and safety of all employees and the county. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension and/or termination of employment.

- Theft or inappropriate removal or possession of property
- Dishonest or misrepresentation including, but not limited to, falsification of timekeeping records, misrepresentation on employment applications, or dishonesty in an investigation.
- Working under the influence of alcohol, illegal drugs, or cautionary prescription drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Bullying or harassment of any kind toward another individual while in the workplace, while on duty, or while conducting County business
- Disruptive activity in the workplace
- Negligence or improper conduct leading to damage to property
- Insubordination or other disrespectful conduct
- Violation of safety and health rules
- Failure to comply with written doctor retractions or statements
- Failing to report injuries timely

- Smoking (including vaping) in prohibited areas
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized use of telephones, mail system, the internet, or other employer-owned equipment
- Violation of personnel policies
- Unsatisfactory work performance or behavior
- Employee drivers arrested or cited for driving under the influence or reckless driving, on or off the job, may be subject to disciplinary action up to and including immediate termination.

Dress Code/Appearance:

Employees of Dunn County are expected to show a well-groomed, clean, and neat appearance. Appearance and dress should be in keeping with the job being performed, both for safety reasons and to reflect a positive image for the county. An employee arriving for work wearing clothing or accessories that are inappropriate for their job duties or as outlined below, will be required to go home and change before commencing work.

Inappropriate clothing may include, but is not limited to: revealing or see-through clothing, skirts more than 3 inches above the knee, shorts, sweatpants, exercise pants, jeans with rips or holes, tank tops or halter tops, casual beach sandals, flip flops, slippers or footwear inappropriate for your job duties.

Confidentiality

No County official or employee may accept outside employment or engage in any business or professional activity that the official or employee might reasonably expect would require or induce him or her to disclose confidential information acquired by the county official or employee because of the county official's or employee's official position.

No county official or employee may disclose confidential information gained because of the County official's or employee's official position. Disclosure of confidential information to anyone, including county officials or employees who would not ordinarily know such information and without a work-related need for the information will be considered a policy violation and may lead to disciplinary action up to and including termination.

No county official or employee may use confidential information gained because of the county official's or employee's official position for his or her personal gain or benefit or the gain or benefit of another unless the disclosure has been authorized by the County Commissioners or by terms of a contract involving Dunn county; and the person or persons who have the authority to waive confidentiality of the information.

A county official or employee shall not use information acquired in confidence from a county customer, supplier, lessee, or contractor for other than Dunn County purposes. This section of the

policy does not prevent a county official or employee from giving testimony under oath or from making statements required to be made under penalty of perjury or contempt.

The State's Attorney shall determine, acting in the best interest of Dunn County, whether the information is confidential.

Harassment

Discrimination and harassment, including sexual harassment, are strictly prohibited at Dunn County. This policy applies to conduct or statements by any employee of Dunn County related to age, sex, religion, national origin, physical disability, race, or other characteristics protected by federal or North Dakota state law that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes they or anyone else is the victim of discrimination or harassment at should REPORT the problem immediately, verbally, and/or in writing directly to their supervisor, or the supervisor of the accused, to any supervisor in any department of Dunn County, to the Human Resources Director, or any officer or elected official of Dunn County. Reports or complaints of discrimination or harassment will be investigated promptly with confidentiality maintained to the greatest extent practical. Action, as deemed appropriate given the totality of the circumstances, will be taken in a timely fashion.

The county has a zero-tolerance policy for discrimination or harassment, including sexual harassment. If the incident is confirmed, the offending employee faces sanctions, including but not limited to the following: verbal or written reprimand, negative evaluation, denial of promotion, suspension, demotion, forced resignation, and termination.

Sexual harassment refers to all types of unwanted sexual attention. Sexual harassment does not mean occasional compliments of a socially acceptable nature. Sexual harassment refers to conduct that is offensive to the individual, which harms morale, which interferes with the effectiveness of county business, or which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. This includes pressure to provide sexual favors, and offensive, intimidating comments or actions concerning one's gender, sexual orientation, or gender identification.

There are four basic types of sexual harassment:

- Verbal harassment: Sexually suggestive comments, e.g., about a person's clothing, body, and/or sexual activities; sexually provocative compliments about a person's clothes or the way their clothes fit; comments of a sexual nature about weight, body shape, size, or figure; comments or questions about the sensuality of a person, or his/her spouse or significant other; repeated unsolicited propositions for dates and/or sexual intercourse; pseudo-medical advice such as "you might be feeling bad because you didn't get enough" or "A little Tender Loving Care (TLC) will cure your ailments"; continuous idle chatter of a sexual nature and graphic sexual descriptions; telephone calls of a sexual nature; derogatory comments or slurs; verbal abuse or threats; sexual jokes; suggestive or insulting sounds such as whistling, wolf-calls, or kissing sounds; homophobic insults.

- Physical harassment: Sexual gestures, e.g., licking lips or teeth, holding or eating food provocatively, and lewd gestures such as hand or sign language to denote sexual activity; sexual looks such as leering and ogling with suggestive overtones; sexual innuendoes; cornering, impeding or blocking movement, or any physical interference with normal work or movement; touching that is inappropriate in the workplace such as patting, pinching, stroking, or brushing up against the body, mauling, attempted or actual kissing or fondling; assault, coerced sexual intercourse, attempted rape or rape.
- Visual harassment: Showing and distributing derogatory or pornographic posters, cartoons, drawings, books, or magazines; writing or distributing in any manner or medium, including but not limited to email or text messaging, material whose purpose or effect is to create an offensive, intimidating or hostile working environment.
- Sexual favors: Persistent pressure for dates, and unwanted sexual advances that condition an employment benefit upon an exchange of sexual favors.

It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect an employee's job prospects. For example, it is forbidden either to imply or withhold support for an appointment, promotion, or change of assignment or suggest that a poor performance report will be given because an employee has declined a personal proposition. Also, offering benefits such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, or reclassifications in exchange for sexual favors is forbidden.

Any employee found to have violated this policy shall be subject to appropriate disciplinary action, according to the findings of the complaint investigation, which may include termination. Anyone making a false claim of sexual harassment will also be subject to disciplinary action up to and including termination.

Any employee bringing a sexual harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment, or discriminated against or discharged because of the complaint. Complaints of such retaliation will be promptly and thoroughly investigated with appropriate action being taken.

Anti-Bullying Policy

The purpose of this policy is to communicate to all employees, including supervisors, managers, and Department Heads, that Dunn County will not, in any instance, tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

Dunn County defines bullying as repeated, health-harming mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- Threatening, humiliating, or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done.
- Verbal abuse.

Such behavior violates Dunn County's Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

Dunn County considers the following types of behavior examples of bullying:

- Verbal bullying. Slandering, ridiculing, or maligning a person or his or her family; persistent name calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying. Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- Gesture bullying. Nonverbal gestures that can convey threatening messages.
- Exclusion. Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, and giving deliberately ambiguous instructions).
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying should report this to their supervisor or Human Resources before the conduct becomes severe or pervasive. All employees are strongly encouraged to

report any bullying conduct they experience or witness as soon as possible to allow Dunn County to take appropriate action.

Workplace Violence

It is the policy of Dunn County to prohibit all acts or threats of violence and threatening behavior by or against its employees during assigned duty times. Violations of this policy by employees of the county will lead to disciplinary action which may include termination of employment.

Violent acts or threats of violence include any activity by an individual that would cause another person to feel unsafe due to the threat of physical harm. The violent behavior may take the form of verbal threats to harm another person or damage property, physical aggression, or harassment including sexual harassment. Threats of violence include possession or display of a weapon of any type or exhibiting an object in such a manner that it appears to be a weapon.

Employees who are subject to or become aware of any violent acts or threats of violence shall immediately report the matter to their supervisor or any higher-level authority.

Department supervisors who receive a report of violent activity or a threat of violence shall immediately assess the situation to determine the nature of the threat and take action as follows:

When it is apparent that one or more individuals may be in immediate physical danger, the endangered employee should call 911. When action is taken by the department supervisor, the information will be reported to the Human Resources and the Board of County Commissioners as soon as possible. When the danger of physical harm does not appear to be immediate, gather all available information and, when reported to the department supervisor, provide a full report of circumstances to Human Resources and the Board of Commissioners.

The Board of Commissioners, upon receipt of a report of violence or a threat of violent activity, shall take action appropriate to the circumstances which may include requesting the proper authority to remove the violator from the work site and/or to provide appropriate protection of the threatened person(s). The County Commissioners shall proceed to investigate or assign someone to investigate the reported incident which will form the basis for any corrective or disciplinary action.

When a reported act of violence or threat of violent activity has been investigated, and the violator is an employee of Dunn County, the county Commissioners shall take appropriate action which may include disciplinary action up to and including termination of employment and/or reporting the incident to law enforcement authorities.

When a reported act of violence or threat of violent activity has been investigated, and the violator is not an employee of Dunn County, the county Commissioners shall take appropriate action which may include termination of business relationships and/or reporting the incident to law enforcement authorities.

Substance Abuse

Dunn County is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drug of abuse have been established

for all employees, regardless of rank or position, including both regular and temporary employees. The rules apply during working hours to all employees of the county while they are on county premises or away on county business.

- The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on County property is prohibited.
- Being under the influence of illegal drugs, alcohol, or substances of abuse on county property is prohibited.
- Working while under the influence of prescription drugs that impair performance is prohibited.

So that there is no question about what these rules signify, please note the following definitions:

- County property: All county-owned or leased property and/or equipment used by employees.
- Controlled substance: Any substance listed in Schedules I-V of the Controlled Substance Act, as amended and including [Medical] Marijuana.
- Drug: Any chemical substance that produces a physical, mental, emotional, or behavioral change in the user.
- Drug paraphernalia: Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance.
- Illegal drug: Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation.
- Any drug, including – but not limited to – a prescription drug, used for any reason other than that prescribed by a physician.
- Inhalants used illegally.
- Under the influence: A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse.

Consistent with the rules listed above, any of the following actions constitute a violation of the County's policy on drugs and may subject an employee to disciplinary action, up to and including immediate termination.

- Using, selling, purchasing, transferring, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting to or assisting another to do so, while in the course of employment.
- Working or reporting to work, conducting county business, or being on county property while under the influence of an illegal drug or alcohol, or in an impaired condition.

As a condition of employment, all newly hired employees, rehired employees, and employees returning from a personal unpaid leave of absence must pass a drug screen test before starting work. County employees working in safety-sensitive positions are subject to a random drug and/or alcohol test. Safety-sensitive positions are sworn officers, drivers and equipment operators, and employees who are assigned a county vehicle to perform their job duties. If, based on ordinary observation, the County has reasonable suspicion that an employee is working under the influence of alcohol, other drugs, or inhalants, including any chemicals used within the county, he/ she may be required, as a condition of continued employment, to submit to a urine or Breath Alcohol Content (BAC) test. If the employee admits to being under the influence of any chemical, testing may not be required. If tested, the employee may be suspended, pending the results of the test. This is to remove the employee from a potentially dangerous environment as well as to allow a thorough investigation of the situation.

In the event of major property damage or injury to any person by a county employee, he/ she may be required, as a condition of continued employment, to submit to a urine or BAC test. If the employee admits to being under the influence of any chemical, testing may not be required. If tested, the employee may be suspended, pending the results of the test. This is to remove the employee from a potentially dangerous environment as well as to allow a thorough investigation of the situation.

Employees have the right to know the dangers of drug and alcohol abuse in the workplace, the County's policy about them, and what help is available to combat drug or alcohol problems. To assist employees in overcoming drug and alcohol abuse problems, the County may offer the following help:

- Medical benefits for substance abuse treatment
- Information about community resources for assessment and treatment
- Employee Assistance Program
- Counseling program

Any employee arrested on suspicion of violating a criminal drug or alcohol statute must inform the county of such arrest (including pleas of guilty and nolo contendere) within five (5) days of the arrest occurring. Failure to inform the county subjects the employee to disciplinary action, up to and including termination of employment for the first offense.

The county reserves the right to offer employees convicted of violating a criminal drug or alcohol statute participation in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. If such a program is offered, and accepted by the employee, then the employee must satisfactorily participate in the program as a condition of continued employment.

The county recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Please contact your supervisor or Human Resources for more information about the benefits potentially available under the employee medical plans and any possible referral sources.

Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for paid or unpaid time off to participate in a rehabilitation program. Such a leave may be granted if the employee abstains from the use of the problem

substance while on leave, abides by all County policies, rules, and prohibitions relating to conduct in the workplace, and if the County suffers no "undue hardship" as a consequence of granting the leave.

All employees including newly hired or rehired employees will be provided a copy of the Substance Abuse Policy. An Acknowledgement of Receipt and Adherence to the Policy will be signed and kept in the employee's personnel file. Violation of the Substance Abuse Policy and/or refusal to submit to testing will be grounds for disciplinary action up to and including termination of employment.

Prescription Medications

The prohibition of controlled substances also covers all legal and prescription drugs that may impair an employee's ability to perform his or her job or prescribed drugs that are not being used in the manner prescribed or by the person for which they are prescribed. Employees who know or should know the use of a legal prescription could impair their ability to perform their jobs (i.e.; adversely affect vision, judgment, alertness, or hand-eye coordination) are required to inform their supervisor or Human Resources immediately. The information, which will be kept confidential, is necessary to properly and safely assess an employee's ability to perform his or her job duties.

Section 2: Employment

Employee Relations

Questions or concerns about work conditions or compensation are to be directed to the department head. If concerns are not properly addressed by the department head, employees may bring them to Human Resources Director. Should the Human Resources Director position become vacant, then concerns need to be brought to the attention of the Commissioner who holds the Human Resources portfolio.

Our experience has shown that it is best when employees deal directly with their supervisor. We believe that Dunn County has amply demonstrated its commitment to responding effectively to employee concerns.

Equal Employment Opportunity

Dunn County is an equal-opportunity employer. It is the policy of Dunn County to recruit, hire, train, and promote employees without discrimination because of race, ethnicity color, religion, gender, sex, age, creed, status of marriage or public assistance, national origin, or disability except where specific age, gender, or physical requirements are a bona fide occupational qualification.

Veteran's Preference: Qualified veterans may have preference for employment with Dunn County as outlined in Chapter 37-19.1 of the North Dakota Century Code.

Nepotism

It is well-accepted that the employment of relatives in the same area of an organization can cause serious conflicts and problems with favoritism and employee morale. In these circumstances, all parties, including supervisors, leave themselves open to charges of inequitable consideration in decisions concerning work assignments, transfer opportunities, time-off privileges, training and development opportunities, performance evaluations, promotions, demotions, disciplinary actions, and discharge. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

North Dakota Century Code Chapter 11-10-25 restricts nepotism by County Officials. No head of any executive or administrative department or agency, either elective or appointive, of any county in this state, may appoint that official's spouse, son, daughter, brother, or sister to any position under the control or direction of that official unless the appointment has been previously approved by resolution of the Board of County Commissioners.

It is the County's policy that relatives, as listed above, of County Commissioners, other elected officials, or any other persons currently employed by the County may not be hired, within the same department, without the prior approval of the Board of County Commissioners.

Immigration Law Compliance

Dunn County employs only United States citizens and aliens who are authorized to work in the United

States and complies with all laws of the U.S. Citizenship and Immigration Services (USCIS) including; the Immigration Reform and Control Act of 1986 (IRCA), Immigration Act of 1990, and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).

Form I-9 requirements come out of the Immigration Reform and Control Act of 1986 (IRCA). IRCA prohibits employers from hiring and employing workers for employment in the United States knowing that these workers are not authorized concerning such employment. Employers also are prohibited from continuing to employ an individual knowing that he or she is unauthorized for employment. This law also prohibits employers from hiring someone, including U.S. citizens, for employment in the United States without verifying his or her identity and employment authorization on Form I-9.

E-Verify is an Internet-based program run by the United States government that compares information from an employee's Employment Eligibility Verification Form I-9 to data from U.S. Government records. If the information matches, that employee is eligible to work in the United States. If there is a mismatch, E-Verify alerts the County and the employee is allowed to work while he or she resolves the problem; they must contact the appropriate agency to resolve the mismatch within eight (8) federal government work days from the referral date. The program is operated by the Department of Homeland Security (DHS) in partnership with Social Security Administration.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the USCIS Form I-9 before commencing work. The information is then entered into E-Verify for verification. Similarly, newly rehired employees must also complete the form if they have not previously filed an I-9 with the county or if their previous I-9 is no longer valid.

Outside Employment

The practice of working either a second job for another employer or being self-employed equal to part-time work (20 hours or more per week) in addition to employment with Dunn County is allowed under the circumstances outlined in this section. Employees must disclose secondary employment to their supervisor and may be asked to submit a completed 'Disclosure of 'Outside Employment form to their Department Head for each case of outside employment. Work requirements, including County overtime, must have precedence over any outside employment. If a conflict should arise between outside employment and Dunn County requirements, Dunn County requirements must take precedence. County resources may not be used for outside employment purposes.

If the employee is unable to maintain expected work performance levels, the employee may be asked to terminate the outside employment to continue working with the County, and/or the employee may be subject to disciplinary actions up to and including termination of employment.

Section 3: Employment Status and Records

Employment Categories

Without altering the at-will status nature of an employee's relationship with Dunn County which is for no fixed term, Employment categories will be defined as follows:

Every position/employee has one employment status. Employment status is defined as:

Full-Time	An employee who is regularly scheduled to work thirty (30) or more hours per week. Generally, they are eligible for the full benefit package, subject to the terms, conditions, and limitations of each benefit program.
Part-Time	An employee who is regularly scheduled to work twenty (20) hours or more but less than thirty (30) hours per week. Part-time employees are eligible for some of the benefits offered by the County subject to the terms, conditions, and limitations of each benefit program.
Intermittent	An employee who is regularly scheduled to work less than twenty (20) hours per week. Intermittent employees are not eligible for benefits offered by the County.

Every position/employee has one method of payment. The method of payment is defined as:

Hourly	Any employee either full/part-time who is paid a wage based on an hourly rate.
Salaried	Any employee either full-time or part-time who is paid a pre-determined rate.

Every position/employee has one employment class. Employment class is defined as:

Regular	Any employee who is filling a position that has been authorized and budgeted by the County Commission, not temporary OR has been employed in a temporary job for more than 150 workdays.
Seasonal	Any employee for a specific part of the year to fill a position which has been authorized and budgeted by the County Commission. Seasonal employees will be scheduled to work no more than 6 months/24 weeks per year.
Extended Seasonal	Any employee for a specific part of the year to fill a position that has been authorized and budgeted by the County Commission. Extended Seasonal employees are subject to layoff in the off-season.
Temporary	Any employee hired as interim replacement, to temporarily supplement the workforce, or to assist in the completion of a specific project and who is temporarily scheduled to work for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Every position/employee has one Fair Labor Standards Act (FLSA) description. The FLSA description is defined as:

Exempt	Exempt employees are generally managers, technical staff, or professional administrative employees who are exempt from the minimum wage and overtime provisions of the (FLSA). Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the US Department of Labor and the Code of Federal Regulations (CFR) or are exempt by operation of law.
Non-Exempt	Non-exempt employees are employees whose work is covered by the FLSA. They are NOT exempt from the law's requirements concerning minimum wage and overtime.

Employee Files

Human Resources will maintain a digital personnel file for each employee through a Human Resource Information System. The personnel file includes such information as your job application, resume, records of training, documentation of performance reviews, salary increases, and other employment records.

Personnel files are county property and access to the information they contain is restricted. N.D.C.C. §4404-18.1(2) exempts certain confidential personal information from public review. Disclosure of personnel files will be made upon request and pursuant to public access law and pertinent exemptions. However, supervisors and managers who have a legitimate reason to review information in a file may do so. All open records requests for employee information will be processed through Human Resources. All open records information will be provided to the requestor in writing. In the event someone other than your supervisor or manager requests access to your personnel file, you will be informed in writing.

If you wish to review your file, contact the Human Resources Department. For scheduling purposes, written advance notice will be required for you to review your personnel files. The files may be reviewed in the presence of Human Resources.

Employee Training File (may be maintained in individual departments) will contain all documentation of work-related training, including safety training, and certifications required by the position.

Employee Medical File will be maintained in a separate confidential file and separate location as required by N.D.C.C. § 44-04-18.1. This file will contain any medical information obtained related to an employee or dependent including information concerning leave requests, Family Medical Leave Act leave, drug screening, and disability accommodations. All employees' medical information shall be treated confidentially and shall not be released without written consent of the employee or as provided by law.

Work-related Injury File will be created separately for each work-related injury claim that is filed by an employee. This file will include all documents related to the work-related injury and subsequent correspondence with Workforce Safety and Insurance.

Investigation Files will be created separately for each complaint that is filed by an employee. This file will include all documents related to the investigation, analysis, and action taken.

Work Eligibility File will contain all I-9 forms and E-Verify reports for current and former employees.

Application for Employment, Transfer, Promotion

Dunn County relies upon the accuracy of information contained in the employment documents, as well as the accuracy of other data presented throughout the hiring, transfer, and promotion process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the County's exclusion of the individual from further consideration for employment, transfer, promotion, or, if the person has been hired, termination of employment.

Employment Termination

Employment at Dunn County is "at will". Either party can terminate employment, at any time and for any reason not prohibited by law. This includes termination with or without cause, and with or without notice.

Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine.

Below are examples of some of the most common circumstances under which employment is terminated:

- **Layoff Status**

Employees whose employment terminates due to layoffs will be eligible for vacation and sick leave payout per the individual policies and may be considered for rehire provided they left in good standing. Employees will be required to complete the rehire process, including passing background checks, license checks, and drug testing before returning to work from layoff status.

- **Termination from Resignation**

Any employee whose employment terminates from resignation will be eligible for vacation and sick leave payout per the individual policies and may be considered for rehire if the employee left in good standing. Employees will be required to reapply for future employment. Although advance notice is not required, the County requests at least two weeks written resignation notice from all employees.

- **Termination for Retirement**

Any employee terminating employment for retirement will be eligible for vacation and sick leave payout per the individual policies and may be considered for rehire if the employee left in good standing. Employees will be required to reapply for future employment.

- **Termination for Cause**

Any employee terminating employment for cause will be eligible for vacation and sick leave payout per the individual policies 'For Cause' means conduct related to a regular employee's job duties, job performance, or working relationships that is detrimental to the discipline and efficiency of the service in which the employee is or was engaged.

An employee's last day of service to the county will be considered their last day of employment.

Employment may not be extended past the last day of service through the use of vacation, sick, or holiday benefits.

Employees will receive their final pay in accordance with applicable state law. Direct deposits or final paychecks for all terminations will be available on the next regular payday. The final paycheck will be used to reconcile several financial matters, including but not limited to the following: payment for any days worked, holiday pay, earned Vacation benefit, invoices, or other such items owed to the County. No special pay considerations will be made for terminating employees.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Section 4: Benefits Provided by State and Federal Regulation

Jury Duty

Dunn County encourages employees to fulfill their civic responsibilities by serving jury duty when required. An employee who receives a notice that he/she has been selected for jury duty must notify his/her Department Head as soon as possible in order that arrangements may be made to cover his/her position. All employees who are subpoenaed for jury duty will receive up to two weeks of paid jury duty leave over any one-year period. Paid jury leave is limited to time served on a jury.

If an employee is required to serve jury duty beyond the period of paid jury duty leave, he/she may use any available vacation hours or may request an unpaid jury duty leave of absence. The Board of Commissioner's may approve other paid leave on a case-by-case basis, based on the individual situation.

An employee working jury duty and continuing to be paid by Dunn County will be expected to work as much of his/her regularly scheduled shift as his/her jury duty schedule permits, to the extent that combined time on jury duty and at work does not exceed forty hours in a given week. Expenses paid to the employee for jury duty work may be kept by the employee.

Insurance benefits will remain in effect and unchanged for the full term of jury duty absence. Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during jury duty leave.

Military Leave

Per the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state requirements, an employee who is required to serve a period of time in the Armed Forces Reserve or National Guard shall be granted annual military leave with full pay, not to exceed 5 weeks per calendar year. Military leave beyond 5 weeks will be classified as Leave of Absence per USERRA guidelines. This leave shall not jeopardize the employee's pay, promotion, or job assignment upon return.

See the Appendix for more information.

Workforce Safety & Insurance

North Dakota Workforce Safety & Insurance (WSI) provides statutory benefits for on-the-job injuries. This benefit covers any injury or illness sustained in the course of employment, as defined by law, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, WSI provides time-loss benefits after a short waiting period or, if the employee is hospitalized, immediately.

All employees are covered upon reporting for their first day's work. Dunn County pays the entire cost of this coverage. False reporting of on-the-job injuries may result in immediate termination and criminal prosecution. Responsibilities for safety and health are shared. Employees will comply with rules and regulations for their own safety, for the safety of their fellow workers, and for the safety of the general public.

If an employee is injured in such a way that he/she will be absent from work for more than five (5) days, the employee may be eligible for wage-loss benefits from WSI; sick leave, vacation, or unpaid leave may be used for the first five (5) days missed.

Determination of wage loss benefits is provided by WSI only after receiving all mandatory claim forms and Doctor's report of injury reports with recommendations and restrictions clearly defined. In the case of permanent medical restrictions, the County will assess if the employee meets the requirements of a modified position.

An employee, receiving workers' compensation benefits, who is unable to work, may be eligible for leave and health insurance under the Family and Medical Leave Act (FMLA). If eligible, FMLA will run concurrently with worker's compensation benefits while the employee is unable to work.

***See Section 12 for more information regarding reporting procedures.**

Unemployment Insurance

Unemployment insurance is provided to each employee as required by law. Dunn County pays the cost of this insurance coverage. Unemployment insurance is provided through North Dakota Job Service and that agency has all authority to dictate whether unemployment insurance will be paid or denied based on the reasons for the termination. Employees terminating employment are requested to list Dunn County as a past employer rather than the department they worked in.

Elected officials are not covered under North Dakota unemployment insurance.

Family Medical Leave

Eligible employees of Dunn County are provided leave under the federal Family and Medical Leave Act of 1993 and 2013 Final Rule (FMLA). Employees must meet all requirements as stated in the federal regulations. See Exhibit 14-5 for more information.

If eligible, an employee may be able to take up to 12 weeks of unpaid leave during 12 months for the following reasons:

- The birth of a child or to care for a child within the first 12 months after birth;
- The placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first 12 months after placement);
- The care for an immediate family member who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the functions of his or her position; or
- The employee experiences a qualifying emergency that arises out of the fact that a spouse, parent, or child is on covered active duty (or has been notified of an impending call or order to be covered active duty) in the Armed Forces. Covered active duty means duty during deployment with the Armed Forces to a foreign country (for a member of a regular component of the Armed Forces); or duty deployment with the Armed Forces to a foreign country under a call or order to active duty (for a member of a reserve component of the Armed Forces).

The County will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

When requesting leave, the employee must:

- Supply sufficient information for Dunn County to be aware that the FMLA may apply to the leave request, as well as information regarding the anticipated timing and duration of leave;
- Provide notice of the need for leave at least 30 days in advance or as soon as practicable;
- Cooperate with all requests for information regarding whether absences are FMLA-qualifying.
- Failure to comply may result in leave being delayed or denied.

Upon return from leave, the employee will be restored to his or her original or equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his or her position with Dunn County.

For purposes of FMLA, "serious health condition" means an illness, injury, impairment, or physical or mental health condition that involves inpatient care or continuing treatment by a health care provider.

Section 5: Employee Benefits

Eligible employees in Dunn County are provided certain benefits. A number of the programs cover all employees in the manner prescribed by law. Benefit eligibility is dependent upon a variety of factors, including employee classification. Details of many of these programs can be found elsewhere in this handbook.

Benefit programs available to eligible employees include:

Health & Wellness

- Medical/Dental/Vision
- MetLife Supplemental (Accident, Disability, Cancer, etc.)
- Benefit Conversion at Termination (COBRA)
- Medical & Dependent Care Spending Accounts (Sec. 125 - tax-free)
- Life insurance for employees and dependents
- Employee Assistance Program (EAP)
- Sick Bank Membership

Retirement

- ND Public Employees Retirement Program
- Deferred Compensation Investment Plan (Section 457 - tax deferred)

Paid Leave Benefits

- Bereavement/Funeral Leave
- Jury & Witness Duty Leave
- Military Leave
- Sick Leave
- Vacation Leave
- Community Service Benefit

Unpaid Leave Benefits

- Family/Medical Leave
- Unpaid Leave of Absence

Additional benefits

- Longevity Bonus
- Auto Mileage for County related travel
- Professional License fee(s)

Some benefit programs require employee contributions, but most are fully paid by Dunn County.

Longevity Bonus

All regular full/part-time/extended seasonal employees qualify to earn a longevity bonus. The longevity bonus pay rate is determined by the Commissioner's and is in addition to regular wages. New employees will be entitled to their first longevity bonus once they have been employed a continuous twelve months when the longevity bonus payments are paid. Longevity Bonus' will be paid out on the first payday in December of each year. If an employee's status changes from non-qualifying to qualifying in respect to Longevity pay, he/she will not be paid for prior years of non-qualifying employment and will earn longevity in the same manner as a new employee.

Vacation Leave

Vacation leave will begin to accrue the first day an employee is hired. All regular full-time, regular part-time, and seasonal employees are entitled to use annual vacation as it accrues. Part-time employees are eligible for 50% of the full-time employee benefit.

Vacation pay is paid at the employee's straight-time hourly rate in effect when vacation benefits are used. Vacation pay does not include shift differentials, incentive pay, bonuses, overtime rates, or other special forms of compensation. Vacation benefits for exempt employees will be based on their regular salary. Vacation will not be counted as hours worked in the calculation of overtime.

Employees who have satisfied all eligibility requirements will submit vacation requests to their Department Head or supervisor through the established timekeeping system. Any request for a vacation of three days or more must be requested a minimum of two weeks in advance of the time requested.

Requests for two weeks or more of vacation at a time require a 30-day advance notice. Requests will be evaluated based on various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence. If an employee is on scheduled vacation and is called in to work due to an emergent situation, the Department Head may approve the employee to utilize vacation hours concurrently with hours worked.

Employees are strongly encouraged to take any earned vacation during the year of its accrual. Employees may carry over vacation time accrued during the year into the following year up to a maximum of 240 hours. On December 31st, any balances that exceed the maximum will be adjusted down to the 240-hour cap. Adjusted hours will be rolled into the sick bank.

Cash payment in lieu of vacation privileges is not allowed except where an employee is terminated from or ceases employment. Under such circumstances, the individual shall be paid for unused accrued vacation on their final paycheck. The amount to be paid shall be based on the employee's straight-time hourly rate on the last day worked, exclusive of shift or overtime pay. Annual vacation with full pay must be accrued prior to being taken and will be granted on the following basis:

LENGTH OF SERVICE	HOURS PER MONTH	HOURS PER YEAR
0 – 4 years	10 hours	120 hours
5 – 10 years	14 hours	168 hours
11 – 19 years	16 hours	192 hours
20 + years	18 hours	216 hours

Holidays

In accordance with provisions of the North Dakota Century Code (NDCC), Dunn County Courthouse offices and departments that regularly operate Monday through Friday will be closed for the recognized holidays listed below:

New Year's Day	January 1st
Martin Luther King Jr. Day	Third Monday in January
President's Day	Third Monday in February
Good Friday	Friday before Easter Sunday
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veteran's Day	November 11th
Thanksgiving Day & day after	Fourth Thursday & Friday* in November
Christmas Eve	December 24th **
Christmas Day	December 25th

*Any other day designated by the County Commissioners.

** When December 25th falls on a weekday; offices will be closed on the day(s) listed below:

Monday	Monday only
Tuesday	Monday and Tuesday
Wednesday	Tuesday at 11 a.m. & Wednesday
Thursday	Wednesday at 11 a.m. & Thursday
Friday	Thursday at 11 a.m. & Friday

Per NDCC, holidays that fall on a weekend day will require offices to be closed on the preceding Friday or the following Monday. When a holiday is observed on a Friday, the Dunn County Road Department will be closed in observance on Thursday. Offices and departments that operate seven days a week will observe the holiday on the actual date of the holiday. Sworn Officers will receive holiday pay in the number of hours that the Sworn Officer normally works on a scheduled workday and may flex holiday hours and take the following day off with prior approval of the Sheriff/Chief Deputy. Flex time should be noted on the timecard in the comment section.

If at all possible, it is the goal of the County that employees spend holidays with their families, without loss of pay. Full time Employees unable to work their regular schedule due to the office or department closures listed above will receive holiday pay for that day based on the employee's straight-time hourly rate multiplied by the number of hours the employee would otherwise have worked on that day. Part time employees will receive 4 hours of holiday pay for each holiday.

Part time employees unable to work their regular schedule due to office or department closures may work with their supervisor to adjust their schedule to reach their normally scheduled hours or utilized vacation leave. Holiday pay used in conjunction with hours worked or vacation leave will not exceed the part time employee's regularly scheduled hours.

Holiday pay received for these closures will not be counted as hours worked in the calculation of overtime.

Those employees who are required to work or called to work due to the nature of their position will receive additional compensation for their time away from their families. Employees will receive holiday pay to match their hours worked paid at double time. A minimum of 8 hours of holiday pay will be granted to any employee who is called to duty on the holiday.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied, up to a maximum of 12 hours.

Sick Leave

Sick leave will begin to accrue on the first day of employment. Sick leave is NOT to be considered a privilege that may be used at the employee's discretion but will be allowed only as outlined in this policy.

Regular full-time employees will be granted eight (8) hours of sick leave for each calendar month of full-time service. Part-time employees will receive 50% of the full-time benefit. Seasonal employees are eligible to accrue sick leave at the full-time rate and are entitled to use it as it accrues.

Employees will be eligible to and are encouraged to use sick leave if they are unable to report for work or continue work due to their own illness, injury, incapacity, or medical appointment. Work-related injuries resulting in time away from work which are not reimbursable by Workforce Safety and Insurance qualify for the use of sick leave if the employees have accrued sick leave available.

Sick leave may be used for an absence due to a serious medical condition (Family Medical Leave Policy), illness, injury, or medical appointment for an immediate family member or family member under the care of the employee. The employer defines "immediate family" as the employee's spouse, parent (natural, adoptive, foster, or step-parent), child (natural, adoptive, foster, or step-child), sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

Unused sick leave benefits may be accumulated year by year without a maximum limit. Because sick leave benefits are intended to provide income protection in the event of an actual illness or injury, unused sick leave benefits cannot be used for any other paid or unpaid absence.

Employees who are unable to report to work due to an illness or injury must contact their supervisor before the scheduled start of their shift. The supervisor must be contacted each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, the department head can require a physician's statement verifying the nature of the disability and its beginning and expected ending dates. Such verification can be required for other sick leave absences as well and may be the basis for payment authorization of sick leave benefits. Before returning to work from a sick leave absence of three calendar days or more, the department can require the employee to provide a physician's verification that he or she may safely return to work.

Sick leave pay will be calculated based on the employee's straight-time hourly rate (in effect when sick leave benefits are used) times the number of hours the employee would otherwise have worked on the day(s) of absence. Sick leave pay does not include any special forms of compensation, such as incentives,

commissions, bonuses, shift differentials, or overtime. Sick leave benefits for salaried employees will be based on their normal wages.

Cash payment in lieu of sick leave privileges is not allowed or where an employee is terminated from or ceases employment. Under such circumstances, the individual shall be paid for 25% of all unused accrued sick leave on their final paycheck. The amount to be paid shall be based on the employee's straight-time hourly rate on the last day worked, exclusive of shift or overtime pay. In the event of retirement, the individual may convert the balance of sick leave to years of service based on the NDPERS retirement plan.

Sick Bank Leave Policy

The purpose of the Sick Leave Bank (Bank) Policy is to provide additional paid leave for employees who have exhausted their accrued sick and vacation leave (down to 40 hours) benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the Bank is not to provide unlimited paid sick leave for any medical reason but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness, injury, or other medical condition covered under FMLA or to support an employee following the death of an immediate family member. For the purpose of this policy, immediate family member is defined as a spouse, parent, or child.

Establishment of the Bank

The Bank will be supported through the voluntary contribution of 8 hours of leave by eligible employees (as defined by this policy) during an annual enrollment period. The voluntary contribution establishes membership in the Bank and eligibility to apply for withdrawal from the Bank.

An open enrollment period will be held annually during the month of January. At that time, any eligible employee may join the bank by contributing 8 hours of leave. In order to remain a member in good standing, current Bank members must continue to make a voluntary annual contribution. If any days remain in the Bank at the end of the fiscal year, they will be carried over to the next fiscal year.

Membership, Eligibility, Obligations and Limitations

- Membership in the Bank is available to all Dunn County employees who have leave balances. Membership eligibility for participation in the Bank for a fiscal year begins upon the employee's original donation of one day of leave. Enrollment in the Bank continues, provided an additional 8 hours of leave is donated each subsequent fiscal year.
- Employees will be eligible to enroll in the Bank upon reaching 12 full months of employment. Initial enrollments that occur outside of annual enrollment periods, will provide membership for the remainder of the calendar year.
- Eligibility is discontinued upon termination of employment, retirement, death, or failure to donate a leave day the following fiscal year(s). No payment of benefits will be made to survivors.
- Membership/Donation forms must be completed each year to remain an active member.
- Members must waive all claims to leave voluntarily donated to the Bank, including any monetary or retirement-related value the days may hold.
- The Bank is available to those employees who have completely exhausted all sick and applicable vacation leave and who are not receiving disability or Workers' Compensation.

Donations to the Bank

- Employees will be given an annual opportunity to donate to the Bank. Donations must be made on or before the last day of the second pay period in January each year.
- Any employee who wishes to donate 8 hours of leave must sign a statement indicating the donation is voluntary. Donation forms will be submitted to Human Resources.
- Donations made during the enrollment period qualify the employee for that fiscal year.
- Employees may choose to donate either sick or vacation leave to the Bank. Employees may not designate a particular individual to receive their donated leave.
- Upon enrollment, balances will be reflected in the member's accruals on the employee portal.

Administration

- The Bank will be administered by Human Resources and Payroll. The Human Resources department will be responsible for coordinating the annual donation period, processing requests, and maintaining appropriate related records.
- Human Resources will be responsible for reporting usage and for reviewing the policies and operations of the Bank on an annual basis.
- Requests for paid sick leave will be reviewed by Human Resources and written notification will be prepared and sent to the requesting member approving or denying the application for paid sick leave. Human Resources will ensure that the appropriate forms and/or documentation are submitted to the Payroll Office if the request is approved.
- An application shall be denied if it is incomplete, lacks supporting statements from a licensed health care provider, or if the member fails to provide any requested documentation. If denied, an application may be resubmitted.
- The Bank will be administered in accordance with the Americans with Disabilities Act and Family and Medical Leave Act requirements.

Withdrawals

- A member or his/her designee must complete an application for leave and submit it to Human Resources.
- Applications must be accompanied by a statement from a licensed healthcare provider that includes the beginning date of the condition, a description of the illness or injury, and a prognosis for recovery. Requests should indicate the estimated number of sick days required and information related to any pending disability claims.
- Requests for withdrawal must be made by the member or his/her designee no later than five (5) working days after all leave time has been exhausted.
- No member shall receive more than 160 hours in a twelve-month period.
- Any leave granted may be used only for the purpose requested on the application. Any unused portion will be returned to the Bank.
- Leave may be used for the personal illness or injury of the employee or to care for a parent, spouse, domestic partner, or child with a serious health condition.

- Use of Bank benefits is considered under the provisions of the FMLA and any use is included in the twelve (12) weeks of leave provided under this Act, if applicable.
- Bank benefits are not available for leave taken prior to eligibility for participation in the Bank.

Directed Donations

- In the event of a catastrophic illness or injury, an employee may receive directed donations above and beyond the allowed 160 Sick Bank Hours, pending approval by the Board of Commissioners.
- Directed Donations will be donated to the Sick Bank in the name of the employee receiving the donation. The donated hours will then be distributed to the employee via the Sick Bank withdrawal process.
- Directed Donations made by individual employees will not exceed 80 hours in a calendar year.
- Making and receiving directed donations are available to members of the Sick Bank.

Community Service Benefit

Dunn County recognizes that volunteers are the lifeblood of our community. This benefit will allow employees to utilize an additional 16 hours of leave to volunteer within the community.

- Community Service hours will be available for use on January 1st of each year.
- Unused hours on December 31st will be forfeited.
- A time off request must first be coordinated through the employee's immediate supervisor to allow for adequate coverage of shift duties. Documentation of actual time donated shall be provided to the immediate supervisor by the employee post service, allowing Dunn County to document both hours donated and organizations donated. Documentation of service from a verifying official (recipient) must be provided within the pay period in order for Community Service time to be paid.
- The Community Service benefit must be utilized during the employee's regular work schedule, not include evenings and weekends.
- Community Service hours used in conjunction with work hours should not exceed the regularly scheduled work week.
- Volunteer hours will be paid at the employee's current straight-time hourly rate.
- Community Service hours do not hold any monetary value outside of employment with the County. Accrued hours are void upon termination of employment, retirement, or death.

Dunn County will not designate the eligible recipient organizations; however, all organizations and/or events must be Community Service orientated and located within Dunn County. Employees must utilize their own personal leave if they are being compensated for their efforts.

Bereavement/Funeral Leave

Employees may be granted bereavement leave for any funeral an employee needs to attend, upon prior approval of the employee's immediate supervisor. Part-time employees may be granted 50% of the regular full-time employee benefit.

Up to 40 hours of paid bereavement leave for the loss of a family member. We define a family member as spouses or domestic partners, all first-degree relatives (parents, siblings, and children), grandparents, grandchildren, aunts, uncles, nieces, and nephews. In-laws of the same types are included, as well as adopted parents, adopted children, legal guardians, and half- and step-relatives. As friends are also an important part of our lives, the County will recognize the same bereavement leave for the loss of a close friend.

Bereavement leave should not be used to provide assistance during funeral services.

Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had he or she worked on the day of the absence.

The County reserves the right to require proof of death and/or travel for bereavement leave. Should additional leave be required, available vacation may be used in conjunction with bereavement leave, upon the supervisor's approval and operating requirements. The total combined leave is limited to 4 weeks.

Unpaid Leave of Absence

Regular full and part-time employees who wish to take time off from work duties to fulfill personal obligations may be provided an unpaid leave of absence.

Eligible employees may request an unpaid leave of absence in writing. A personal unpaid leave of absence may be granted for a period of up to 30 calendar days, per calendar year. Pending the supervisor's approval, an employee must take any available vacation leave or if applicable, sick leave, prior to the effective date of the unpaid leave of absence. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days, per calendar year.

Requests for an unpaid leave of absence will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

To the extent possible, employees returning from personal leave will be returned to their former position or will be offered the first available comparable position for which they are qualified.

If the employee fails to report to work at the expiration of the approved leave period, it will be assumed that the employee has voluntarily resigned.

Witness Duty

Dunn County allows employees to appear in court for witness duty whenever summoned to do so.

Employees will be granted a maximum of 16 - 24 hours depending on shift (up to 2 days), of paid time off to appear in court as a witness. Employees will be paid at their straight-time hourly rate, minus any witness fees paid.

The witness summons must be provided to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

If the employee has been summoned as a witness of the employer as a result of a job-related event, he or she will receive paid time off for the entire period of witness duty. Employees who receive witness fees when summoned as a witness of the employer must provide to the payroll officer in the County Auditor's office, copies of all benefit checks received so that salary may be adjusted.

Section 6: Timekeeping / Payroll

Timekeeping

Accurately recording time worked is the responsibility of every employee and their department head. Federal and state laws require the county to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Time worked shall be recorded to the nearest quarter hour. Timecards must be submitted by the employee no later than 9 am on the Monday before payday. Supervisors must submit all employee timecards to payroll no later than noon of said day. When a holiday falls on a payroll close week, the Auditor's Office will notify department heads of any change to these deadlines.

All employees, excluding elected officials and exempt personnel, will accurately record the total time worked each day. They will also record any departure from work for personal reasons. Overtime work must always be approved before it is performed. All hours in the regular work week will be accounted for as time worked or as time off for approved paid leave (such as business travel, sick, vacation, bereavement, military, jury duty, FMLA, etc.) or approved unpaid leave of absence. Vacation or sick time used in conjunction with time worked will not exceed your scheduled work day/shift.

It is the responsibility of the employee to ensure the accuracy of his/her time card. A supervisor's approval of a timecard indicates that they have reviewed and verified the time entries. Tampering, altering, or falsifying time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment and possible criminal charges.

Paydays

Effective January 2014, employees will be paid bi-weekly with regular paydays every other Friday. Each paycheck will include earnings for all work performed through the end of the pay period.

Calendars with relevant dates for payroll-related activities will be available each year prior to the end of the first pay period.

In the event a regularly scheduled payday falls on a scheduled office closure, employees will be advised by the Auditor's Office when paychecks will be issued.

Overtime Pay

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. As required by law, overtime pay is based on actual hours worked. Paid or unpaid leave will not be considered hours worked for purposes of performing overtime calculations.

Pay Advances

Pay advances or extensions of credit on unearned wages will not be provided to employees, with no exceptions.

Administrative Pay Corrections

Dunn County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that those employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the County so that corrections can be made as quickly as possible. If the error occurred due to an inaccuracy in the timecard system, a Payroll Correction Form must be completed and submitted to the Auditor's Office before a correction will be processed

Overpayments or underpayments, once they are identified, will be corrected by the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the County will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

Pay Deductions

The law requires that Dunn County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The County also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The County contributes the amount of taxes as required by law.

The County offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. For clarification of any deductions or the calculation of those deductions, contact the Department Head, the Auditor's Office, or the Human Resources Director.

Pay setoffs involve pay deductions taken by the County, usually to help pay off a debt or obligation to the employer or others.

In the event of an unpaid leave of absence, the Auditor's office will provide direction to the employee regarding payment of voluntary benefit premiums.

Section 7: Work Conditions and Hours

Work Schedules

A regular work week begins at 12:01 a.m. on Sunday and ends at 12:00 midnight the following Saturday. Work schedules for employees vary throughout Dunn County.

Employees will be advised by their Department Head of their individual work schedules.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. All hours in addition to an employee's regular work schedule must be approved by their Department Head or supervisor in advance of the hours worked.

Attendance and Punctuality

To maintain a safe and productive work environment, Dunn County expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.

Employees who fail to show up for their regular scheduled shift for two consecutive days and fail to contact their supervisor regarding their absence shall be determined to have voluntarily resigned from active employment with Dunn County.

Department Heads should utilize the shared calendar to note scheduled absences. In the event of an unscheduled absence, Department Heads should utilize a mass text to all other Department Heads informing them of the absence.

Overtime Hours Worked

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including termination of employment.

Flexible Time

It is expected that all employees will be in their usual workplace during regular work hours. However, the County recognizes that on occasion, this is not possible. If a non-exempt employee must be away from their workplace for short periods, and if work requirements permit, and with Department Head approval, an employee may occasionally make these hours up outside the usual work hours for that department, rather than using vacation or sick leave, or taking unpaid leave. If the non-exempt employee is allowed to

make up the missed time, it must be within the same week and under the 40-hour guidelines of the U.S. Department of Labor and the North Dakota (state) wage and hour guidelines.

Law Enforcement personnel will follow the guidelines of the U.S. Department of Labor and North Dakota (state) wage and hour guidelines pertaining to First Responders.

Rest and Meal periods

Generally, employees are provided with one fifteen-minute rest period within a four-hour work period. Department Heads or supervisors will advise employees of the regular rest period length and schedule for their department. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees are not released from their work duties in the same manner as the unpaid meal period. Not taking a rest period does not result in accumulated free time which can be later taken as paid time off.

A meal period totaling 30 minutes will be provided in shifts exceeding five hours. Employees may waive their right to a meal period only upon approval from their Department Head or supervisor. Meal periods will be unpaid if the employee is completely relieved of their duties and not required to perform any duties during the meal period.

Breaks for Nursing Mothers

The County will provide reasonable break time each day to employees who need to express breast milk for their infant children. Break time under this policy will generally run concurrently with any meal and/or break times that may already be provided to the employee. Employees who have a need to express milk for their infant children will have access to a designated Mothers' Room which is shielded from view and free from intrusion, where they may express milk in privacy. The designated Mothers' Room also provides a clean and safe water source with facilities for washing hands and rinsing breast pump equipment. Refrigerators are available so breast milk can be stored appropriately. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk.

To ensure all employees who have a need to express milk may be accommodated under this policy, employees shall work with their supervisor or Department Head to ensure minimal disruption of the work schedule. The County reserves the right to deny additional break time when doing so would unduly disrupt County business operations or would result in undue hardship.

Unauthorized use of the Mothers' Room for activities outside of nursing is prohibited.

Inclement Weather

Dunn County will provide coverage for essential services and pay continuity to employees for absences that result in the partial operation of Dunn County due to extreme weather conditions or other emergencies such as fire, utility failure, or other forced evacuations.

In the event of weather-related closings, the Dunn County Board Chair (or designee) in partnership with the sheriff, emergency manager, and road superintendent is authorized to delay the opening or declare an early closing or full-day closures of county buildings.

In the event of a life-safety or maintenance-related building closure, the Dunn County Board Chair (or designee), in partnership with the building & grounds manager is authorized to close county buildings.

When an authorized delay or closure decision is made outside of normal business hours, every effort will be made to notify employees by 6:30 a.m. Information will be posted on the county website and social media pages. As it pertains to staff in the Sheriff and Road Departments, the sheriff and road superintendent will provide the appropriate direction to their staff.

Emergency services will continue regardless of an authorized closure.

If a building closure occurs, employees who are released from work due to the closure will be compensated as though they worked their scheduled shifts. Employees not on duty at the time of the closure will not receive compensation. An employee who had previously been granted leave for the time of the closure will utilize leave.

Employees who are not released from work during the closure and continue to perform essential duties for the county during their regularly scheduled shift will be paid double time for all hours on duty.

Employees who are not scheduled but are called out during the closure will be paid double time for all hours on duty.

Section 8: Electronic Tools Guidelines

To better serve the public and provide our employees with the best tools to do their jobs, Dunn County makes available to our workforce access to one or more forms of electronic devices, media, and services (referred to as 'electronic tools' in this document) including, BUT NOT LIMITED TO, desktop or laptop computer-mail, telephones, cell phones, air cards, voicemail, fax machines, intranet, internet

Dunn County encourages the use of these electronic tools because they can make communication more efficient and effective and because they are valuable sources of information about vendors, clients, technology, and services. However, those employed with or otherwise responsible to the county should remember that electronic tools provided by the County are County property and their purpose is to facilitate and support County business. All users of electronic tools have the responsibility to utilize these resources in a professional, ethical, and lawful manner.

Prohibited Communication and Use of Electronic Tools

Electronic tools cannot be used to knowingly access, create, transmit/send, retrieve, download/upload, or store any offensive or disruptive material. The following types of material are deemed per se offensive: any message which contains threats, sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability. This is not an inclusive list and other types of material may also be considered offensive. In determining whether other types of material are offensive or disruptive consideration shall be given both to the material's content and to the circumstances surrounding the creation, transmission, retrieval, or storing of the material.

Electronic tools will not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. Gambling and illegal activities are not to be conducted on County resources.

Theft is defined as the taking of property of the County or others without permission, violations included but are not limited to:

- Using deceit to avoid being charged for the use of County resources
- Deliberate, unauthorized use of another user's electronic tools or accounts
- Removal of any County purchased or County owned equipment without written authorization
- Copying, or attempting to copy data, software, or other copyrighted materials without proper authorization.

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

Electronic tools should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Electronic tools will not be knowingly used in violation of any license governing the use of software, or for any purpose that is illegal or contrary to Dunn County policy.

Personal Use of Electronic Tools

The electronic tools provided by Dunn County are primarily to assist employees in the performance of their jobs. Limited, occasional, or incidental use of electronic tools for personal, non-business purposes is understandable; however, all such use should be done in a manner that does not:

- Interfere with employee work performance or pre-empt business activity
- Negatively affect the system's use for County purposes
- Incur a cost of usage to the County

Employees are expected to demonstrate a sense of responsibility and not abuse this privilege.

Access and Monitoring of Electronic Tools

All employees need to understand that Dunn County is subject to the North Dakota Open Records Law and, as such, all records, including electronic records or information relating to electronic tools, are subject to disclosure upon request of any citizen unless classified as confidential or exempt by State Law. All electronic mail messages, electronic documents, voicemail messages, or other information in the County computers or telephone systems may be public record and could be subject to public access upon request. Electronic tools are County property. Additionally, all material created, transmitted/sent, received, deleted, downloaded, or stored using electronic tools are and remain the property of the County. Employees should not expect privacy when using County property.

The County reserves and intends to exercise the right to review, audit, intercept, access, and disclose all material accessed, created, sent, received, deleted, downloaded, or stored using County electronic tools. The contents of electronic communications may be disclosed without the permission of the employee.

Such activity shall include, BUT IS NOT LIMITED TO: Routinely gathering logs for most electronic activities and/or monitoring employee communications directly, e.g., telephone numbers dialed, sites accessed, programs used, call length, and time at which calls are made, for the following purposes:

- Cost analysis;
- Resource allocation;
- Optimum technical management of information resources;
- Detecting patterns of use that indicate employees are violating County policies or engaging in illegal activity.

The confidentiality of any material accessed, created, sent, received, deleted, downloaded, or stored using County electronic tools should not be assumed. Even when the material is erased, it is still possible to retrieve and read that material. Further, the use of passwords for security does not guarantee confidentiality.

Notwithstanding the County's right to review, audit, intercept, access, and disclose any material accessed, created, sent, received, deleted, downloaded, or stored using County electronic tools such material should

be treated as confidential by all employees and accessed only by the intended recipient. Employees are not authorized to retrieve, read, or listen to any material created, sent, received, deleted, downloaded, or stored using County electronic tools unless they are the intended recipient of the material. Any exception to this policy must receive prior approval by the Department Head or the Human Resources Director.

In addition, except in cases in which explicit authorization has been granted by County management, employees are prohibited from engaging in, or attempting to engage in:

- Monitoring or intercepting the files or communications of other employees or third parties;
- Hacking or obtaining access to systems or accounts they are not authorized to use;
- Using other people's log-ins or passwords; Breaching, testing, or monitoring computer or network security measures.

Security of Electronic Tools

Employees shall not use a code, access materials, or retrieve any stored information unless authorized to do so. No e-mail or other form of communication may be used that attempts to hide the identity of the sender or represent the sender as someone else.

Electronic tools are assigned to individuals employed with or otherwise responsible to Dunn County and are strictly intended for use by that individual. It is the sole responsibility of the individual to ensure that there is no unauthorized access to the electronic tools assigned to them. Failure of employees to secure assigned electronic tools will result in discipline, up to and including termination. Failure of an elected official to secure assigned electronic tools will be reported to the Chairman of the Board of County Commissioners and the States Attorney.

Employees may use encryption software supplied to them by the County for purposes of safeguarding sensitive or confidential information. Employees who use encryption on files stored on a County computer must provide their Department Head or the Human Resource Director with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

Cellular Phones

Dunn County may provide cellular phone plans and equipment for employees whose work duties dictate that they be available for immediate consultation (as approved by the Dunn County Board of Commissioners).

Purchase/renewal of plan contracts and telephones must be coordinated by the Department Head through the Auditor's office and approved by the Dunn County Board of Commissioners.

Employees who use their cell phone for work-related purposes regularly may be eligible for a flat-rate reimbursement if approved by the Dunn County Commissioners.

Online Forums/Services

Employees should remember that any messages or information sent on county-provided electronic tools to one or more individuals via an electronic network—for example, Internet mailing lists, bulletin boards,

Instant Messaging services, and online services—are statements identifiable and attributable to Dunn County.

Participation in some forums might be important to the performance of an employee's job. However, use should be limited to work-related topics and all such use must be conducted by the preceding guidelines.

Internet

All information taken off the Internet should be considered suspect until confirmed by separate information from another source; a considerable amount of Internet information may be outdated or inaccurate.

When downloading any material from the internet users should adhere to the following guidelines:

- The download should enhance the employee's productivity
- The download should be from a reputable source
- The file should not subject the county to potential liability
- The application or tool should be approved by the Department Head

Email

Dunn County provides all employees with an email account through our IT vendor, NRG. We encourage employees to utilize email in any manner that provides added efficiency and functionality to their performance of job-related duties. All information concerning Dunn County business transmitted to anyone employed or otherwise responsible to the county will be sent to county-owned email accounts.

Email usage which will cause strain on the County network is prohibited; this includes but is not limited to:

- Perpetuating chain email letters
- Creating or sending spam
- Sending or encouraging 'spam'
- Practicing any activity designed to deny the availability of electronic resources

Misuse or Abuse of Electronic Tools

Any employee who misuses or abuses access to electronic tools in violation of this policy will be subject to corrective action up to and including termination of employment, with possible legal action and/or criminal liability.

Social Networking Websites and Online Communications

Social Networking Websites sites including, but not limited to, Facebook, YouTube, Twitter, LinkedIn, and online journals and blogs, present unique opportunities for employees to communicate with friends, family, colleagues, and the general public. However, these websites also pose a significant risk to distract employees, reduce productivity, and waste County resources where access is permitted during work time. Employees are prohibited from using their County email account to register for personal social media sites and to receive regular email notifications of postings. Accordingly, the County will only allow access for

those employees with a legitimate business reason to access any such site during working hours or via any county-owned equipment.

Online Code of Conduct

To the extent employees access these sites during the employee's own time, employees should keep in mind that the information on such sites is posted in a global forum and, therefore, there is no guarantee of privacy or ability to restrict receipt of the posted information. Accordingly, employees should exercise the same judgment and discretion in posting to social networking sites as they would when engaging in any conduct in a non-private setting. Employees must also understand they are solely responsible for what they post or endorse online. The following conduct relative to online communications are examples of previously stated or additional conduct and activities, which are prohibited and can result in disciplinary action up to and including termination of employment:

- Sending or posting discriminatory, defamatory, harassing, bullying, or threatening messages or images (including photographs or videos) regarding any current or former employee
- Making any defamatory, slanderous, or derogatory reference or post against any prospect, client, customer, vendor, or business partner that may harm or interfere with the County's working relationships or current contracts with third parties
- Posting any confidential, proprietary, or non-public County information or documents, including but not limited to internal memoranda, reports, announcements, policies or other internal business-related communications, client lists or preferences, or financial data
- Posting any confidential information about employees or clients, which may otherwise be protected under state and federal laws such as state privacy and disability laws, Red Flag Regulations, ADA, HIPAA, or GINA
- Disclosing any information protected by attorney-client privilege, legal hold or spoliation order
- Representing (or otherwise giving the impression) you are speaking on behalf of the County
- Failing to use proper disclaimers where the County is involved, such as "postings on this site are my own and do not represent the County's opinions, philosophies or business strategies"
- Posting photographs, videos, or other images of other employees without proper authorization, or failing to remove such images when requested by another employee
- Unlawfully gaining access to another employee's social networking website or profile
- Demanding or otherwise requiring candidates or colleagues to relinquish any social networking password

Resolving Conflict

When communicating online, employees are encouraged to be fair and courteous to current and former employees, customers, clients, and vendors. Work-related issues are more likely to be resolved by speaking directly with employees or going to Department Heads where employees feel comfortable speaking freely.

Should employees decide to post complaints or criticisms, employees should avoid using statements, photographs, videos, or audio that reasonably could be viewed as malicious, obscene, harassing,

threatening, intimidating, bullying, or that disparages customers, clients, or vendors. Failure to follow these guidelines may result in disciplinary action or legal action initiated by a third party.

Monitoring and Consequences for Policy Violations

While the County has no general practice of reviewing employees' profiles on such sites, employees should be aware that if such profiles contain information suggesting conduct that violates this or any County policy, such information may form the basis for an appropriate investigation and/or discipline. Employees may also be held personally liable for any violations of this policy, which also violates a state or federally protected right.

Nothing in this policy prohibits employees from exercising any legal right under any state or federal law nor will employees be subject to discipline for any posts that are legally protected. However, employees should be aware that not all posts to a personal social networking site outside of work time are entitled to legal protection and any such posts may result in disciplinary action up to and including termination of employment, if they violate this or any other County policy.

Employees who believe they have been the subject of online harassment or bullying should notify their Department Head or the Human Resources Department upon learning of violations of this policy without fear of reprisal or retaliation.

Section 9: Building & Security

Dunn County is committed to the safety of all employees. Any employee who is a witness to suspicious behaviors/objects or who receives harassing calls is requested to report this to his/her Department Head. Dunn County will take appropriate steps to investigate and mediate any risks through the Police/Sheriff Department or through whatever means are deemed necessary.

During high traffic periods, a security check point will be set up at the front entrance of the courthouse. Dunn County Sheriff's Office will be responsible for this security check point. All persons, including Dunn County Staff, entering through the front entrance will be required to submit to a security screening.

Parking

- Sheriff's Department

The first 5 marked parking spaces on the north end of the parking lot, excluding handicapped spaces, are designated for patrol vehicles only. Due to the continuous operation of this department, these spaces should not be utilized by other vehicles even outside of normal business hours.

- County Employee Parking

County employees reporting to work should utilize the spaces on the north end of the parking lot. During snow events, employees should fill in both rows and subsequent back row, from north to south. Employees should utilize either secure entrances on the north or south ends of the building if entering before business hours.

- Public Parking

Public parking designated as all rows on the south end of the parking lot, to include the back row and the parking spaces next to the building.

- County

County vehicles should be parked in the north lot at the Sheriff's Office building located south of the courthouse. Employees driving these county vehicles for work purposes are permitted to park their personal vehicle in the same area for reasons about safety.

Pets/Animals

Dunn County generally prohibits bringing a pet (a domestic animal kept for pleasure or companionship) to work or having a pet in Dunn County-controlled buildings and premises, except service animals for a person with disabilities. Due to the rural nature of our community, employees are permitted to have a pet in their workspace for no longer than 2 hours, provided that adequate notice has been given, the pet is kenneled at all times, does not pose a risk to other employees, and is necessary to facilitate medical care or transport to a veterinary clinic.

Service Animals

According to the Americans with Disabilities, Act (ADA), a service animal is defined as “any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items.”

A person with a disability uses a service animal as an auxiliary aid. In compliance with the ADA, service animals are welcome in all buildings on County property and may attend any class, meeting or other event. There may be an exception to certain areas. Employees requesting accommodation for a disability that includes a service animal must contact the human resource (HR) department and complete a Documentation of Disability form. All service animals must be registered with the HR department.

Requirements of service animals and their owners include:

- All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current.
- Animals must wear a rabies vaccination tag.
- All dogs must be licensed per state law.
- Service animals must wear an owner identification tag (which includes the name and phone number of the owner) at all times.
- Animals must be in good health.
- Animals must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.
- The owner must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of the owner/partner.
- The owner/partner must provide the HR department with information as to how the animal accommodates for the individual’s disability.

Reasonable behavior is expected from service animals while on county property. The owners of disruptive and aggressive service animals may be asked to remove them from Dunn County facilities. If the improper behavior happens repeatedly, the owner may be told not to bring the service animal into any facility until the owner takes significant steps to mitigate the behavior.

Cleanliness of the service animal is mandatory. Consideration of others must be taken into account when providing maintenance and hygiene of service animals. The owner/partner is expected to clean and dispose of all animal waste. Waste must be placed in the disposal outside of the county building.

Building Maintenance

The Dunn County Building Maintenance Team works diligently to keep our facilities neat and in running order. Despite their best efforts, there are times when issues arise. If you see an issue in your area, please report this issue to your Department Head or designee. In the event of an emergent issue, (water leak or similar), please report this issue directly to the Building Manager immediately. It is necessary to use good judgement when reporting an issue, emergent or otherwise.

The Building Maintenance Team is responsible to maintain the majority of areas within all County facilities. Employees of Dunn County also retain some responsibility to the maintenance of their work and break areas. Employees are expected to maintain their personal desk space professionally. Employees are also expected to keep their office/area free from food garbage by disposing of food garbage in designated areas; breakroom garbage cans only. Additionally, personal refrigerators in office spaces are prohibited. Employees are expected to maintain common break areas daily by keeping the refrigerators free of spoiled food, keeping counters and tables clean, wiping up spills as they occur, and maintaining the County grill.

Tobacco

Dunn County buildings, vehicles and equipment are designated as 'smoke free' per North Dakota New Century Code 23-12-09, to include chewing tobacco and vaping. Use of tobacco and vaping devices are to be used in designated smoking areas only.

Containers used in relation to chewing tobacco should have a tightly sealed lid and be disposed of in outside disposals only. Smoking, to include vaping, is prohibited within 20 feet of entrances, exits, operable windows, air intakes, and ventilation systems of enclosed areas in which smoking is prohibited. Failure to comply with smoking policy will result in disciplinary action and possible penalties as provided in the law.

Weapons

Except for law enforcement officers and individuals authorized by law, no firearms or dangerous weapons are allowed in County buildings or County equipment and County vehicles under any situation.

County Property

Employees are not allowed to use County property for non-County use. Non-County use includes preparing for an election or campaigning within an election. County property includes any asset, equipment, supplies, etc. purchased, supplied by grants and/or donated to the County.

Mail

Employees are requested to use their home address for all non-business subscriptions and material, unless prior authorization has been given by the department head.

Unauthorized Areas

Certain areas of Dunn County facilities are considered off limits to employees that do not work in them. Unauthorized people in those areas (including record areas, security areas, etc.) must be brought to the attention of their Department Head immediately.

Unauthorized areas should be marked as 'authorized personnel only' and/or may include departments which are closed and not open for business. If employees are in doubt regarding an area, they should contact their Department Head.

Section 10: Safety Guidelines

Safety

It is the policy of Dunn County to provide and maintain safe and healthy working conditions and follow operating practices that will safeguard all employees and result in safe working conditions and efficient operation. All employees share responsibility to ensure operations are completed safely for themselves and fellow employees. The following rules and practices have been established:

- Obtain medical assistance immediately for any injury or illness requiring more than general first aid.
- Obtain proper authorization prior to the repair of equipment.
- Operate all equipment within the manufacturer's limits.
- Vehicles used for County business must be driven in a safe manner observing all speed limits. Safety belts must be used by all occupants according to manufacturer's instructions and state law.
- Employees must be familiar with location of exits and fire extinguishers.
- Aisles, fire extinguishers, and electric power panels must never be blocked.
- Never use chairs, boxes, or other items for climbing: use a ladder.
- No running, jumping or horseplay.
- Employees must be familiar with location of first aid kits.
- Employees must be trained in the proper Lock-Out/Tag-Out (LO/TO) procedures before working on or repairing any equipment or machines.
- Any chemicals stored on premises or other products with a MSDS must have a current MSDS sheet available for the product on file and accessible to all employees. In addition, all employees must be knowledgeable on use of the MSDS sheets.

Safety Inspections

A County Risk Manager will conduct at minimum an annual safety inspection of every County department, shop, office, and work facility. Any employee having knowledge of non-county auditors, safety inspectors, representatives of OSHA, etc. either on premises or to come on premises must notify their Department Head as soon as possible. This is to ensure the appropriate person(s) is made available to direct the inspection or audit.

Workforce Safety and Insurance

Responsibilities for safety and health are shared. Employees shall comply with rules and regulations for their own safety, for the safety of their fellow workers, and for the safety of the general public. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.

North Dakota Workforce Safety and Insurance (WSI), previously known as Workers Compensation, provides benefits for accidental injuries incurred during the performance of official duties. All employees are covered upon reporting for their first day's work.

Incident Reporting

Per County policy, employees, supervisors and Department Heads are required to report all on-the-job accidents, injuries, safety concerns and property damage to the County Risk Manager immediately. The Risk Manager will then follow reporting procedures through the use of the online Incident Report, even if the employee does not feel it is necessary to seek medical attention. If the employee seeks medical attention, the Risk Manager will work with the Department Head to complete the online Investigation Report within 4 days of treatment. If first aid or medical care is required, employees should seek care without delay.

If an employee experiences a work-related incident and suffers substantial bodily injury, incurs major damage to county property or damage to public or private property, the employee will be required to submit to a drug and alcohol test as soon as is reasonably possible. Substantial bodily injury shall mean bodily injury which creates a substantial risk of death or which causes unconsciousness, extreme pain, temporary or permanent disfigurement, loss, or impairment of the any bodily function or organ, or a bone fracture.

Department Heads, supervisors and Risk Managers are reminded that any medical information obtained within the process of reporting an incident is protected under this County's confidentiality policy. Anyone who discloses personal employee information pertaining to an on-the-job incident or injury will be subject to disciplinary actions up to and including termination.

False reporting of on-the-job injuries may result in immediate termination and criminal prosecution. WSI is also addressed under Mandatory Benefits in this Handbook.

See Exhibit 14-5 for more information.

Distracted Driving

Employees should limit as much as possible the use of cell phones while driving for work purposes. Inattention and distractions are the leading causes of accidents on our roadways, and cell phone usage can be very distracting. Therefore, to the extent that employees feel the need to use cell phones while driving for work purposes, they should either pull off the roadway and park their vehicles for the duration of the call, or limit their conversations to the minimum time necessary and utilize head-sets or other hands-free devices to minimize the impact on their ability to control the vehicle and focus on driving.

Additionally, employees are prohibited from reading or sending e-mails, text messages, instant messages, or accessing the Internet from their cell phones or other wireless devices while operating a motor vehicle at any time the vehicle is in motion, part of traffic (e.g., while sitting at a stop sign or stop light), or is anything other than parked.

Similarly, for safety and legal reasons, employees should generally not be using electronic devices while driving for work purposes, unless the devices are connected to the vehicle's sound system and do not require headphones.

Employees who fail to follow any provision stated above will be subject to discipline, up to and including termination of employment. Please see NDCC 39-08-23 for clarifications and exemptions. 39-08-23. Use of a wireless communications device prohibited.

The operator of a motor vehicle that is part of traffic may not use a wireless communications device to compose, read, or send an electronic message. Under this section:

- "Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. The term includes electronic mail, a text message, an instant message, a command or request to access a worldwide web page, or other data that uses a commonly recognized electronic communications protocol. The term does not include:
 - Reading, selecting, or entering a telephone number, an extension number, or voice mail retrieval codes and commands into an electronic device for the purpose of initiating or receiving a telephone or cellular phone call or using voice commands to initiate or receive a telephone or cellular phone call;
 - Inputting, selecting, or reading information on a global positioning system device or other navigation system device;
 - Using a device capable of performing multiple functions, such as fleet management systems, dispatching devices, phones, citizen band radios, music players, or similar devices, for a purpose that is not otherwise prohibited;
 - Voice or other data transmitted as a result of making a telephone or cellular phone call;
 - Data transmitted automatically by a wireless communication device without direct initiation by an individual; or
 - A wireless communications device used in a voice-activated, voice-operated, or any other hands-free manner.

- "Traffic" means operation of a motor vehicle while in motion or for the purposes of travel on any street or highway and includes a temporary stop or halt of motion, such as at an official traffic-control signal or sign. The term does not include a motor vehicle that is lawfully parked.

This section does not apply if a wireless communications device is used for obtaining emergency assistance to report a traffic accident, medical emergency, or serious traffic hazard or to prevent a crime about to be committed, in the reasonable belief that an individual's life or safety is in immediate danger, or in an authorized emergency vehicle while in the performance of official duties.

Fire Safety/Bomb Threats/Domestic Terrorism

All employees will be provided annual training by Emergency Management in fire prevention, evacuation, and fire hazards. Employees handling flammable materials must understand the precautions needed in handling such products.

At the time of a fire or bomb threat or other such emergency, the first priority is to get all people out of the building and notify the fire department. Do not use the elevator. Fire extinguishers of an approved

type and size will be provided and attached to wall brackets in all Dunn County buildings as prescribed by local fire laws.

Violation of fire safety rules may result in immediate dismissal. Bomb threats should follow the same procedure as threat of fire. Department Heads and the Sheriff's office must be notified immediately.

County Owned Vehicle Use

It shall be a policy of the County to provide county owned vehicles when the use of such is fiscally possible and is required to facilitate the expedient operation of County business. County owned vehicles will not be provided to County employees for normal commuting to and from work or for personal use.

County vehicles are to be used for County business purposes, except when specifically authorized for other use by the supervisor. No person other than Dunn County employees are permitted to operate or be a passenger in County vehicles without the expressed permission of the Department Head or portfolio holder or as stated in this policy.

Employees on official travel status, between the place of official business and place of temporary lodging shall be permitted to transport his/her spouse and/or family in the vehicle. Likewise, while on official travel status, employees may use a county vehicle to obtain meals, medical assistance or other instances where postponing would cause an undue hardship to the employee.

Employees utilizing a County vehicle that is not assigned to them are required to:

- Complete the vehicle log
- Fuel if less than half a tank is remaining
- Remove all garbage and debris

Employees who are requested to use their personal vehicle to conduct official business shall be authorized to submit a claim for mileage which must be approved and signed by their Department Head.

County officials authorized to drive County owned vehicles, and who are required to respond to EMERGENCY situations "Day or Night" shall also be authorized to have a County vehicle parked at their residence when off duty.

County vehicles parked at an authorized employee's residence shall be used only for County business. Such authorizations shall apply to:

- Dunn County Sheriff and Sworn Deputies
- Dunn County Emergency Management
- Dunn County Road Superintendent & designee
- Dunn County Building Maintenance
- Dunn County Coroner
- Dunn County Weed Control Officer

Emergency Volunteers

Dunn County employees who volunteer in the community for services such as Volunteer Fire, Search, and Rescue, or Ambulance who are called away from their regular work day to attend an emergency situation

will be paid at their regular rate of pay to the end of their scheduled shift. A county vehicle may be used by a volunteer to attend an emergency in such situations where obtaining another vehicle would cost valuable time and possible loss of life or property.

Driver's License and County Vehicles & Equipment

Any employee who will be operating county equipment, a county vehicle, or a personal vehicle for work-related purposes must have a valid driver's license and carry their license with them while driving. In addition, driving records will be obtained at the time of hire or rehire and annually thereafter. An insurable driving record will be a condition of employment for those employees with driving as an essential function of their position. Employees without an insurable driving record will not be allowed to drive on County business.

Vehicles used for county business must be driven in a safe manner while observing all traffic laws, including posted speed limits and stop signs. Safety belts must be used by all occupants according to manufacturer's instructions and North Dakota State law.

Employees who use county vehicles, or drive their own vehicles for work purposes, must participate in a defensive driving course prior to the operation of a county vehicle, and repeated every two years or after any subsequent accident. In the event that an employee cannot attend the provided defensive driving course, such employee will have 45 days to complete the online defensive driving course. Failure to complete the course will result in the suspension of driving privileges until the course is completed. Newly hired employees will also be granted 45 days to complete the course. Newly hired Law Enforcement Officers who have completed EVOC training within 12 months of hire will not need to complete the course until the next scheduled county wide course.

When using county property, employees are expected to exercise reasonable care, schedule required maintenance, and follow all operating instructions, safety standards, and guidelines. Employees are required to notify their supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair.

Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, including termination.

Any employee involved in an accident and/or receiving a citation or warning in a county vehicle or while on county business in a private vehicle, must report that violation to their supervisor immediately. Supervisors are required to notify Human Resources immediately and, in the case of damage to county property, the Auditor as soon as possible. Any employee who drives a county vehicle and has his/her driving privileges suspended must report the suspension to their Department Head immediately or prior to their next shift. Failure to do so may result in immediate termination.

Employees receiving tickets, citations or moving violations will be expected to personally pay for the fines. Excessive or avoidable traffic and parking violations can result in disciplinary action, including discharge.

Employees whose physical or mental condition may be impaired, even temporarily, must notify their Department Head of the impairment (including conditions created by the use of medication, drugs or alcohol).

Seatbelt Use

While on County business or in county motor vehicles, employees must properly wear a safety belt in any vehicle that provides such; unless a qualified physician states in a signed writing the nature of the condition and the reason why the restraint is inappropriate for the employee to wear.

Employees may not operate upon a highway, a motor vehicle which was originally manufactured with safety belts unless each occupant is wearing a properly adjusted and fastened safety belt.

Failure to comply with the seatbelt use policy will result in disciplinary action up to and including termination, and possible penalties as provided in the law.

Appendix