DICKINSON COUNTY

Employee Handbook

January 1, 2008

Updated 7/30/2020
# DICKINSON COUNTY EMPLOYEE HANDBOOK
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Welcome employees!

On behalf of your colleagues, we welcome you to Dickinson County and wish you every success here.

This handbook is designed to acquaint you with Dickinson County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Dickinson County to benefit employees. Department Heads may impose more restrictive policies as needed to maintain departmental operations. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, of the applicability of a policy or practice to you, you should address your specific questions to the Human Resources Department. Neither this handbook nor any other Dickinson County document confers any contractual right, either expressed or implied, to remain in Dickinson County’s employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by the County or you may resign for any reason at any time. No supervisor or other representative of Dickinson County (except the Board of County Commissioners) has the authority to enter into any agreement contrary to the above.

Second, the procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!
EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about Dickinson County, and I understand that I should consult Human Resources regarding any questions not answered in the handbook.

I have entered into my employment relationship with Dickinson County voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the elected official, if I am employed in an elected official's office, or if in a non-elected officials office, I or the Department Head can terminate the relationship at will, with or without cause at any time, so long as there is not a violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the commissioners of Dickinson County have the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE’S NAME (printed): _______________________________________________

EMPLOYEE’S SIGNATURE: _________________________________________________

DATE: __________________________________
EMPLOYMENT

101 Nature of Employment

Effective Date: 1/1/2008
Revision Date: 4/23/2010
Revision Date: 9/26/2019

Employment at Will: Employment with Dickinson County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Dickinson County may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Dickinson County and any of its employees. The provisions of the handbook have been developed at the discretion of the Board of County Commissioners and, except for its policy of employment-at-will, may be amended or cancelled at any time, at Dickinson County's sole discretion.

Dickinson County provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state or local laws.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Board of County Commissioners of Dickinson County.

102 Public Relations

Effective Date: 1/1/2008
Revision Date:

Every employee represents Dickinson County to the public. The way we do our jobs presents an image of our entire County. The public judges all of us by how they are treated with each employee contact. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give.

Our personal contact with the public, our manners on the telephone, and the communications we send to patrons are a reflection not only of ourselves, but also of the professionalism of Dickinson County. Positive public relations enhance the perception and image of Dickinson County.
103 Employee Relations

Effective Date: 1/1/2008
Revision Date:

Dickinson County believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in county government. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Dickinson County amply demonstrates its commitment to employees by responding effectively to employee concerns.

104 Immigration Law Compliance

Effective Date: 1/1/2008
Revision Date:

Dickinson County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Dickinson County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

105 Equal Employment Opportunity

Effective Date: 1/1/2008
Revision Date: 4/26/2018
Revision Date: 9/26/2019

Dickinson County is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates.

We take steps to create and maintain an inclusive, non-discriminatory workplace where you can effectively and efficiently utilize your skills and experience. We provide equal employment opportunities to all employees without regard to race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.
Dickinson County conforms to the spirit as well as to the letter of all applicable laws and regulations.

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Dickinson County and its employees, including:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Dickinson County.

Dissemination and Implementation of Policy

Dickinson County will be responsible for the dissemination of this policy. Directors, managers and supervisors are responsible for implementing equal employment practices within each department. The HR department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

Procedures

Dickinson County administers our EEO policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement We provide equal employment opportunities to all employees without regard to race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.
- Posting all required job openings with the appropriate state agencies.
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies or participates in an EEO agency proceeding.
- Requires employees to report to a member of management or the HR representative any apparent discrimination or harassment. The report should be made within 48 hours of the incident.
- Employees need not follow the “chain of command” in reporting discrimination, harassment or sexual harassment.
- Retaliation in response to lodging a complaint is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.
• Human Resources will promptly notify the general counsel of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

Harassment

Harassment is a form of unlawful discrimination and violates Dickinson County policy. Prohibited sexual harassment, for example, is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

• Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
• Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.
• Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Harassment also includes unwelcome conduct that is based on race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law. Harassment becomes unlawful where:

• Enduring the offensive conduct becomes a condition of continued employment, or
• The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Dickinson County encourages employees to report all incidents of harassment to a member of management or the HR department. Dickinson County conducts harassment prevention training for all employees, and maintains and enforces a separate policy on harassment prevention, complaint procedures and penalties for violations. Dickinson County investigates all complaints of harassment promptly and fairly, and, when appropriate, takes immediate corrective action to stop the harassment and prevent it from recurring.

Remedies

Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. Dickinson County will promptly, thoroughly and fairly investigate every issue that is brought to its attention in this area and will take disciplinary action, when appropriate, up to and including termination of employment.
106 Business Ethics and Conduct

Effective Date: 1/1/2008
Revision Date: 9/5/2019

The successful business operation and reputation of Dickinson County is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of Dickinson County is dependent upon the publics’ trust and we are dedicated to preserving that trust. Employees owe a duty to Dickinson County and its citizens to act in a way that will merit the continued trust and confidence of the public.

Dickinson County will comply with all applicable laws and regulations and expects its representatives to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor. If necessary, contact Human Resources Department for advice and consultation.

Dickinson County is committed to conducting business with integrity underlying all relationships, including those with citizens, customers, suppliers and among employees. The highest standards of ethical business conduct are required of Dickinson County employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the County’s honesty, impartiality or reputation or otherwise cause embarrassment to the County. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using public office or public position for private gain.
- Giving preferential treatment to any person or entity.
- Losing impartiality.
- Adversely affecting the confidence of the public in the integrity of the County.

County personnel shall not accept or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any one person or company known to have a special interest, under circumstances where he/she knows or should have known that a major purpose of the donor is to influence him/her in the performance of his/her official duties. Hospitality in the form of food or beverages is presumed not to be given to influence a county employee in the performance of his/her official duties.

Every employee has the responsibility to ask questions, seek guidance and report suspected violations and express concerns regarding compliance with this policy.

Compliance with this policy of business ethics and conduct is the responsibility of every Dickinson County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.
107 Relationships

*Effective Date: 1/1/2008
Revision Date: 4/16/2013*

Any relationship, on or off the job, which adversely affects your ability to do your job or our ability to run the County may be grounds for disciplinary action.

This policy does not prevent the development of friendships or even romantic relationships between co-workers. Situations will be dealt with on a case-by-case basis.

We will not attempt to list every potential problem relationship. Though employees’ off-duty conduct is generally regarded as private, situations where we will be particularly sensitive include, but are not limited to:

- Any relationship that could be interpreted to be in violation of our sexual harassment policy.
- Individuals in management or other influential roles of authority, influence or responsibility.
- Unwarranted favoritism.
- Actual or potential conflict of interest.
- Safety-security or employee morale.

108 Fitness-For-Duty Examinations

*Effective Date: 8/30/12
Revision Date:

For the protection of employees and citizens alike, Dickinson County required that all employees submit to physical examinations as a condition of employment. The appointing authority may request medical examinations of employees when there is a need to determine whether an employee is still able to perform the essential functions of his or her job. Physical capacity ability tests are designed to test a person’s functional physical abilities as they related to specific job tasks.

An employee will be considered for examination if they present a significant risk of substantial harm to the health or safety of themselves or others that cannot be eliminated or reduced by reasonable accommodation. An individualized assessment of the employee’s ability to safely perform the essential job functions will be conducted to determine whether an employee presents a direct threat. The following factors are relevant: (1) the duration of the risk; (2) the nature and severity of the potential harm; (3) the likelihood the potential harm will occur; and (4) the imminence of the potential harm. Each case will be reviewed for compliance under ADA, FMLA, any other applicable laws and regulations.

Department heads may require employees to report to Human Resources in order to obtain a medical release for duty if the appointing authority has reason to believe that the employee is unable to perform any or all of the duties assigned to the position in which the employee is employed.
Human Resources may require a referred employee to report to the contracting medical provider for an evaluation prior to releasing the employee to return to duty.

Human Resources may require the employee to provide a medical certificate from the employee’s regular physician, prior to releasing the employee for duty. Employees who have been referred to the Director of Human Resources pursuant to the provisions of paragraph A, B or C of this section, shall be considered to be on “Unpaid Administrative Leave” status until released to work or notified that they have been found unable to complete the required duties of this position.

The Director of Human Resources will review the fitness-for-duty request for compliance with all applicable laws and regulations and will coordinate the mandatory referral examination. Upon a mandatory referral, the employee will meet with the Director of Human Resources for an explanation of fitness-for-duty determinations. Subsequent treatment to return the employee to a fit-for-duty status is the responsibility of the employee. If the employee is found to be not fit for duty, they will not return to work until they have been found fit for duty. The test has to show the employee (1) cannot perform the essential functions of the job even with reasonable accommodation; and (2) would pose a direct threat of significant risk or substantial harm to themselves or others. Employees found not fit for duty shall be addressed in one or more of the following ways:

- Be issued protection under Dickinson County’s Family and Medical Leave Policy,
- Use accrued leave balances.
- Apply to the appointing authority for a leave of absence.
- Be dismissed from employment.

If a fitness for duty examination reveals that an employee will be restricted from performing part or all of his or her job due to a disability, there will be a determination whether reasonable accommodation is possible. Dickinson County will work with the employee and health care provider to determine whether accommodation of identified restrictions is feasible so the employee can perform the job’s essential functions safely, effectively and without causing undue hardship.

**Return-To-Work Authorization**

Employees who have had a serious health condition or injury that would require a doctor’s release to return to work must report to Human Resources for a return-to-work authorization, prior to reporting to their department/office. The employee must present the original of the doctor’s release to Human Resources, so it can be compared to the physical requirements of their position to determine if they can perform all the required tasks. If there is any doubt about the employee’s ability to perform the required tasks safely, Human Resources will coordinate with the appointing authority of their department/office for a determination of the physical requirements of the position and if any medical restrictions placed on the employee would prevent them from returning to work. If required, the employee may be referred to Dickinson County’s occupational health professional or other medical authority to determine the employee’s fitness to return to work.

**Departmental Procedure**

What to do if you suspect an employee is unable to perform any or all of the duties assigned to the position and they present a significant risk of substantial harm to the health or safety of themselves or others? Clear, concise and objective documentation of incidents that form the
basis of the reason for the exam must be completed. You are required to establish that fitness-for-duty testing is job-related and consistent with business necessity.

Identifying employee: You do not want to send an employee for testing based on hearsay or gossip, but you should document complaints or concerns of co-workers or citizens who bring this information forward. Take time to ask what the person observed, when it was observed and if others witnessed this or commented on the situation. You also want to know if this is something that has happened in the past or a new behavior.

Observations by Management: Firsthand observation should be made by two members of management. Immediately upon notice of a concern, the supervisor or available manager or HR personnel should go to this employee’s work area for firsthand observation.

Document Observations: Observations should be clearly documented as it pertains to the employees assigned duties. You want a copy of the job description including the functional aspects of the job and are specific in your documentation.

You will want to meet with the employee and Human Resources to discuss concerns for their health and safety as well as co-workers and citizens.

Human Resources will contact Occupational Health Partners and schedule an appointment for the employee. Human Resources will provide Occupational Health Partners with the employee’s job description.

Once the testing is complete and the results are reviewed, Human Resources will schedule a meeting with the employee.

109 Conflicts of Interest

Effective Date: 1/1/2008

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Dickinson County wishes to operate. Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Human Resources Department to obtain advice on the issue. The purpose of these guidelines is to provide general direction and to protect employees from any conflict of interest that may arise. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Dickinson County’s business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.
OUTSIDE EMPLOYMENT
Employees are required to obtain written approval from their department head before participating in outside work activities. Approval will be granted unless the activity conflicts with Dickinson County’s interest. In general, outside work activities are not allowed when they:

- Prevent the employee from fully performing work for which he or she is employed at Dickinson County, including overtime assignments;
- Involve organizations that are doing or seek to do business with Dickinson County, including actual or potential vendors or customers; or
- Violate provisions of law or Dickinson County’s policies.

From time to time, Dickinson County employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee’s obligations to Dickinson County must be given priority. Employees are hired in Dickinson County’s employ with the understanding that Dickinson County is their primary employer and that other employment or commercial involvement which is in conflict with the interests of Dickinson County is strictly prohibited.

FINANCIAL INTEREST IN OTHER BUSINESS
Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Dickinson County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Dickinson County.

REPORTING POTENTIAL CONFLICTS
If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a commissioner of Dickinson County as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

ACCEPTANCE OF GIFTS
No employee may solicit or accept gifts or other benefits from customers or suppliers. Special care must be taken to avoid even the impression of a conflict of interest.

CONFIDENTIAL NATURE OF WORK
All Dickinson County records and information relating to Dickinson County or its customers are confidential and employees must, therefore, treat all matters accordingly. No County-related information, including documents, notes, files, records, verbal information, computer files or similar files (except in the ordinary course of performing duties on behalf of Dickinson County) may be removed from Dickinson County premises without permission of Dickinson County. Additionally, the contents of Dickinson County records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purposes. Employees must not disclose any confidential information, purposefully or inadvertently through casual conversation to any unauthorized person inside or outside the County. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

Each employee has the right and duty to register and vote on all political issues. Employees,
however, are not permitted to use their position with the County to influence the vote or political activity of any person. Employees shall not solicit, sell, or handle political contributions, nor shall they wear or display political badges, buttons, or signs during on-duty hours.

KSA 25-2430 states "Electioneering at polling places is knowingly electioneering on election day within any polling place or within a radius of two hundred fifty (250) feet from the entrance thereof. As used in this section, electioneering means an attempt to persuade or influence by any means, eligible voters, to vote for or against a particular candidate, party or question submitted. Electioneering at polling places is a class C misdemeanor." Dickinson County allows advance voting three weeks prior to an election.

110 Americans with Disabilities Act

Effective Date: 1/1/2008
Revision Date:

Dickinson County is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). It is the County’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the County will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made Dickinson County aware of his or her disability, provided that such accommodation does not constitute an undue hardship to Dickinson County.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. Dickinson County encourages individuals with disabilities to come forward and request reasonable accommodation.

Procedure for Requesting an Accommodation

On receipt of an accommodation request, the Human Resources Department and your supervisor will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that Dickinson County might make to help overcome those limitations.

Dickinson County will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation and the accommodation’s impact on the operations of Dickinson County, including its impact on the ability of other employees to perform their duties and on Dickinson County’s ability to conduct business.

Dickinson County will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, the decision is final.
The ADA does not require Dickinson County to make the best possible accommodation to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health and safety of other individuals in the workplace will be placed on appropriate leave until a decision is made in regard to the employee’s immediate employment situation.

DEFINITIONS
As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to the ADA policy.

“Disability”: Refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has record of such impairment, or is regarded as having such impairment is a “disabled individual”.

“Direct threat to safety”: Means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

“Qualified individual with a disability”: Means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

“Reasonable Accommodation”: Means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification or examinations, adjustment or modification of training materials.

“Undue hardship”: Means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at the facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the company; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire company; and (8) the relationship of the particular facility to the company. These are not all of the factors, but merely examples.

“Essential job functions”: Refers to those activities of a job that are the core to performing said job for which the job exists that cannot be modified.
111 Internal Job Posting

Effective Date: 1/1/2008
Revision Date: 4/16/2013

Dickinson County provides employees an opportunity to indicate their interest in open positions and advance within the County according to their skills and experience. In general, notices of all regular, full-time job openings are posted on the County website, although Dickinson County reserves its discretionary right to not post a particular opening.

Employees who are on suspension are not eligible to apply for posted jobs. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

In order to apply for an internal position:
- The applicant must be classified as an employee with acceptable performance
- Applicants must meet experience and educational requirements as outlined in the job posting announcement
- Meeting minimum qualifications does not necessarily guarantee an interview
- Incomplete applications will be returned to the applicant

To apply for an open position, employees should submit the on-line application form which is forwarded to the Human Resources Office. It should describe how their current experience with Dickinson County and prior work experience and/or education qualifies them for the position.

Dickinson County recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees’ efforts to gain experience and advance within the County.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the County.

112 Hiring Process

Effective Date: 1/1/2008
Revision Date: 4/16/2013

It is the policy of Dickinson County to be an equal opportunity employer and to hire individuals solely upon the basis of their qualifications for the job for which they have applied. Prior to beginning the recruitment process, an updated and approved job description shall be prepared.

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

PROCESS
Upon approval of the Board of County Commissioners to fill a vacant position, the department head shall notify the Human Resources Department who shall:
- Submit the most recent job description to the department head for review
- Post the position on the Dickinson County website.
- Prepare advertisements and post externally, if needed.

ADVERTISING
All open positions shall be advertised by Human Resources.
- Advertisement shall include job title, required and preferred qualifications, skill testing requirements, if any, location where applicants can be obtained, application deadline and the phrase “Equal Opportunity Employer” (EOE).
- Additional recruitment sources may be used upon mutual consent between the employing department head and human resources.
- Cost of recruitment advertising is the responsibility of the employing department.
- Applications are available on our website www.dkcoks.org and in the administration office at the Courthouse.

APPLICATION PROCESS
- Applications shall be made on a standard form provided by human resources.
- The application shall be signed and dated by the applicant.
- The signed application shall authorize Dickinson County to conduct reference checks.
- Applications shall be forwarded to human resources.
- Human Resources will give the employing department head applications to review.
- If a prospective applicant drops off a resume, they need to be notified that in order for them to be considered a candidate for the position, they must complete an application.
- Department heads may also refer employment inquiries to Human Resources when no job openings exist. Persons inquiring about employment opportunities with Dickinson County may leave completed applications at any time. Applications will be kept on file for six months from the date of the application.
- A current Dickinson County employee wishing to apply for an opening in another county department must submit an on-line application for the new position to Human Resources. A minimum of two weeks’ notice will be given to the current department head in the event the employee is hired in the vacant position. This time period may be lengthened or shortened by mutual agreement of the department heads involved.
- Once the application deadline has been met, the applications will be screened for minimum qualifications and forwarded to the department head. Do not write or mark on any original application.

SELECTION PROCESS
To ensure that individuals who join Dickinson County are well qualified and have a strong potential to be productive and successful, it is the policy of the employing department head to check the employment references of the selected applicant prior to extending a job offer.
At a minimum, department heads shall:

- Select no less than three applicants for employment interview. (Exceptions may be made based on number of applications and/or quality of applications).
- Sample interview questions are available in the Human Resources Department.
- All applicants interviewed must be asked the same set of questions.
- Conduct an employment interview with qualified applicants. (Human Resources is available for these interviews).
- Check at least two employment references on each of the top candidates.
- Upon selection of the top candidate a “conditional” offer of employment may be made.
- The department head shall then contact Human Resources of the selection.

When a “conditional” offer of employment is accepted, all applications, interview notes and reference forms must be returned to the Human Resources Department. These must be kept in a “position recruitment file” for at least three years before shredding. The original application, reference forms, interview notes of the applicant hired shall be placed in his/her personnel file.

MINIMUM QUALIFICATIONS
With exception to specific job-related requirements to be considered for employment with Dickinson County, applicants must be at least 18 years of age and must be a citizen of the United States or have legal authority to work in the United States. Pursuant to the Immigration Reform and Control Act of 1986, an individual may not begin employment with Dickinson County unless and until U. S. Department of Justice Form I-9 has been completed. All current positions with Dickinson County require a high school diploma or GED.

SKILLS TESTING
Dickinson County may use employment or skill tests as part of normal hiring procedures for certain positions to assist in selecting the most qualified applicant. When testing is used, all applicants and/or all interview candidates for the position shall be required to complete a test.

EMPLOYMENT OFFER
Any offer of employment made pursuant to the recruitment process shall be conditioned upon the results pre-employment testing. Human Resources will provide the applicant with an “Acknowledgment of Conditional Offer of Employment Form to be reviewed and signed by the applicant. All results of pre-employment testing results must be received and verified prior to the applicant’s first day of work.

- Submission to and passing the Dickinson County substance abuse screening;
- Successful completion of a physical capacity test as required by the essential job function description;
- Satisfactorily passage of personal, criminal history, and driver’s license background checks;
- Dickinson County’s determination of the reasonableness of any requested accommodation(s).

Human Resources will set up these appointments and communicate to the applicant the date/time of these testing appointments.

Human Resources shall establish and maintain confidential individual medical and drug testing files for all employees.

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CRIMINAL BACKGROUND CHECKS
If the position requires a criminal background check, please refer to the department head or the Human Resources Department. The Human Resources Department has the capability to produce a background check through the Information Network of Kansas.

Although a disqualification is possible, in accordance with federal and state laws, a previous conviction does not automatically disqualify an applicant from consideration for employment with Dickinson County. Depending on a variety of factors (for example, the nature of the position, the nature of the conviction, age of the candidate when the illegal activity occurred), the candidate may still be eligible for employment with Dickinson County.

However, if an applicant attempts to withhold information or falsify information pertaining to previous convictions; the employee will be disqualified from further employment consideration in any position with the County due to falsification of an application.

EMPLOYEE ORIENTATION
Immediately upon employment, department heads shall make an appointment with Human Resources for processing needed to place employees on the payroll. This needs to be done on the first day of employment.

- Completion of new hire paperwork
- Explanation of Benefits
- Education of policies

Fitness-For Duty
For the protection of employees and citizens alike, Dickinson County requires that, upon hire, all employees submit to mandatory physical capacity test as a condition of employment. If the appointing authority has concerns for an employee’s health or safety, co-workers’ safety or the ability of the employee to perform their duties, they may request a fitness-for duty determination through Human Resources.

A. Department heads may require employees to report to Human Resources in order to obtain a medical release for duty if the appointing authority has reason to believe that the employee is unable to perform any or all of the duties assigned to the position in which the employee is employed.

B. Human Resources may require a referred employee to report to the contracting medical provider for an evaluation prior to releasing the employee to return to duty.

C. Human Resources may require the employee to provide a medical certificate from the employee’s regular physician, prior to releasing the employee for duty.

D. Employees who have been referred to the Director of Human Resources pursuant to the provisions of paragraph A, B or C of this section, shall be considered to be in Administrative Leave with Pay status until released to work or notified that they have been found unable to complete the required duties of this position.

E. The Director of Human Resources will review the fitness-for-duty request for compliance with all applicable laws and regulations and will coordinate the mandatory referral examination. Upon a mandatory referral, the employee will meet with the
Director of Human Resources for an explanation of fitness-for-duty determinations. Subsequent treatment to return the employee to a fit-for-duty status is the responsibility of the employee. If the employee is found to be not fit for duty, they will not return to work until they have been found fit for duty. Employees found not fit for duty shall be addressed in one or more of the following ways:

1. Be issued protection under Dickinson County’s Family and Medical Leave Policy,
2. Use accrued leave balances.
3. Apply to the appointing authority for a leave of absence.
4. Be dismissed from employment.

Return-To-Work Authorization
Employees who have had a serious health condition or injury that would require a doctor’s release to return to work must report to Human Resources for a return-to-work authorization, prior to reporting to their department/office. The employee must present the original of the doctor’s release to Human Resources, so it can be compared to the physical requirements of their position to determine if they can perform all the required tasks. If there is any doubt about the employee’s ability to perform the required tasks safely, Human Resources will coordinate with the appointing authority of their department/office for a determination of the physical requirements of the position and if any medical restrictions placed on the employee would prevent them from returning to work. If required, the employee may be referred to Dickinson County’s occupational health professional or other medical authority to determine the employee’s fitness to return to work.

Departmental Procedure
What to do if you suspect an employee is unable to perform any or all of the duties assigned to the position in which the employee is employed.

1. Identifying employee: You do not want to send an employee for testing based on hearsay or gossip, but you should document complaints or concerns of co-workers or citizens who bring this information forward. Take time to ask what the person observed, when it was observed and if others witnessed this or commented on the situation. You also want to know if this is something that has happened in the past or a new behavior.

2. Observations by Management: Firsthand observation should be made by two members of management. Immediately upon notice of a concern, the supervisor or available manager or HR personnel should go to this employee’s work area for firsthand observation.

3. Document Observations: Observations should be clearly documented as it pertains to the employees assigned duties. You want a copy of the job description including the functional aspects of the job and are specific in your documentation.

4. You will want to meet with the employee and Human Resources to discuss concerns for their health and safety as well as co-workers and citizens.
5. Human Resources will contact Occupational Health Partners and schedule an appointment for the employee. Human Resources will provide Occupational Health Partners with the employee’s job description.

6. Once the testing is complete and the results are reviewed, Human Resources will schedule a meeting with the employee.

113 Social Security Number Privacy

Effective Date: 1/1/2008
Revision Date:

It is the policy of Dickinson County to protect the confidentiality of Social Security numbers obtained and used in the course of business from its employees and applicants. All employees are expected to rigorously adhere to this policy. Any employee violating the provisions of this policy and its operating procedures will be disciplined in accordance with County rules.

OPERATING PROCEDURES
Collection of Numbers: Social Security numbers will be collected from applicants and employees as required in meeting federal and/or state reporting requirements. These purposes include:
- To conduct pre-employment background checks
- To verify eligibility for employment
- To withhold federal and state taxes
- To comply with state new-hire reporting
- To facilitate enrollment in Dickinson County benefit plans

Storage of and Access to Numbers:
Storage: All documents containing Social Security numbers shall be stored in locked secured areas. All computer applications containing Social Security numbers shall be maintained on secured, authorized-access computer stations only.

Access: Only persons who have a legitimate business reason will have access to Social Security numbers; such access will be granted through department heads responsible for functions with reporting or transporting such data responsibilities. Department heads and employees granted such access must take all necessary precautions to ensure the integrity of records that include such numbers when the records are not being used.

Destruction of Numbers: Records that include Social Security numbers will be maintained in accordance with federal and state laws. When such documents are released for destruction, the records will be destroyed by shredding.
114 Record Keeping

**Effective Date:** 1/1/2008  
**Revision Date:** 3/9/2017

**HUMAN RESOURCES RECORDS**  
Dickinson County shall maintain records on each employee which are directly related to employment with Dickinson County or which are required by Federal or State law. Human Resources hold the official employee personnel file. Electronic signatures may be used and files may be stored electronically.

Personnel records shall be maintained by Human Resources

**Human Resources Records Retention and Destruction Procedure**  
The Human Resources Department retains and destroys personnel records in accordance with federal and state laws governing records retention. Dickinson County follows the Kansas Records Retention Schedule for Local Government Records.

**DEPARTMENT HEAD RECORDS**  
Department heads may maintain supplemental records pursuant to the provisions set forth below. The employee’s right to privacy will be maintained consistent with the County’s need for pertinent information about the employee. Employee records maintained by the department head/supervisor may include the following:

- Notes regarding performance to be used on employee evaluation
- Leave records
- Documentation of oral reprimand or other job counseling regarding performance

**ACCESS TO PERSONNEL FILE POLICY**  
Employee files are maintained by Human Resources and are considered confidential. Department heads and supervisors other than the Human Resources Director may only have access to personnel file information on a need-to-know basis. A department head considering the hire of a former employee or transfer of a current employee may be granted access to the file.

Personnel files are to be reviewed in the Human Resources Department. Personnel files may not be taken outside of the department.

Representatives of government or law enforcement agencies, in the course of their business, may be allowed access to file information. This decision will be made at the discretion of the Human Resources Director in response to the request, a legal subpoena or court order.

**EMPLOYEE RECORDS CONFIDENTIALITY**  
Dickinson County’s philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the County will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the County includes employee name, address, telephone number, e-mail address,
emergency contact information, EEO data, social security number, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials. All pre-employment inquiring information and reference checking records conducted on employees and former employee files are maintained in locked, segregated areas.

Personal employee information will be considered confidential and as such will be shared only as required and with those who have a need to have access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. Participants in County benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

If an employee becomes aware of a material breach in maintaining the confidentiality of his or her personal information, the employee should report the incident to the Human Resources Department. The Human Resources Department has the responsibility to investigate the incident and take corrective action. Please be aware that a standard of reasonableness will apply in these circumstances. Examples of release of personal information that will not be considered a breach include the following:

- Release of partial employee birth dates, i.e. day and month is not considered confidential and will be shared with department heads that elect to recognize employees on such dates.
- Personal telephone numbers or e-mail addresses may be distributed to department head in order to facilitate work schedules or operations.
- Employee identifier information used in salary or budget planning, review processes and for timekeeping purposes will be shared with department heads.
- Employee’s County anniversary or service recognition information will be distributed to appropriate department heads.
- Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.

Personnel files are the property of Dickinson County, and access to the information they contain is restricted. Generally, only supervisors and management personnel of Dickinson County who have a legitimate reason to review information in a file are allowed to do so.

The Kansas Open Records Act under K.S.A. 45-215 et seq., states that any member of the public may request, and shall be provided the following: names, positions, salaries, and length of service of the officers and employees of the County once they are employed as such. All requests are to be submitted to the County Clerk.
115 Gifts, Gratuity and Property Policy

Effective Date: 1/1/2020
Revision Date: 

Definition
A “gift” is any item, product, service, favor, gratuity, or other benefit that is offered to a Dickinson County employee or to a member of the employee’s family by any person seeking a decision by, or relationship with the County. Examples of gifts include, but are not limited to, products, goods and services, food, beverage, travel, lodging, admission to entertainment venues or credits. “Family” means a spouse, parent, sibling, child or any other relative, if the latter resides in the same household as the County employee.

Prohibition of Gifts
Dickinson County employees may not solicit gifts, and no employee may accept a gift unless it is specifically authorized by this policy, and then only specifically if the gift is not intended to obligate or influence an employee in any manner concerning the County or County operations and functions. Employees should immediately, politely yet firmly, refuse to accept any gifts or gratuities of other than the nominal value which might obligate or be intended to influence the employee in any manner. However, gifts from relatives or friends, when it is obvious to a reasonable person the gift is not being given because of the individual’s employment at Dickinson County, are not subject to this policy.

Promotional Items, Rewards and Media/Sample Items
Employees are permitted to accept promotional items of nominal value such as coffee mugs, pens, coasters and similar items that vendors distribute to customers. However, gifts or items received from vendors that could be considered a “reward or incentive” as the result of a Dickinson County purchase shall be delivered to the Dickinson County Human Resource department to accrue to be distributed and used at in a manner such as giving as door prizes during Staff Development Day or by other similar random employee drawings.

Perishable Gifts, Meals, Beverages and Entertainment
Employees are expected to use restraint and good judgment, but are permitted to accept perishable gifts such as holiday food items or flowers with a value of less than $50.00. In the course of conducting County business, employees may accept food and beverages offered as a gesture of common courtesy at meals or receptions, and also entertainment when it would be impolite, impractical or uncivil to decline. However, the County expects employees to exercise restraint and good judgment under this exception and to decline to accept or to reimburse for frequent or extravagant food, beverage or entertainment. Employees are expected to obtain the written approval from the County Administrator, preferably in advance, when the value of food, beverage or entertainment is estimated to be $50 or more.

Conferences and Speaking Engagements, Travel/Lodging
Under circumstances when a County employee is attending a conference or giving a presentation or speech or other such service as a representative of the County, acceptance of recognition in the form of a ceremonial plaque, gift basket or other ceremonial gift is acceptable when a reasonable person would determine it would be unprofessional, impractical or uncivil to decline. When an employee attends a conference, meeting, workshop, or seminar and wins a random gift drawing or door prize, the employee is entitled to keep the gift, as long as the drawing was random, and that everyone that attended the conference, meeting, workshop, or seminar was eligible to win the same item in the drawing.
County employees should not solicit or accept any gift involving the payment of lodging or travel expenses from any source that is not a state or federal government entity, agency or taxing unit with the exception of 1) when it is obvious to the person accepting such a gift that the gift is not being provided because of the person’s employment with Dickinson County or 2) when the person’s presence at a meeting, conference, seminar, training or event serves a legitimate County purpose or interest and has been prior approved or authorized by the employee’s supervisor.

**Gifts from Community Constituents**

On the occasion that gifts are received by employees in connection with their County duties and responsibilities in appreciation for a particular courtesy or service, such employees shall accept on behalf of the County and deliver to the County Administrator for proper acceptance and acknowledgement as a gift in kind to the County.

Other exceptions include such examples to social or ceremonial gifts that may be presented to County employees in connection with County duties in situations whereby it is awkward, impolite and unacceptable to decline. Examples would include gifts from visiting foreign representatives with a recognized culture of gift giving or gifts in connection with a significant event such as the birth of a child, etc. County employees may accept such social and ceremonial gifts as long as the value of the gift (or all gifts from the same source in any 12 month period) is less than $100.00. Such ceremonial and social gifts of $100 or greater shall be accepted on behalf of the County and delivered to the County Administrator for proper acceptance and acknowledgement as a gift in kind to the County.

Also, as part of this policy, the Business Ethics and Conduct and the Conflict of Interest policies are noted and in the unusual circumstances in which both policies are applicable but in conflict, the Conflict of Interest policy shall prevail.

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**116 Gifts, Title VI Plan and Policy**

*Effective Date: 2/20/2020*

*Revision Date:*

**Non-Discrimination Policy Statement**

It is the policy of Dickinson County Kansas that no person shall on the grounds of race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law, be excluded from participation in, be denied the benefits or, or be subjected to discrimination in any operation of Dickinson County Kansas as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of Dickinson County Kansas, including its contractors and anyone who acts on behalf of Dickinson County Kansas. This policy applies to the operations of any department or agency to which Dickinson County Kansas extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.
Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U. S. C. 2000d and related statutes, and the requirements of 6 C.F.R. parts, 15, 17, 19, and 21, and 44 C.F.R. parts 16 and 19.

Organization, Staffing, and Structure

Brad Homman, Dickinson County Administrator, is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 6 C.F.R. parts 15, 17, 19, and 21, and 44 C.F.R. parts 16 and 19.

Dickinson County Kansas has designated the position of Human Resource Director to perform the duties of the Title VI Coordinator and ensure implementation of agency’s Title VI program. The position of Human Resource Director is located within the Administration Department.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency’s behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to the Kansas Adjutant General’s Department (KDEM);
- Developing a program of conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination;
- Ensuring staff are trained in Civil Rights laws and policies prohibiting discrimination.

Title VI Complaint Procedures

Discrimination Complaint Procedure for Dickinson County Kansas

Complaint documentation, in the English language, may be found on the website for Dickinson County Kansas (www.dkcoks.org) or obtained at the office of Administration, 109 E. First Street, Abilene, KS.
Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any Dickinson County Kansas program or activity. This prohibition applies to all branches of Dickinson County Kansas, its contractors, consultants, and anyone else who acts on behalf of Dickinson County Kansas.

Federal law required that Dickinson County Kansas investigate, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact Diane Greenough, Dickinson County Kansas Title VI Coordinator.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits or, or otherwise subjected to discrimination under any Dickinson County Kansas program or activity because of their race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law, may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassments includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact Diane Greenough, Dickinson County Kansas Title VI Coordinator, if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact, Diane Greenough, Dickinson County Kansas Title VI Coordinator.

Complaints may be submitted via mail, email, fax or in person to:

Diane Greenough, Dickinson County Kansas Title VI Coordinator
109 E. First Street | Abilene, KS  67410
dgreenough@dkcoks.org
Fax: (785) 263-2081

Complaints may also be filed directly with the following agencies:

State of Kansas
Adjutant General’s Department
Kansas Division of Emergency Management
Title VI Nondiscrimination Coordinator
2800 SW Topeka Blvd.
Topeka, KS  66611-1287
What happens after a complaint is filed?

Title VI complaints must be investigated within sixty days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information, from all involved parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, complaints will be forwarded to either the Kansas Adjutant General’s Department (KDEM) or the US Department of Homeland Security/FEMA for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.
Title VI Complaint Form

Please complete this form to the best of your ability. If you need translation or other assistance contact: Diane Greenough, Title VI Coordinator Dickinson County Kansas 109 E. First Street | Abilene, KS 67410 Phone: (785) 263-3120 | Fax: (785) 263-2081 Email: dgreenough@dkcoks.org

Basis of Complaint (circle all that apply):

<table>
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<tr>
<th>Race</th>
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<tbody>
<tr>
<td>National Origin</td>
<td>Gender</td>
<td>Citizenship</td>
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<td>Religion</td>
<td>Disability</td>
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<td>Veteran Status</td>
<td>Sexual Orientation</td>
<td>Gender Identity</td>
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<tr>
<td>LGBTQ Status</td>
<td>Other:</td>
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</tbody>
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Who discriminated against you?

Name____________________________________________________________________
Name of Organization_______________________________________________________
Address______________________________ City____________________ Zip__________
Telephone_________________________________

How were you discriminated against? (Attach additional pages if more space is needed)
________________________________________________________________________
________________________________________________________________________
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Where did the discrimination occur?
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________________________________________________________________________
Dates and times discrimination occurred?
________________________________________________________________________
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Were there any other witnesses to the discrimination?

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization/Title</th>
<th>Work Telephone</th>
<th>Home Telephone</th>
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How would you like to see this situation resolved?
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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________________________________________________________________________

Have you filed your complaint, grievance, or lawsuit with any other agency or court?
Who______________________________When______________________________
Status (pending, resolved, etc.)______________________________
Result, if known______________________________
Complaint number, if known______________________________

Do you have an attorney in this matter?
Name______________________________Phone______________________________
Address______________________________City____________________Zip______

Signed______________________________Date______________________________

Notice of Rights for Dickinson County Kansas will be published on the official website
www.dkcoks.org
NOTICE OF NONDISCRIMINATION

Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964
Dickinson County Kansas operates its programs and services without regard to race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin (including limited English Proficiency).
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.
- Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.
- Age Discrimination Act of 1975, which prohibits discrimination based on age.

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Dickinson County Kansas program or activity because of their race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law, may file a discrimination complaint with Dickinson County Kansas.

To file a Title VI discrimination complaint, contact:
Diane Greenough, Title VI Coordinator Dickinson County Kansas
109 E. First Street | Abilene, KS 67410
Phone: (785) 263-3120 | Fax: (785) 263-2081
Email: dgreenough@dkcoks.org
EMLOYMENT STATUS AND RECORDS

201 Employment Categories

Effective Date: 1/1/2008
Revision Date:

It is the intent of Dickinson County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Dickinson County.

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. An employee’s exempt or non-exempt classification may be changed only upon written notification by Dickinson County management. All non-exempt employees are required to keep track of hours worked on a daily basis with the current time keeping system in use.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are regularly scheduled to work Dickinson County’s full-time schedule of 38.5 to 40 hours per week. Generally, they are eligible for Dickinson County’s benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are regularly scheduled to work less than the full-time work schedule, but work 30 to 38 hours per week. Regular part-time employees are eligible for some benefits sponsored by Dickinson County, subject to the terms, conditions, and limitations of each benefit program.

HALF-TIME employees are those who are regularly scheduled to work 20-30 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers’ compensation insurance), they are ineligible for all of Dickinson County’s other benefit programs.

PART-TIME employees are those who are regularly scheduled to work less than 20 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers’ compensation insurance), they are ineligible for all of Dickinson County’s other benefit programs.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers’ compensation insurance and Social Security), they are ineligible for all of Dickinson County’s other benefit programs.
PRN (When Necessary) employees are those who are not on a regular schedule. These employees are called in to work as needed. PRN employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Dickinson County's other benefit programs.

SEASONAL employees are those who are hired to work on a regular and/or recurring basis during a specific "season" or portion of a year.

CONTRACT SERVICES In special circumstances the County may contract for the services of a consultant or other professional person. A person who works for the County in this capacity is not considered a County employee and is not entitled to any County benefits. A Contract person will receive compensation on a contract basis and will not be included in the County payroll.

202 Employee Reference Checks

Effective Date: 1/1/2008
Revision Date:

All inquiries regarding a current or former Dickinson County employee must be referred to the Human Resources Department.

Should an employee receive a written request for a reference, he/she should refer the request to the Human Resources Department for handling. No Dickinson County employee may issue a reference letter to any current or former employee without the permission of the Human Resources Department.

Under no circumstances should any Dickinson County employee release any information about any current or former Dickinson County employee over the telephone. All telephone inquiries regarding any current or former employee of Dickinson County must be referred to the Human Resources Department. Information given by phone will be limited to verification of employment dates, position title, and whether the employee is eligible for rehire with Dickinson County.

In response to written requests (i.e. mortgage applications), information such as salary, dates of employment and job position may be provided, if an authorization signed by the employee is provided. Dickinson County will not respond to any telephone requests of this information.

Representatives of Government or law enforcement agencies, in the course of their business, may be allowed access to file information. Personnel file access by employees and former employees will usually be provided in response to a legal subpoena or court order. Such cases will be handled on an individual basis.

Garnishment/Levies/Support Orders

Upon receipt of properly authorized requests to release information or initiate deductions from employee pay, Dickinson County will release salary/wage information and begin deductions from pay.

All employee files are the property of Dickinson County.
203 Performance Evaluation

Effective Date: 1/1/2008
Revision Date: 4/20/2017

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance appraisal provides a means for discussing, planning and reviewing the performance of each employee.

Regular performance appraisals:
- Help employees clearly define and understand their responsibilities, provide criteria by which their performance will be evaluated and suggest ways in which they can improve performance.
- Identify employees with potential for advancement.
- Help managers distribute and achieve department goals.
- Provide a fair basis for awarding compensation based on merit.

The performance of all employees is generally evaluated according to an ongoing twelve (12) month cycle. This twelve month cycle will begin in November each year. When provided, a merit increase may accompany a performance review if the employee’s performance and salary level so warrant.

A performance evaluation shall be completed at a minimum of three months for both initial employment and promotion situations. Evaluations shall be conducted annually in November or as needed, based on the employee’s job performance.

The performance evaluation should be completed by the employee’s immediate supervisor. The performance evaluation will be discussed and signed by both the employee and the department head to ensure that all strengths, areas for improvement and job goals for the next review period are clearly communicated.

In all cases, the Department Head will act as the final reviewer. All performance evaluations must be forwarded to the Human Resource Office for placement in the official employee file.

The department head will deliver to Human Resources all completed employee performance evaluations. When provided, the evaluations will indicate the percentage and rate of any pay increase to the employee.

Each department head is responsible for the timely and equitable assessment of the performance and contribution of his/her employees. A performance review does not always result in an automatic salary increase. If provided, the employee’s overall performance and salary level relative to his/her position responsibilities must be evaluated to determine if a salary increase is warranted. Out-of-cycle salary increases must be approved by the Department Head, the Human Resources Director, and the Director of Administration and Emergency Services.

Employees may be given the opportunity to complete an evaluation form at least one week prior to the formal appraisal review meeting. This is not an official personal evaluation, but it can help establish a basis for dialogue regarding performance expectations and both parties’ opinions on performance.
During the scheduled meeting, the supervisor and the employee will discuss the evaluation and set goals for the next year. The employer and employee shall sign and date the form, adding any comments made by the employee. The evaluation shall be made part of the employee’s personnel file. A copy of the evaluation shall be provided to the employee.

204 Data Changes

*Effective Date:* 1/1/2008  
*Revision Date:*

It is the responsibility of each employee to promptly notify Dickinson County of any changes in personal data. Personal mailing addresses, telephone numbers, number, and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. Contact the payroll clerk with any personal information changes.

205 Photo ID Badge

*Effective Date:* 1/1/2008  
*Revision Date:*

Employees shall be issued a Dickinson County photo identification badge.

When performing job related duties off of county property, all employees shall have their identification card with them and produce it, if requested by a member of the public.

All identification cards are the property of Dickinson County and shall be returned immediately upon termination of employment.

Employees should report a lost card as soon as possible. Arrangements for a new card will be made at that time.

Under no circumstances shall an employee allow another person to use his or her identification card as a form of false identification.

206 Job Descriptions

*Effective Date:* 1/1/2008  
*Revision Date:*

Dickinson County makes every effort to create and maintain accurate job descriptions for all positions within the County. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), a physical demands section, and a work environment
Dickinson County, KS

section.

Dickinson County maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources Office and the hiring manager prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Human Resources Office if you have any questions or concerns about your job description.

207 Salary Administration

Effective Date: 1/1/2008
Revision Date: 4/20/2017

The salary administration program at Dickinson County was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, Dickinson County is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including the essential duties and responsibilities of the job, and salary survey data on pay practices of other counties. Dickinson County periodically reviews its salary administration program and restructures it as necessary.

Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. The Human Resources Office is also available to answer specific questions about the salary administration program.

Personnel Policies and Procedures

The Human Resources Director shall maintain a current and accurate salary scale. All regular full-time and regular part-time positions will be assigned a grade based on the job
description. The wage scale lists the steps and the salary amounts for each grade. For each step the salary is listed in hourly amounts.

Determining the step:
New Hires: When a person is hired by the county for a regular full-time position, the salary will be at step 1 of the appropriate grade.

Lateral Transfer: An employee transferred to a position in the same grade as the current position will remain at the same step and the salary will be the same.

Promotion: An employee promoted or transferred to a position in a higher grade will be placed at the first step that provides an increase of at least 2.5%. Then in January of each year the employee will progress based on the parameters of the pay plan.

Demotion: When an employee is demoted or transferred to a position in a lower grade, his/her salary shall be placed at the first step that provides a decrease. In no case shall the salary be more than the employee was earning immediately prior to the transfer or demotion. The employee will progress one step each year until the employee is at the appropriate step based upon length of service.

Re-employment: A former employee with a break in service who is re-employed in a position in the same grade as his/her previous position, shall be paid at step 1 of the grade unless a higher step has been approved by the Human Resource Director and the County Administrator based on the person’s previous experience for that position.

In order to pay the employee at a higher step than provided, the Department Head or Elected Official must submit a written and signed request to the Human Resources Director. The request shall include what step the employee should be moved to, specific reasons why and how the additional cost will be funded. The Human Resources Director will investigate the request and make a recommendation to the County Administrator, who may request approval from the Board of County Commissioners. Upon approval, the employee will be placed at higher step and receive the higher salary.

Four factors are considered when assigning a grade to a position:
1. Internal equity: Jobs within the county requiring similar skills and having similar responsibilities will be in the same grade.
2. Local labor market: The current average salary ranges for similar positions.
3. Other counties: The current average salary ranges for similar positions in counties of similar size.

Temporary employees are not assigned a grade and step. A rate will be determined based on the duties and/or responsibilities of the position, and the qualifications of the individual.

Intermittent employees will be paid at the lowest grade for the specific department for which they are working. When there is a base adjustment on the salary schedule intermittent employees pay would be adjusted accordingly.

All regular full-time and regular part-time employees shall receive an annual performance appraisal. Advancement to the next step will be dependent upon a satisfactory performance appraisal. Should a Department Manager or Elected Official determine that an employee is
performing his/her job below the level of satisfaction, the Department Manager or Elected Official shall counsel the employee outlining the steps to be taken by the employee to reach a satisfactory level of performance. The Department Manager or Elected Official may "freeze" the employee at the current pay step until the employee has reached a satisfactory level of performance. If a satisfactory level is not reached within ninety (90) days, the Department Manager or Elected Official will take appropriate action.

An employee receiving disciplinary action deemed to be substantial in nature within 90 days of planned step increase may also have the increase withheld for up to ninety (90) days. At the end of a ninety (90) period, the employee must have reached a satisfactory level of performance or the Department Head or Elected Official will take appropriate action.

When there is a base adjustment of the salary schedule, all employees shall receive the adjustment on the effective date of the adjustment. The Human Resources Director shall review the Dickinson County pay schedule and make recommendations to the Board of County Commissioners for any updates to the base rate.
BENEFITS

301 Employee Benefits

Effective Date: 1/1/2008
Revision Date:

Eligible employees at Dickinson County are provided a wide range of benefits. A number of the programs (such as Social Security, workers’ compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Benefit Conversion at Termination
- Bereavement Leave
- Blood Donations
- Deferred Compensation Plans
- Dental Insurance
- Employee Assistance Program
- Family Medical Leave
- Health Insurance
- Holidays
- Illness & Disability Pool
- Jury Duty Leave
- KPERS (Kansas Public Employees Retirement System)
- KP&F (Kansas Police and Fire Retirement; Law Enforcement Personnel)
- Landfill Benefit
- Life Insurance - KPERS
- Long-Term Disability - KPERS
- Medical Insurance
- Military Leave
- Personal Leave
- Pharmacy
- Supplemental Insurance (AFLAC)
- Safety Boots
- Sick Leave
- Uniform and Uniform Maintenance
- Vacation Leave
- Vision Care Insurance
- Voting

Some benefit programs require contributions from the employee, but most are fully paid by Dickinson County.
302 Elected Officials – Leave Procedure

*Effective Date*: 1/1/2008
*Revision Date*: 2/1/2009

Elected officials do not accrue vacation, sick or personal leave because they are paid a salary to perform the duties as outlined by the Kansas statutes rather than being paid for their services based on a 40 hour week. They may take time off as needed. Paid leave is not available to elected officials.

If an employee runs for and wins an election, they will be paid out one-third of their sick leave balance at the rate of pay prior to becoming an elected official. There is no pay out for accumulated vacation leave.

Should an elected official not run for re-election and remain an employee of Dickinson County, leave accruals will be reinstated. Vacation leave will be awarded on the employee’s years of service not to include the years in elected office.

303 Unemployment Claims

*Effective Date*: 1/1/2008
*Revision Date*:

Upon receipt of a notice of unemployment claim, the department head shall immediately forward the original notice to the Human Resources Director so the response may be filed in a timely manner. The department head shall assure that all documentation regarding discipline (if any) of said employee has been forwarded to the Human Resources Department for the personnel record.

304 Voting

*Effective Date*: 1/1/2008
*Revision Date*:

Dickinson County encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, Dickinson County will grant up to one hour of personal or vacation leave off to vote. This is only granted when polls are not open at least two hours before or after the employee’s scheduled hours of work.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees are encouraged to take advantage of advanced voting available through the County Clerk’s office.
305 Vacation

*Effective Date: 1/1/2008*
*Revision Date: 4/16/2013*

Vacation time is available to full-time employees (working 38.5 or more hours per week) to provide opportunities for rest, relaxation, and personal pursuits. Employees should request vacation time off at least two weeks in advance of leave. The department head will consider all time off requests on a case by case basis.

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

Upon completion of 90 days employment, the employee is entitled to use vacation days if the employee will complete one year of service within the calendar year. Employees will receive vacation hours on January 1 following their hire date.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Vacation Hours Awarded</th>
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<tbody>
<tr>
<td>0-4</td>
<td>80</td>
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<td>5-9</td>
<td>96</td>
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<td>15-24</td>
<td>160</td>
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<td>25+</td>
<td>200</td>
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Employees who have earned 200 hours of vacation can be paid up to 40 hours at year end if vacation is not used in that year. The employee must request by year end this time be paid and not taken. All payments will occur on the January pay date following year end.

Employees will be granted their additional time at the beginning of the year in which they would move to the next tier in vacation leave.

A legal holiday or other day on which County offices are closed, which occur during an employee's vacation, shall not be charged against the employee's vacation leave balance. See policy 305 Holidays for additional information on Authorized Paid Leave and Holiday Pay.

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. They can request use of vacation time after it is earned.

Paid vacation time can be used in minimum increments of one hour. To take vacation, employees should request at least two weeks advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee’s base pay rate at the time of vacation. Paid time off for vacation leave will not be counted as hours worked for the purposes of determining overtime.
In the event that available vacation is not used by the end of the benefit year, employees will forfeit the unused time unless they have submitted an extension request to use their vacation by February 15 of the following year. It is up to the department head whether to grant any extension requests. The department head may also extend vacation for unforeseen working requirements.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work. The employee needs to physically work the final two weeks to be eligible for payment. If employment ends prior to one year of service, there is no payment for unused vacation.

However, if Dickinson County, in its sole discretion, terminates employment for cause, forfeiture of unused vacation time may result.

306 Sick Leave

Effective Date: 1/1/2008
Revision Date: 4/16/2013

Dickinson County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries.

Full-time employees (working 38.5 or more hours per week) will be eligible for accrual of sick leave at a rate of 8 hours per month. Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits. An employee who enters County service before the 10th of the month shall earn a day of sick leave for the month.

Paid sick leave can be used in minimum increments of one-half hour. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

Before returning to work from a sick leave absence of 3 calendar days or more, an employee must provide a physician's verification that he or she may safely return to work. A physician's verification may be requested at any time by the department head. In the event of a serious health condition of the employee or family member, the Family Medical Leave Act will be designated.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence. Paid time off for sick leave will not be counted as hours worked for the purposes of determining overtime.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 550 hours of sick leave benefits. If the employee's benefits reach this maximum,
further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed. If the employee has been employed with Dickinson County for at least two years and leaves employment in good standing, the employee shall be compensated for one-third of his/her accrued sick leave. Employees with less than two years of service are not compensated for accrued sick leave. Employees shall be granted sick leave with pay in the following situations:

1. For personal illness, injury, or enforced quarantine of the employee, sick leave shall be granted up to the amount of leave accrued. Employees may use sick leave for medical appointments.

2. When an employee is required to care for a sick or injured spouse, child, parent, or parent-in-law. Sick leave shall be granted for a maximum of five consecutive working days if that amount has been accumulated. A doctor's statement is required after the first three days.

According to the Family and Medical Leave Act of 1993 (FMLA), any leave for a serious medical condition of the employee, spouse, child, or parent will be designated as FMLA leave. The employee will use all paid leave prior to taking unpaid leave. FMLA leave is discussed later in the handbook.

After the employee’s accumulated sick leave has been exhausted, the employee may request use of earned vacation or personal leave as sick leave. When absence due to sickness, injury, or quarantine exceeds the days of paid leave earned, the employee will be placed on unpaid leave status and the employee’s pay shall be discontinued until he/she returns to work.

A doctor’s note may be required for any absence designated as sick leave.

Upon termination of employment, employees with two years of service will be paid for one-third (1/3) of their sick leave balance that has been earned through the last day of work if the employee has. The employee needs to physically work the final two weeks to be eligible for payment. However, if Dickinson County, in its sole discretion, terminates employment for cause, forfeiture of unused sick time may result.

**307 Personal Leave**

*Effective Date: 1/1/2008*

*Revision Date: 4/16/2013*

Personal Leave is an all-purpose time-off policy for full time employees to use for personal business.

Employees will receive 16 hours per year and may request use of Personal Leave after it is earned.
Personal Leave can be used in minimum increments of one-half hour. Employees who have an unexpected need to be absent from work should notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of unexpected absence.

To schedule planned Personal Leave, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Personal Leave is paid at the employee's base pay rate at the time of absence. **Paid time off for personal leave will not be counted as hours worked for the purposes of determining overtime.**

In the event that available personal leave is not used by the end of the benefit year, employees will forfeit the unused time unless they have submitted an extension request to use their personal leave by February 15 of the following year. It is up to the department head whether to grant any extension requests. The department head may also extend personal leave for unforeseen working requirements.

Upon termination of employment, employees forfeit any accrued Personal Leave.

**308 Holidays**

*Effective Date: 1/1/2008*

*Revision Date: 3/5/2015*

Dickinson County will grant holiday time off to full-time employees on the holidays listed below:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving
- Day after Thanksgiving
- Christmas Eve
- Christmas

Dickinson County will grant paid holiday time off to all full-time employees immediately upon hire. Holiday pay will be calculated based on the employee's straight-time pay rate as of the date of the holiday. A holiday is considered as eight (8) and will be paid to each full time employee as such.

To be eligible for holiday pay, employees must work their last scheduled day immediately preceding and their first scheduled day immediately following the holiday unless on approved
paid leave.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

Any non-exempt employee who works on a recognized holiday will receive pay at one and one-half times their straight time rate of pay. The employee must clock in on the holiday to receive this special rate of pay. All hours worked during the entire shift will be paid at one and one-half times their straight time rate.

Paid time for holidays will not be counted as hours worked for the purposes of determining overtime.

**AUTHORIZED PAID LEAVE AND HOLIDAY PAY**

1. Employees who are NOT scheduled to work holidays shall receive only their holiday pay.

2. Twenty-four hour service employees (911, EMS, Sheriff Department Patrol and Corrections) who are scheduled to work holidays and whose normal schedule includes working a holiday may take approved paid leave on the holiday at the same number of hours the employee was scheduled to work. The employee will receive the paid leave in addition to the 8 hours of holiday pay.

**309 Workers' Compensation Insurance**

*Effective Date: 1/1/2008  
Revision Date: 11/6/2008*

Dickinson County provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. The supervisor shall be responsible for reporting the incident to the Human Resources Office as soon as possible to receive guidance and instructions. The employee will complete a Report of Personal Injury form. This will enable an eligible employee to qualify for coverage as quickly as possible.

Employees injured on the job shall not be allowed to return to work without a signed doctor’s release. The employee shall contact Human Resources on a weekly basis with documentation of their physician’s determination if the employee may return to work on a modified work schedule and/or with modified work duties as appropriate for the employee’s abilities. Human Resources will work with the employee’s supervisor to provide an appropriate alternative productive work assignment that meets the physical and medical restrictions placed on the injured worker. If no appropriate work assignment is available within the employee’s department, the Human Resource Director will find an appropriate
work assignment in another County department.

Dickinson County has designated Family Care Clinic, 1111 N. Brady, Abilene, Kansas for employees who are injured while on the job. Employees will be directed to this designated medical facility for all work related accidents or injuries.

The Kansas Workers’ Compensation Law requires that the employer or insurance carrier pay an injured worker 2/3 of the employee’s gross average weekly wage up to a maximum. Employees are not paid benefits for the first week they are off work except medical benefits, however, if they are off seven (7) days, then they are entitled to receive weekly compensation, if off three weeks, employees can receive compensation for the first week. If the employee used paid leave for the first week, Dickinson County must be repaid for that time if they want their leave back.

Under the provisions of the Family and Medical Leave Act, an injured employee may have some rights to a period of job protection during a workers’ compensation absence. Under this Act, the protected period could be up to twelve weeks depending on the employee’s use of any Family Medical Leave during the preceding year. Regardless of the status of a workers’ compensation claim, in the event an injured employee is unable to return to work upon expiration of any FMLA leave rights, the employee’s position with Dickinson County may be terminated.

Neither Dickinson County nor the insurance carrier will be liable for the payment of workers’ compensation benefits for injuries that occur during an employee’s voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Dickinson County.

310 Bereavement Leave

Effective Date: 1/1/2008
Revision Date: 12/3/2015

The bereavement leave policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members. All full time, active employees are eligible for benefits under this policy.

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately. To be eligible for this pay, the employee generally must attend the funeral of the deceased.

Bereavement leave is calculated based on the base pay rate at the time of absence.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. An employee may, with his or her supervisor’s approval, use any available vacation or personal leave for additional time off as necessary.

Paid bereavement leave is granted according to the following schedule.

Employees are allowed up to three consecutive days off from regularly scheduled shift duty with regular pay in the event of the death of the employee’s spouse, child, father, father-in-
law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or
grandchild.

Employees are allowed one day off from regular scheduled shift duty with regular pay in the
event of death of the employee’s aunt, uncle, grandparent, spouse’s grandparent, cousin or
to act as a pallbearer.

Employees are allowed up to three hours of bereavement leave to attend the funeral of a
friend, co-worker or retiree of the County, provided such absence from duty will not interfere
with normal operations of the County.

311 Witness Duty

*Effective Date:* 1/1/2008

*Revision Date:*

Dickinson County encourages employees to appear in court for witness duty when
subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by
Dickinson County or as an expert witness either because of professional or observed
knowledge, they will receive paid time off for the entire period of witness duty. Any funds
received for witness duty shall be reimbursed to Dickinson County.

Employees will be granted unpaid time off to appear in court as a witness outside of their
official County duties when requested by a party other than Dickinson County. Employees
are free to use any available Personal or Vacation leave to receive compensation for the
period of this absence. The subpoena should be shown 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.

312 Jury Duty

*Effective Date:* 1/1/2008

*Revision Date:*

Dickinson County encourages employees to fulfill their civic responsibilities by serving jury
duty when required.

Jury duty pay will be calculated on the employee’s base pay rate times the number of hours
the employee would otherwise have worked on the day of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that
the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either Dickinson County or the employee may request an excuse from jury duty if, in Dickinson County’s judgment, the employee’s absence would create serious operational difficulties.

Dickinson County will continue to provide health insurance benefits for the full term of the jury duty absence. Leave benefits will continue to accrue during unpaid jury duty leave.

Employees will be required to reimburse the county for any monies received from jury duty. These funds shall be given to the County Treasurer.

314 Blood Donations

*Effective Date: 1/1/2008*

*Revision Date:*

Employees will be allowed one hour to donate blood. If additional time is needed, they will be allowed to use Personal or Vacation leave.

315 Health Insurance

*Effective Date: 1/1/2008*

*Revision Date:*

Dickinson County’s health insurance plan provides employees and their dependents access to medical, dental, prescription and vision care insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan:

- Regular full-time employees
- Regular part-time employees

(Eligible to participate sixty days from the first day of the month following the date of hire)

Full time employees work over 2,000 hours per year
Part-time employees work from 1,000 to 2,000 hours per year.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Dickinson County and the insurance carrier. All regular employees that work a minimum of 1000 hours per year are eligible for health insurance. An employee will become eligible to participate sixty days from the first day of the month following the date of hire. Employee dependents will be eligible for coverage on the same date as the employee. As a member of the State of Kansas Health Insurance Plans, the County offers various health insurance plans. Each plan is available with a four-tier premium option: single, employee/spouse, employee/children, and family. The employee’s share of the premium will depend on the option selected and the number of hours the employee regularly works in a week. All plans include a prescription drug benefit.
Employees choosing dental coverage must have matching health insurance coverage.

Vision coverage is also available in two-tiered premium options. An employee may enroll in a vision-only plan. This is separate from the medical and dental policies.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Details of the health insurance plan are described in the Health Plan Summary for Non-State Employer Groups. Information on cost of coverage will be provided in advance of enrollment to eligible employees. You may also go to the State of Kansas benefits web site at http://khpa.ks.gov You may also contact the Human Resources Department for more information about health insurance benefits.

316 Health Insurance Portability and Accounting (HIPPA)

Effective Date: 1/1/2008
Revision Date:

Health Insurance Portability and Accounting (HIPPA)

Dickinson County has adopted a policy that protects the privacy and confidentiality of Protected Health Information (PHI) whenever it is used by County representatives. The private and confidential use of such information will be the responsibility of all individual's with job duties requiring access to PHI in the course of their jobs.

PHI refers to individually identifiable health information received by the County’s group health plans and/or received by a health care provider, health plan, or health care clearinghouse that relates to past or present health of an individual or for payment of health care claims. PHI information includes medical conditions, health status, claims experience, medical histories, physical examinations, genetic information, and evidence of disability.

Dickinson County has designated the Human Resources Director as the HIPPA Compliance Officer (HCO) and any questions or issues regarding PHI (Personal Health Information) should be presented to the HCO for resolution.

Annually or as necessary, the County performs enrollment, changes in enrollment and payroll deductions, provides assistance in claims problem resolution and explanation of benefits issues and assists in coordination of benefits with other providers. Some or all of these activities may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence and employees will not disclose PHI from these processes for employment-related actions, except as provided by administrative procedures approved by the HCO. General rules follow:

- Disclosures that do not qualify as PHI protected disclosures include: disclosures of PHI to the individual to whom the PHI belongs, requests by providers for treatment and/or payment, disclosures requested to be made to authorized parties by the individual PHI holder, disclosures to government agencies for reporting or
enforcement purposes, disclosures to workers’ compensation providers and those authorized by the workers’ compensation providers.

- Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.
- Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving workers’ compensation and/or medical information received to verify ADA or FMLA status.

Personnel records and disclosures of PHI will be maintained for a period of six years as required by federal law, unless a state law requires a longer retention period. Records that have been maintained for the maximum interval will be destroyed in a manner to ensure that such data is not compromised in the future.

### 317 Employee Assistance Program

**Effective Date:** 1/1/2008  
**Revision Date:**

Dickinson County cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), Dickinson County provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee’s participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it. Call the EAP at 1-800-284-7575 to contact an EAP counselor.

**LIFELINE - What to Expect When You Call** A trained mental health professional will answer your call and assess your needs. Depending upon your needs, you will receive any
or all of the following services:

Information-you may receive information or a referral to a low- or no-cost community resource for information about a wide variety of topics including drugs/alcohol services, financial advisors, day care providers.

Short-term counseling-you may receive a referral to a LIFELINE counselor in your geographical area. Your counselor will work with you to identify the problem and provide suggestions for the most appropriate type of action plan. Typically the 1-3 sessions can be considered a good place to start. LIFELINE counselors are not state employees. All counselors are certified or licensed in their field of expertise.

Referral for longer term counseling-If longer term counseling appears necessary after the initial visits, LIFELINE will advise you of additional counseling benefits that may be available through your health plan and refer you to services as appropriate.

318 Illness and Disability Pool

Effective Date: 1/1/2008
Revision Date: 1/15/2015

It is the policy of Dickinson County to provide the option for employees to donate accrued Sick leave to other employees who have suffered a catastrophic personal illness and have exhausted all of their paid leave.

Regular full time employees who wish to donate to the illness/disability pool will submit a pool donation form to Human Resources in January each year. To donate to the pool, the employee must be a regular full time employee and must be willing to contribute at least 8 hours of Sick leave. Any hours so contributed shall be deducted from the employee's Sick leave accumulation. Hours contributed by the employee shall become a permanent part of the pool and shall not be refunded to the employee. All hours contributed will become a permanent part of the pool.

Any hours remaining in the Illness/Disability Pool as of December 31 will be carried over to the next year, and contributions will be added until the limit for the pool is reached for that year. However, if the pool is depleted before December 31, employees will be allowed to donate additional time to the pool. Conversely, should the pool have a sufficient balance, there will be no donations until needed.

Employees who have exhausted all their accrued Sick leave days and who have a documented expectation that there is a need for additional unpaid time off from work are eligible to be recipients. Application to draw from the pool must be made on a form provided for that purpose. The form is located in the Human Resources Department. The employee who makes application for illness/disability leave from the pool must be hospitalized or under the care of a physician for themselves, their spouse or dependent child.

The application must be accompanied by a note from the attending physician indicating that the employee must be absent from work due to the condition of his/her health or the health of the spouse or dependent child. Days granted from the pool for illness/disability are for the
employee, employee’s spouse or employee’s dependent children only. Regular full time
County employees shall be eligible to apply up to a maximum of 120 hours from the pool in a
calendar year.

To keep in compliance with HIPPA and Privacy regulations, the Human Resource Director
and County Administrator will review each application for approval and notify the employee
within three days. Notification of approval or other disposition of the application will be
made to the applicant by the Human Resource Director. The Human Resource Director will
maintain all record keeping regarding the pool. Employees receiving illness leave from the
pool are not obligated to pay back those days to the pool. It is the intent that such days are
not lent but are granted to the employee.
I wish to apply to draw _______________ hours from the Dickinson County Illness-Disability Pool.

(Maximum 120 hours)

☐ For a serious health condition that makes me unable to perform my duties.

OR

☐ In order to care for my spouse or dependent child with a serious health condition.

Estimated dates to be used are from ____________ through ______________.

Signed ______________________________________

Date ________________________________

NOTE: This application must be accompanied by the completion of the Physician Certification form by the attending physician that indicates the employee must be absent from work due to the condition of his/her health. Also, to participate in the Illness & Disability Pool, an employee must have at some point in the previous three months accumulated 16 hours of sick leave.
Membership in KPERS/KPF is mandatory for all employees in covered positions. Each employee working in a KPERS covered position will contribute a percentage of their gross wages from each paycheck on a Federal pre-tax basis. KPERS will determine whether an employee is a Tier 1 (4% contribution rate) or Tier 2 (6% contribution rate) member. Each employee working in a KPF covered position will contribute 7% of their gross wages from each paycheck on a Federal pre-tax basis. Retirees who are re-employed in public employment in Kansas may not make contributions to the system from which they retired, but will become an immediate member and begin making contributions if retired from KP&F or Judges Retirement System and now working in a KPERS covered position.

Kansas law required that all eligible employees must become members. As an active member you contribute a percentage of your gross earnings and your contributions earn interest annually. You automatically earn service credit for the years you work in a covered position.

Dickinson County KPERS/KPF covered positions include:
- The position is not temporary (less than 6 months)
- The position is not seasonal
- The position requires at least 1,000 hours of work per year
- The position is covered by Social Security

A KPERS-1 enrollment form and a KPERS 7/99 Designation of Beneficiary will be completed.

Basic Life Insurance and Death Benefits for Active Members:
You have basic group life insurance equal to 150 percent of your annual salary. Your employer pays for the cost of this benefit.

For information about member benefits, please refer to the KPERS Membership Guide or visit the web site at www.kpers.org.

The KP&F (Kansas Police & Fireman Retirement System) is mandatory for policemen. A "policeman" means an employee assigned to the police/sheriff department whose principal duties are engagement of law and maintenance of order within the state and its political subdivisions, including sheriffs and sheriff's deputies; who have successfully completed the required course instruction for law enforcement officers approved by the Kansas Law Enforcement Training Center.
320 Family Medical Leave Act (FMLA)

Effective Date: 1/1/2008
Revision Date: 11/28/2018

Dickinson County will provide Family and Medical Leave to its eligible employees. Dickinson County posts the mandatory Notice indicating employee rights under the Family and Medical Leave Act.

The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you must contact Human Resources in writing.

General Provisions
Under this policy, Dickinson County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Eligibility
To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1) The employee must have worked for Dickinson County for 12 months or 52 weeks.
   The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer’s intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

2) The employee must have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours or leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

3) The employee must work in a worksite where 50 or more employees are employed by the company within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.
**Type of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1) The birth of a child and in order to care for that child.
2) The placement of a child for adoption or foster care and to care for the newly placed child.
3) To care for a spouse, child or parent with a serious health condition (described below).
4) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee’s position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the County’s sick leave policy are encouraged to consult with Human Resources.

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5) Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member’s call-up or service. The qualifying exigency must be one of the following:

a. Short-notice deployment
b. Military events and activities
c. Child care and school activities
d. Financial and legal arrangements
e. Counseling
f. Rest and recuperation
g. Post-deployment activities, and
h. Additional activities that arise out of active duty provided that the employer and employee agree, including agreement on timing and duration of leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

a. A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.

b. A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law”.

c. Under the FMLA, a “spouse” means a husband or wife, including those in same-sex marriages, which were made legal in all 50 United States as of June 26, 2015.

d. The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood
relative to provide care, all three siblings would be considered the covered servicemember’s next of kin. Alternatively, where a covered servicemember has sibling(s) and designated a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember’s next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to s825.122.

“Covered active duty” means:

a. “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

b. (2) Covered active duty or call to covered active duty status in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation in accordance with 29 CR 825.102.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.

6) Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran.

An employee whose son, daughter, parent or next of kin is a covered servicemember may take up to 26 weeks in a single 12-month period to take care of leave to care for the servicemember.

The term “covered servicemember” means:

a. A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise, in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

b. A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes the medical treatment, recuperation or therapy.

The term “serious injury or illness” means:

a. In the case of a member of the Armed Forces (including a member of the National Guard or Reserve), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed
before the beginning of the member’s active duty and was aggravated by
service in line of duty on active duty in the Armed Forces) and that may render
the member medically unfit to perform the duties of the members office, grade,
rank or rating: and
b. In the case of a veteran who was a member of the Armed Forces (including a
member of the National Guard or Reserves) at any time during a period when
the person was a covered servicemember, means a qualifying (as defined by
the Secretary of Labor) injury or illness incurred by a covered servicemember
in the line of duty on active duty that may render the servicemember medically
unfit to perform the duties of his or her office, grade, rank or rating.
c. Outpatient status, with respect to a covered servicemember, means the status
of a member of the Armed Forces assigned to either a military medical
treatment facility as an outpatient or a unit established for the purpose or
providing command and control of members of the Armed Forces receiving
medical care as outpatients.

Amount of Leave
An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5)
above under this policy during any 12-month period. 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
if from the 12 weeks of available leave, and the balance remaining is the amount the
employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military
caregiver leave) during a single 12-month period. For this military caregiver leave, the
County will measure the 12-month period as a rolling 12-month period measured forward.
FMLA leave already taken for other FMLA circumstances will be deducted from the total of
26 weeks available.

If spouses both work for the County and each wishes to take leave for the birth of a child,
adoPTION or placement of a child in foster care, or to care for a parent (but not parent “in law”)
with a serious health condition, the spouses may only take a combined total of 12 weeks of
leave. If spouses both work for the County and each wishes to take leave to care for a
covered injured or ill servicemember, the spouses may only take a combined total of 26
weeks of leave.

Employee Status and Benefits during Leave
While an employee is on leave, the County will continue the employee’s health benefits
during the leave period at the same level and under the same conditions as if the employee
had continued to work. The employee will be responsible for their share of any health benefit
premium.

If the employee chooses not to return to work for reasons other than a continued serious
health condition of the employee or the employee’s family member or a circumstance beyond
the employee’s control, the County will require reimbursement for the total amount paid for
the employee’s health insurance premium during the leave period. This includes the employee and employer share of the health benefit premium.

Under County policy, the employee pays a portion of the health benefit premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee’s share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Payroll Department by the 10th day of each month. If the payment is more than 30 days late, the employee’s health care coverage may be dropped for the duration of the leave.

The employer will provide 15 days notification prior to the employee’s loss of coverage.

If the employee contributes to a life insurance or disability plan, the employee will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee must pay their share of the premium. If the employee does not continue these payments, the employer will discontinue coverage during the leave.

**Employee Status after Leave**

An employer who takes leave under this policy will be asked to provide a fitness for duty clearance from the health care provider. This requirement will be included in the employer’s response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

**Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave because of the employee’s own serious health care condition or the serious health care condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Paid leave will run concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee’s serious health condition, including worker’s compensation leave (to the extent it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal and sick leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation, personal and sick leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal and sick leave (as long as the reason for the absence is covered by the County’s sick leave policy) prior to being eligible for unpaid leave.

**Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill servicemember over a 12-month period).
The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee’s family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health care condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

Certification for the Employee’s Serious Health Condition
The County will require certification for the employee’s serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor (DOL) Certification of Health Care Provider for Employee’s Serious Health Condition.

The County may directly contact the employee’s health care provider for verification or clarification purposes using a health care professional or HR professional or management official. The County will not use the employee’s direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPPA Medical Privacy Rules, the County will obtain the employee’s permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion, if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification for the Family Member’s Serious Health Condition
The County will require certification for the family member’s serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor (DOL) Certification of Health Care Provider for Family Member’s Serious Health Condition.
The County may directly contact the employee’s family member’s health care provider for verification or clarification purposes using a health care professional, an HR professional or management official. The County will not use the employee’s direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPPA Medical Privacy Rules, the County will obtain the employee’s family member’s permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if we have reason to doubt the certification. The County will pay for the employee’s family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

Certification of Qualifying Exigency for Military Family Leave
The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Department of Labor (DOL) Certification of Qualifying Exigency for Military Family Leave.

Certification for Serious Injury or Illness of Covered Servicemember for Military Leave
The County will require certification for the serious injury or illness of the covered servicemember. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Department of Labor (DOL) Certification for Serious Injury or Illness of Covered Servicemember.

Recertification
The County may request recertification for the serious health condition of the employee or the employee’s family member every six months in connection with an FMLA absence. The County may provide the employee’s health care provider with the employee’s attendance records and ask whether need for leave is consistent with the employee’s serious health condition.

Procedure for Requesting FMLA Leave
All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR Director. Within five business days after the employee has provided this notice, the HR Director will complete and provide the employee with DOL Notice of Eligibility and Rights.
When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days’ notice. When an employee becomes aware of the need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County’s usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Accrual of any paid leave benefit will only continue while the employee on FMLA or any other type of leave will continue as long as the employee is using their paid leave benefit in concurrence with their normal workweek hours. If you normally work 40 hours per week, you must use 40 hours per week of leave to continue to accrued paid leave or be paid for holidays.

Employees on unpaid leave will not be entitled to paid holidays or any paid leave accruals. Once an employee returns to work, paid leave accruals and paid holidays will commence.

Designation of FMLA Leave
Within five business days after the employee has submitted the appropriate certification form, the HR Director will complete and provide the employee with a written response to the employee’s request for FMLA leave using the Department of Labor (DOL) Designation Notice.

Intent to Return to Work from FMLA Leave
On a basis that does not discriminate against employees of FMLA leave, the County may require an employee on FMLA leave to report periodically on the employee’s status and intent to return to work.

LEAVE OF ABSENCE WITHOUT PAY
Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal Leave of Absence without pay. However, employees must be employed for at least six months prior to the requested leave.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible and it will be reviewed on a case-by-case basis by the employee’s department head and the Human Resources Director. The decision to approve or disapprove is based on the circumstances, the length of time requested, the employee’s job performance and attendance and punctuality record, the reasons for the leave, the effect the employee’s absence will have on the work in the department and the expectation that the employee will return to work when the Leave of Absence expires.

Leaves of absence will be considered only after all paid leave has been exhausted.

Continuing Benefit Plan Coverage
While on a personal unpaid leave of absence the employee’s medical coverage will end on the 1st day of the month following the start of such leave. Employees will have the opportunity of continuing their benefits for a maximum period of 18 months by paying the monthly premiums as required by COBRA legislation. Unemployment Insurance benefits cannot be collected while on a leave of absence without pay.
Salary Action
Any planned salary increase for an employee returning from unpaid leave of absence without pay will be deferred by the length of the leave.

Paid Leave
Unused vacation, personal and sick leave must be used before an unpaid leave of absence without pay will be granted.

Performance Appraisal
The normal performance appraisal date of an employee on an unpaid leave of absence without pay will be extended by the length of the leave.

Returning/Non Returning From a Leave
Dickinson County cannot guarantee either that an employee’s job will remain available or that a comparable position will exist when return from unpaid leave is sought. When an employee is ready to return from a leave of absence without pay, Dickinson County will attempt to reinstate the employee to his/her former position or to one with similar responsibilities. If the position or a similar position is not available, the employee will be terminated.

An employee who returns to work following an unpaid leave will be considered as having continuous service. If an employee does not return from an unpaid leave of absence without pay, the termination date is the last day of the authorized leave period or the date the employee notifies his/her department head that he/she is not returning, whichever is sooner. Such employees may be considered for reemployment.

321 Military Leave
Effective Date: 1/1/2008
Revision Date:

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves, or Public Health Service will be granted unpaid leave of absence for military service, training, or related obligations in accordance with applicable law. At the conclusion of the leave, upon the satisfaction of certain conditions, an employee generally has a right to return to the same position he or she held prior to the leave or to a position with like seniority, status, and pay that the employee is qualified to perform.

During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, the employee may elect to continue his/her health coverage for up to 24 months of uniformed service, but will be required to pay all of the premium for the continuation coverage. [Note: Employees and/or dependents who elect to continue their coverage may not be required to pay more than 102% of the full premium for the coverage elected. The premium is to be calculated in the same manner as that required by COBRA.]
REQUESTS FOR LEAVE
Leave for Active or Reserve Duty
Upon receipt of orders for active or reserve duty, an employee should notify his/her supervisor, as well as Human Resources, as soon as possible, and submit a copy of the military orders to his/her supervisor and the Human Resources Department (unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable).

Leave for Training and Other Related Obligations (e.g., fitness for service examinations)
Employees will also be granted time off for military training (normally 14 days plus travel time) and other related obligations, such as for an examination to determine fitness to perform service. Employees should advise their supervisor and/or department head of their training schedule and/or other related obligations as far in advance as possible.

RETURN FROM MILITARY LEAVE
Notice Required
Upon return from military service, an employee must provide notice of or submit an application for reemployment in accordance with the following schedule:

1) An employee who served for less than 31 days or who reported for a fitness examination, must provide notice or reemployment at the beginning of the first full regular scheduled work period that starts at least eight hours after the employee has returned from the location of service.

2) An employee who served for more than 30 days, but less than 181 days, must submit an application for reemployment no later than 14 days after completing his/her period of service, or, if this deadline is impossible or unreasonable through no fault of the employee, then on the next calendar day when submission becomes possible.

3) An employee who served for more than 180 days must submit an application for reemployment no later than 90 days after the completion of the uniformed service.

4) An employee who has been hospitalized or is recovering from an injury or illness incurred or aggravated while serving must report to the Human Resources Department (if the service was less than 31 days), or submit an application for reemployment (if the service was greater than 30 days), at the end of the necessary recovery period.

Required Documentation
An employee whose military service was for more than 30 days must provide documentation within two weeks of his/her return (unless such documentation does not yet exist or is not readily available) showing the following: (i) the application for reemployment is timely (i.e. submitted within the required time period); (ii) the period of service has not exceeded five years; and (iii) the employee received an honorable or general discharge.

Benefit accruals will be suspended during the leave and will resume upon the employee’s return to active employment.
322 Life-Threatening Illnesses in the Workplace

*Effective Date: 1/1/2008*

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Dickinson County supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, Dickinson County will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. Dickinson County will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the Human Resources Office or Dickinson County’s Employee Assistance Program for information and referral to appropriate services and resources.

323 Landfill Benefit

*Effective Date: 1/1/2008*

Regular full time and regular part-time employees shall be allowed one free trip to the County Landfill per month to be taken on his/her own time. Employees must be able to show their Dickinson County Identification Card.

Upon retirement in good standing an employee will receive a special ID card that will allow the employee to continue this benefit.

324 Kansas Safe at Home Law

*Effective Date: 4/22/2010*

The purpose of this policy is to affirm Dickinson County’s commitment to compliance with the State of Kansas “Safe at Home” program dealing with domestic violence. [2006 HB 2928][Kansas Domestic Violence Leave Act]

Dickinson County shall accept the confidential address provided by the State of Kansas for employees who are certified as program participants in the State of Kansas Safe At Home program. The confidential address may be substituted for the employee’s home address. The employee may also use the confidential address as the address of his/her employer.
Dickinson County shall not discharge, discriminate or retaliate against any employee who is a victim of domestic violence or a victim of sexual assault for taking time off from work to:

1. obtain a restraining order or other injunctive relief to help ensure the health, safety or welfare of the victim or the victim’s child or children;
2. seek medical attention for injuries caused by domestic violence or sexual assault;
3. obtain services from a domestic violence shelter, domestic violence program or rape crisis center as a result of domestic violence or sexual assault;
4. attend court appearances in the aftermath of domestic violence or sexual assault.

When an unscheduled absence occurs, Dickinson County shall not take any disciplinary action against the employee if, within 48 hours after the beginning of the unscheduled absence, the employee provides appropriate documentation of the reason for the absence to the employer. Documentation listing follows below.

An employee of Dickinson County may use any accrued paid leave (or if paid leave is unavailable to the employee, unpaid leave), not to exceed a total of eight (8) days per calendar year as time off for these purposes.

Program participants shall provide to Dickinson County documentation demonstrating evidence that they are a certified participant of the State of Kansas Safe At Home program. Dickinson County shall accept the confidential address provided by the State of Kansas.

When feasible, an employee shall request time off in advance for purposes listed above, within 48 hours after returning from the requested time off, or in cases of unscheduled absences, within 48 hours of the absence, the employee shall provide documentation of the reason for the absence which may include but is not limited to:

1. a police report indicating that the employee was a victim of domestic violence or sexual assault;
2. a court order protecting or separating the employee from the perpetrator of an act of domestic violence or sexual assault or other evidence from the court or prosecuting attorney that the employee has appeared in court;
3. documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

Employees may use any accrued paid leave (or, if paid leave is unavailable to the employee, unpaid leave), not to exceed a total of eight (8) days per calendar year as time off for the purposes specified above. It should be recorded on the timesheet using the appropriate absence code.

To the extent allowed by law, the employee shall maintain the confidentiality of any employee requesting leave under the qualified situations listed in this policy. Supporting documentation shall also be treated as confidential.
325 Workplace Lactation Policy

Effective Date: 2/22/2018
Revision Date:

In compliance with the Federal Law for reasonable break time for nursing mothers in the Patient Protection and Affordable Care Act (PPACA), section 7 of the Fair Labor Standards Act (FLSA). The act is to enable the employee who is a nursing mother of a newborn or infant up to one year of age to have a reasonable amount of break time and a space to express milk as frequently as needed.

Eligibility: Any female employee who is nursing an infant up to one year of age will be eligible.

Dickinson County Responsibilities:
1. The employee will work with the Department Head/Elected Official or immediate Supervisor to assign a private room, other than a bathroom. The room may be an unused conference room, a vacant office, or another such room and must be available when needed by the employee. The room will.
   a. Be in close proximity to the employee’s work station when possible.
   b. Have a door equipped with a functional lock, or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public.
   c. Be well lit.
   d. Ensure privacy by covering any windows with a curtain, blind or other covering.
   e. Contain at a minimum a chair and a small table, counter or other flat surface.
   f. Ideally include an electrical outlet and nearby access to clean water.
2. The employee will be given reasonable break times as needed by the mother and will be provided the necessary privacy to express milk, free from intrusion from co-workers and the public.
3. Nursing mothers are allowed to breastfeed or express milk during work hours using their normal breaks and mealtimes. For the time that may be needed beyond the usual break times, employees may use vacation leave or may make up time as negotiated with their Supervisors.

Employee Responsibilities:
1. Employees who wish to express milk during the work period shall keep Supervisors informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and the Department.
2. Each employee is responsible for proper storage of her milk, using either a company provided refrigerator or a personal cooler. Employees should label all expressed milk with their name and date if storing in a public refrigerator.
3. Nursing mothers are responsible for keeping milk expression areas clean. This responsibility extends to both designated milk expression areas as well as other areas where expressing milk will occur.
No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work.

326 Accrual of Holiday Pay and Paid Leave Benefits

Effective Date: 11/1/2018
Revision Date:

Accrual of Paid Leave Benefits during Paid Leave

All employees who are actively at work or on paid leave, such as vacation leave, sick leave or personal days, will continue to accrue paid leave benefits or holiday pay provided by Dickinson County. This paid leave must be in conjunction with full-time employment hours.

Accrual of Paid Leave Benefits during Unpaid Leaves

Employees on unpaid leave are not entitled to continue accruing paid-leave or holiday pay benefits. This includes employees who are receiving income replacement benefits from a source other than Dickinson County payroll such as short-term disability, long-term disability or workers' compensation insurance. This also applies to employees who are on leave and using less than their full-time equivalent of paid leave hours.

Employees on unpaid military leave of absence and unpaid leave under the Family and Medical Leave Act (FMLA) are also not eligible for accruals of paid leave.

327 Alarm Monitoring

Effective Date: 5/23/19
Revision Date:

A special computer system located in dispatch receives alarm notifications from residential and commercial alarms in our county and provides the dispatchers with instant information about the type of alarm, and its location so they can send appropriate emergency help. By having a monitored alarm system people can save on their annual homeowners' insurance premium as well because the risk of a fire or burglary is decreased significantly with a residential alarm. This service is available to anyone that lives within Dickinson County. The fee for the annual service is waived for any full time county employee who desires to take advantage of this service.
PAYROLL AND TIMEKEEPING

401 Timekeeping

*Effective Date: 1/1/2008*
*Revision Date: 11/17/2011*
*Revision Date: 9/12/19*

Accurately recording time worked is the responsibility of every hourly (non-exempt) employee. Federal and state laws require Dickinson 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.

Employees are not to clock in or out for other employees. Once an employee clocks in, work is to commence immediately. Failure to do so is considered falsification of timekeeping records. If an employee forgets to clock in or out, he or she must notify his or her supervisor immediately so the time may be accurately recorded for payroll. Violations of this policy may result in appropriate disciplinary action, up to and including immediate discharge.

All hourly employees will be required to physically clock in and out each time they arrive or leave their respective shift. This includes arrival to work, leaving and returning for a meal break, leaving and returning for other personal appointments, and leaving work at the end of the day. All non-exempt employees will be paid on an hourly basis for the time worked in the pay period.

Overtime work must always be approved before it is performed. Paid leave and paid holidays are considered paid time off and will not be counted as hours worked for the purposes of determining overtime.

Exempt employees will be paid on a salary basis. Salaried employees are assumed to have a 5-day workweek. Salaries will be pro-rated as necessary to accommodate the mid-week hiring or termination of a salaried employee.

Elected officials will be paid on a salary basis. Elected salaries will be pro-rated as necessary to accommodate the election, resignation, death or other reason that results in the elected official no longer holding the office which he/she was elected.

Exempt salaried employees do not earn compensatory time off. They work whatever hours are required to perform the requirements of their position. The salaried exempt employee shall not have a deduction from his/her accrued leave bank if such time is less than or equal to the hours of work for a standard morning or afternoon. This standard is usually four (4) hours.

Hourly employees will receive a minimum of two (2) hours pay if they are called in for duty other than regularly scheduled hours.

Altering, falsifying, tampering with time records, or recording time on another employee’s time record may result in disciplinary action, up to and including termination of employment.

Hourly (non-exempt) employees should report to work no more than seven (7) minutes prior to their scheduled starting time nor stay more than seven (7) minutes after their scheduled
stop time without expressed, prior authorization from their supervisor. Employees are expected to report to work as scheduled, on time and prepared to start working. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

It is the employees’ responsibility to certify the accuracy of all time recorded. The supervisor will review and approve the time record before submitting it for payroll processing. Employees are responsible for reporting any corrections to the time clock entry system to their supervisor or department director by the end of the day in which the error occurs. All reasons for the adjustment shall be entered into the timekeeping system.

All time should be approved by the employee and appropriate payroll manager bi-weekly by 10:00 on the Monday morning of the payroll week.

TIME WORKED
Time worked includes all time that an employee is required to be physically at work for Dickinson County. Time worked is used to determine overtime pay required for non-exempt employees. The following provisions are included as time worked:

- Work away from premises or at home: A non-exempt employee shall not be permitted to perform work away from the premises or job site unless approved in advance by the department head.
- Rest periods of 15 minutes or less are counted as time worked.

TIME NOT WORKED
Per the Fair Labor Standards Act (FLSA), Dickinson County does not count the following provisions as time worked:

- Paid Leave: Approved paid absences, including but not limited to sick, vacation, personal, holiday leave, FMLA, military leave, jury and witness duty, funeral/bereavement leave and voting time off are not counted as time worked.
- Lunch Periods: Uninterrupted time off for lunch is not counted as time worked when at least thirty minutes or more in length.

LEAVE REQUEST PROCEDURE
Except in unforeseen instances, employees are required to initiate paid time off through the timekeeping system according to the departmental standard regarding acceptable notice. The employee shall complete all fields in the timekeeping system by indicating what type of leave(s) requested, the dates of the requested leave and total hours to be taken.

The supervisor shall confirm that the employee has the requested leave time available before approving a request. Approvals of time off requests are maintained through the timekeeping system.

To assist with scheduling and operational requirements, all foreseeable leave must be requested at least two weeks prior to the requested leave date.

If the leave is unforeseeable, the leave request must be submitted as soon as the employee is able or entered by the department manager in order to correctly pay the employee.
402 Pay Periods and Direct Deposit

*Effective Date:* 1/1/2008  
*Revision Date:* 11/17/2011

The pay periods for Dickinson County are bi-weekly. The pay period begins as 12:00 A.M. on Sunday and ends on the second Saturday at midnight.

Direct deposit or use of a payroll pay card are the two approved methods of payment for all Dickinson County employees.

Employees with bank accounts must complete a direct deposit form. If an employee does not have a bank account available for direct deposit of payroll, then a payroll pay card application will be issued to the employee for completion. Once completed, the employee must submit the form to the payroll clerk for processing.

Employees will be provided a pay summary report each pay period showing payroll information. Employees are encouraged to provide an e-mail address so they can receive their pay check information electronically.

403 Pay Advances

*Effective Date:* 1/1/2008  
*Revision Date:*

Dickinson County does not provide pay advances on unearned wages to employees.

404 Administrative Pay Corrections

*Effective Date:* 1/1/2008  
*Revision Date:*

Dickinson County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that 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 Payroll Department so that corrections can be made as quickly as possible.
405 Pay Deductions and Setoffs

*Effective Date:* 1/1/2008
*Revision Date:*

The law requires that Dickinson County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Dickinson 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." Dickinson County matches the amount of Social Security taxes paid by each employee.

Dickinson County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by Dickinson County, usually to help pay off a debt or obligation to Dickinson County or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor or the payroll clerk can assist in having your questions answered.

406 Pay Plan

*Effective Date:* 1/1/2008
*Revision Date:*

All regular full-time and regular part-time positions will be assigned a grade based on the job description. The wage scale will list the steps and salary amounts for each grade.

**Determining the step:**
A. New Hire - When a person is hired by the county for a regular full-time position, the salary will be at the grade assigned to the job description.

B. Lateral Transfer - An employee transferred to a position in the same grade as the current position will remain at the same grade and the salary will be the same.

C. Promotion - An employee promoted or transferred to a position in a higher grade will be placed at the minimum pay rate for the grade. If the employee is currently earning a higher pay rate than the minimum of the new grade level, there will be no change in pay rate.

D. Demotion - When an employee is demoted or transferred to a position in a lower grade, his/her salary may be adjusted to the new grade level.

To request a change of grade or pay classification for a position, a written and signed request must be submitted to the Human Resource office by the Department Head or Elected Official. The request must include which grade the position should be changed to, specific reasons why, and how the additional cost will be funded. Upon receipt of the written request, the Human Resource Director will research it and make a recommendation to the
Director of Administration and Emergency Services. The grade and pay classification will be changed upon the approval of the Board of Commissioners.

Generally, employees must be in their job for at least one year before applying for a change in position. In addition, employees must have a good performance, attendance, and punctuality record.

Each employee requesting a transfer or promotion will be considered for the new position along with all other applicants.

Each transfer or promotion is judged on an individual basis, depending on the needs of the department involved.

Employees who wish to apply for a transfer or promotion should discuss it with their supervisor and the Human Resources Department so that it may be determined if their skills fit the requirements of the desired job. Employees will also be required to complete an internal application furnished by the Human Resources Department.

Four factors are considered when assigning a grade to a position:

1. Internal equity: Jobs within the county requiring similar skills and having similar responsibilities will be in the same grade. This includes education, organizational control, human relations, responsibilities, guidance, complexity, and working conditions.
2. Local labor markets: The current average salary range for similar positions in our labor market area.
3. Other counties: The current average salary range for similar positions in counties of similar size.

Temporary and Intermittent employees will be paid at the minimum grade for the county.
WORKING CONDITIONS AND HOURS

501 Work Schedules

*Effective Date: 1/1/2008
Revision Date:*

Work schedules for employees vary throughout our County. Supervisors will advise employees 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.

Dickinson County establishes the time and duration of working hours as required by workload and workflow, customer service needs, the efficient management of employees and any applicable laws.

Dickinson County’s normal work week is Monday thru Friday; the normal work day is defined as eight hours of authorized work between 8:00 am and 5:00 p.m., consisting of 40 hours per week. Different work schedules may be established to meet job assignments and provide necessary services.

The normal work week begins as 12:00 am on Sunday morning and ends at 11:59 pm on Saturday night.

Each employee’s scheduled work hours will be determined by his or her department head. The department head, or the department head’s designee, will inform employees of their daily schedule of hours of work, including any changes that are considered necessary by Dickinson County.

Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to non-exempt employees (those employees who are subject to the minimum wage and overtime provision of the Fair Labor Standards Act (FLSA) as needed). Employees are not permitted to work overtime without prior approval of their supervisor or department head. For the purposes of overtime compensation, only hours worked in excess of forty hours during a workweek will be counted.

Employee attendance at lectures, meetings, and training programs will be considered hours of work and therefore will be compensated time, if management requires and authorizes attendance.

Non-exempt employees normally will be granted a minimum of two hours “call-back” pay. Call back pay will be granted when employees are asked to come to work outside of their normal working hours.
502 Overtime

Effective Date: 1/1/2008
Revision Date: 1/18/2009

When operating requirements or other needs cannot be met during regular working hours, employees will be required to work overtime when requested to do so. 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.

The purpose of this policy is to comply with federal and state overtime provisions and to control labor costs by managing the expense of overtime pay to non-exempt employees.

Dickinson County will pay time and one half to non-exempt employees who exceed 40 hours of work time in a work week. This does not apply to law enforcement employees.
- Paid leave does not apply toward work time.
- The normal work week begins as 12:00 am on Sunday morning and ends at 11:59 pm on Saturday night

The Fair Labor Standards Act established guidelines on which employees get overtime and which are exempt from the act and are not entitled to overtime pay.

Non-Exempt: Employees are required to be paid overtime in accordance with applicable state/federal wage and hour laws.

Exempt: Employees are not required to be paid overtime for work performed beyond an established work week. For the most part, exempt employees are not required to record hours worked.

You will be informed of your initial employment classification. Your status as an exempt or non-exempt employee will be determined, among other things, by your job duties and your compensation.

The County is committed to paying employees properly, correcting any improper management practices, and reimbursing employees for any errors in their paycheck. If you feel there has been an improper deduction or other error, please notify your direct supervisor and payroll immediately.

Sheriff Department- Law Enforcement
Dickinson County will abide by FLSA Regulations (29.C.F.R) in calculating overtime for law enforcement employees. Pursuant to section 207(k) of the Fair Labor Standards Act (FLSA and 29 CFR Part 553 overtime will be calculated on hours worked over 86 in the 14 day work period. This will include Sheriff’s department road deputies and jail detention/correction officers.

553.201 Statutory provisions: Section 7(k)
(a) Section 7 (k) of the Act provides a partial overtime pay exemption for fire protection and law enforcement personnel (including security personnel in correction institutions) who are employed by public agencies on a work period basis. This section of the Act formerly permitted public agencies to pay overtime compensation to such employees in work period of 28 consecutive days only after 216 hours of work. As further set forth in Sec. 553.230 of this
part, the 216-hour standard has been replaced, pursuant to the study mandated by the statute, by 212 hour for fire protection employees and 171 hours for law enforcement employees. In the case of such employees who have a work period of at least 7 but less than 28 consecutive days, overtime compensation is required when the ratio of the number of hours worked to the number of days in the work period exceeds the ratio of 212 (or 171) hours to 28 days.

29 CFR 553.211 – Law enforcement activities
(a) As used in sections 7(k) and 13(b)(20) of the Act, the term “any employee in law enforcement activities” refers to any employee (1) who is a uniformed or plain clothed member of a body of officers and subordinates who are empowered by State statute or local ordinance to enforce laws designed to maintain public peace and order and to prevent and detect crimes, (2) who has the power to arrest, and (3) who is presently undergoing or has undergone or will undergo on-the-job training and/or a course of instruction and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics.

(c) Typically, employees engaged in law enforcement activities include city police, district or local police, sheriffs, under sheriffs or deputy sheriffs who are regularly employed and paid as such;

(f) The term “any employee in law enforcement activities” also includes, by express reference, “security personnel in correctional institutions”. A correctional institution is any government facility maintained as part of a penal system for the incarceration or detention of persons suspected or convicted of having breached the peace or committed some other crime. Typically, such facilities include penitentiaries, prisons, prison farms, county, city and village jails, precinct house lockups and reformatories. Employees of correctional institutions who qualify as security personnel for purposes of the section 7(k) exemption are those who have responsibility for controlling and maintaining custody of inmates and of safeguarding them from other inmates or for supervising such functions, regardless of whether their duties are performed inside the correctional institution or outside the institution (as in the case of road gangs). These employees are considered to be engaged in law enforcement activities regardless of their rank or of their statute and regardless of their assignment to duties incidental to the performance of their law enforcement activities.

29 CFR 553.230 – Maximum hours standards for work period of 7 to 28 days – section 7(k)
(b) For those employees engaged in law enforcement activities (including security personnel in correctional institutions) who have a work period of at least 7 but less than 28 consecutive days, no overtime compensation is required under section 7(k) until the number of hours worked exceeds the number of hours which bears the same relationship to 171 as the number of days in the work period bears to 28.

<table>
<thead>
<tr>
<th>Work Period (days)</th>
<th>Maximum Hours Standard (Law Enforcement)</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>86</td>
</tr>
</tbody>
</table>

For those employees engaged in law enforcement activities (including security personnel in correctional institutions), Dickinson County will pay time and one half for hours worked over 86 in a two week (14 day) pay period.

- Paid leave does not apply toward work time.
The normal work week begins as 12:00 am on Sunday morning and ends at 11:59 pm on Saturday night.

OVERTIME APPROVAL
Supervisors are required to obtain approval from department heads prior to the use of overtime. Employees who anticipate the need for overtime to complete the work must notify the supervisor in advance and obtain approval prior to working hours that extend beyond their normal schedule.

During busy periods, the employee may be required to work extended hours.

Employees who work overtime without receiving prior authorization from the supervisor may be subject to disciplinary action, up to and including possible termination of employment.

503 Rest and Meal Periods

Effective Date: 1/1/2008
Revision Date:

Each workday, full-time nonexempt employees are provided with 2 rest periods of 15 minutes in length, unless otherwise specified by their job function. 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 must not be absent from their workstations beyond the allotted rest period time. Part-time employees will receive rest breaks as scheduled by the department head.

All full-time employees are provided with one meal period of 30 - 60 minutes in length each workday, unless otherwise specified within department schedules. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Breaks are not to be scheduled at the beginning or end of a shift or in conjunction with the lunch break.

The break time cannot be used instead of sick, personal or vacation leave.

Lunch breaks should not be taken at the beginning or end of the workday. Lunch breaks should be no less than thirty minutes or longer than sixty minutes in length. Employees who work more than four (4) hours may take a lunch break, subject to scheduling by department head.

Employees will not be paid for formal meetings with the Board of County Commissioners outside of official business needs unless they have prior approval from their department head.
Because Dickinson County depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance and punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected to work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify his/her supervisor as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. An employee who fails to contact his/her immediate supervisor may be considered as having voluntarily resigned. A careful record of absenteeism and lateness is kept by the employee’s supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and lateness lessen an employee’s chances for advancement and may result in dismissal.

To maintain a productive work environment, Dickinson County expects employees to be reliable and to be punctual in reporting for scheduled work. Punctual and regular attendance is an essential responsibility of each employee. Any tardiness and absence causes problems for fellow employees and supervisors. When an employee is absent, others must perform his or her work. No matter how skilled an employee, if they do not have good attendance records, their contributions to the smooth functioning of Dickinson County is diminished. Absenteeism and tardiness result in a burden on other employees and on Dickinson County’s overall operations.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from schedule hours are disruptive and must be avoided. The purpose of this policy is to promote the efficient operation of the County and minimize unscheduled absences.

Any employee who fails to report to work without notification to his or her supervisor for a period of three days or more will be considered to have voluntarily terminated (abandoned) their employment relationship.

Employees who have three (3) consecutive days of excused absence because of illness or injury must give Dickinson County proof of physician’s care. If an illness or injury prevents an employee from performing their regularly scheduled duties, a physician’s statement must be provided verifying (a) the nature of the illness or injury; (b) if and when the employee will be able to return to work; and (c) whether the employee is capable of performing their regularly scheduled duties, and if not, what duties the employee is capable of performing. The employee is responsible for providing Dickinson County with the above described physician’s proof of physician’s care. Without an acceptable excuse, the employee may be subject to immediate termination.
505 Emergency Closings

Effective Date: 1/1/2008
Revision Date: 4/16/2013

At times, emergencies disrupt county operations. In extreme cases, these circumstances may require the evacuation (CLOSING) of a work facility. In the event that such an emergency occurs during nonworking hours, local radio will be asked to broadcast notification of the closing. Department heads will contact their staff members in these instances.

Inclement Weather Policy

The purpose of closing non-essential services is to provide for the safety of Dickinson County employees and to enhance the safety of highway travel by allowing for the efficient and effective clearing of roads, and to facilitate law enforcement and emergency vehicle responsiveness to accidents.

Employees are designated as either “essential” or “non-essential” personnel. Essential personnel are those working in Emergency Communications, Sheriff (Jail and Deputies), EMS and Road and Bridge where inclement weather is a factor.

If a closure decision is made due to inclement weather the policy separates essential and non-essential staff. Essential staff will be required to work. Non-essential personnel will be sent home or advised not to come to work. They will receive administrative pay for the official hours the facility is closed and were unable to work.

If an employee was already on a schedule leave, they remain on that leave and are not paid for the “closing time”. In addition, if they feel the weather is too bad for them to report to work and they call in before the County officially closes, they must use vacation or personal leave even if we do indeed close later.

Those employees who work during a declaration of Inclement Weather closing will receive compensation at the same rate of pay the employee would have received had there not been a closing due to inclement weather.

506 Business Travel Expenses

Effective Date: 1/1/2008
Revision Date: 8/27/2009

Dickinson County will reimburse employees who travel on pre-approved county business according to Internal Revenue Code regulations. [IRC Publications 463 and 535] All business travel must be approved in advance by the Department Manager. Travel arrangements are the responsibility of the employee and be limited to reasonable amounts.

Reimbursements for expenses incurred outside of the area of his/her tax home. The employee’s tax home is the general vicinity of his/her principle place of business.
The travel must be temporary and be substantially longer than an ordinary day’s work, requiring an overnight stay.

Travel expense reimbursements include:
- Costs to travel to and from the business destination
- Transportation costs while at the business destination
- Lodging, meals and incidental expenses

In order for a reimbursement of an expense for business travel to be excludable from income, including meals and lodging, an employee must travel “away from home” in the pursuit of business on a temporary basis. The statutory phrase “away from home” has been interpreted by the Supreme Court to require a taxpayer to travel overnight. Thus, merely working overtime or at a great distance from the employee’s residence does not justify receiving excludable reimbursements for travel expenses if the employee returns home without spending the night or stopping for “sleep or rest”. [Revenue Ruling 75-170; 75-432]

When travel is completed, employees should submit a completed travel expense report within two (2) days. The travel expense report is completed on a travel expense envelope provided by the Administration department. This should be signed by both the employee and department manager. The travel expense envelope should contain receipts for all individual expenses. Adequate substantiation for business expenses must be provided to be eligible for reimbursement. Failure to provide supporting documentation may result in the reimbursement paid as taxable income. Receipts should detail as much information as possible, but must indicate the amount, date and place of business. Expenses must not be lavish but reasonable based on circumstances.

The travel expense log to request reimbursement must be submitted on a County voucher. The voucher must identify expenses and include receipts for travel expenditures other than mileage. These must be attached to the voucher.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Prior approval is required to use your personal vehicle for County business. Employees who use their personal vehicles for approved business purposes will receive a mileage reimbursement equal to the Internal Revenue Service optional mileage allowance for such usage. The allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. Employees who operate personal vehicles for County business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent. Employees must have a valid Kansas Driver’s license prior to operating County vehicles.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.
507 Workplace Violence Prevention

Effective Date: 1/1/2008
Revision Date:

Dickinson County is committed to preventing workplace violence and maintains a safe work environment. Given the increasing violence in society in general, Dickinson County has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay,” or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of Dickinson County without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

Dickinson County will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Dickinson County may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Dickinson County encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Office before the situation escalates into potential violence. Dickinson County is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.
508 Use of Equipment and Vehicles

Effective Date: 1/1/2008
Revision Date: 12/29/2011

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need 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.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by Dickinson County may not be used for personal use.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Dickinson County provides vehicles for business use to allow employees to drive on county-designated business. The term "vehicles" as used in these guidelines, includes, but is not limited to cars, trucks, backhoes, front-end loaders, graders, etc.

Employees may not drive any County vehicles without prior approval of their supervisor. Periodically, before approving a driver, each supervisor should check the employee's driving record, with the employee's consent, and verify the existence of a valid driver's license. Employees approved to drive on County business are required to inform their supervisor of any change that may affect either their legal or physical ability to drive or their continued insurability.

Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. For all other jobs, driving is considered only an incidental function of the position.

All employees must comply with all State and Federal regulations regarding Traffic Rules of the Road regarding wireless communications devices:

Kansas Statute Article 15: Uniform Act Regulating Traffic: Rules of the Road; 8-15,111: Test messaging, prohibited:

(1) "Wireless communication device" means any wireless electronic communication device that provides for voice or data communication between two or more parties, including, but not limited to, a mobile or cellular telephone, a test messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages or a laptop computer. "Wireless communication device" does not include a device that is voice operated and which allows the user to send or receive a test based communication without the use of either hand, except to
activate or deactivate a feature or function.

(2) “Write, send or read a written communication” means using a wireless communication device to manually type, send or read a written communication, including, but not limited to, a text message, instant message or electronic mail.

(b) Except as provided in subsection (c) and (d), no person shall operate a motor vehicle on a public road or highway while using a wireless communications device to write, send or read a written communication.

(c) The provisions of subsection (b) shall not apply to:

(1) A law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officers or emergency service personnel’s employment;
(2) A motor vehicle stopped off the regular traveled portion of the roadway;
(3) A person who reads selects or enters a telephone number or name in a wireless communications device for the purpose of making or receiving a phone call;
(4) A person who receives an emergency, traffic or weather alert message; or
(5) A person receiving a message related to the operation or navigation of the motor vehicle.

(d) The provisions of subsection (b) shall not prohibit a person from using a wireless communications device while operating a moving motor vehicle to:

(1) Report current or ongoing illegal activity to law enforcement;
(2) Prevent imminent injury to a person or property; or
(3) Relay information between transit or for-hire operator and the operator’s dispatcher, in which the device is permanently affixed to the motor vehicle.

All employees must comply with the above law. The employee as well as the County can be fined for violations of this law. These penalties are not covered by our liability insurance. Should an employee violate this law, immediate termination may result.

**Motor Vehicle Driving Record Review**

As a conditional offer of employment to a prospective County driver, a motor vehicle record check will be performed. A driver’s license record check will be performed annually on all employees whose position requires operation of a County vehicle.

The following Motor Vehicle Report Program will be used to evaluate Motor Vehicle Records (MVR) for Dickinson County employees and potential employees having access to county vehicles or equipment.

**Motor Vehicle Report Program**

<table>
<thead>
<tr>
<th>Category</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor, incident not involving accident</td>
<td>1</td>
</tr>
<tr>
<td>At Fault Accident</td>
<td>2</td>
</tr>
<tr>
<td>Major Incident (past 3 years)</td>
<td>6</td>
</tr>
<tr>
<td>Major Incident (4-5 years old)</td>
<td>3</td>
</tr>
<tr>
<td>IN ADDITION</td>
<td></td>
</tr>
<tr>
<td>Two incidents within 18 months OR</td>
<td>1</td>
</tr>
<tr>
<td>Three incidents within 18 months</td>
<td>2</td>
</tr>
</tbody>
</table>

The points will be determined by Human Resources. The time period considered: past three
years with the exception of major incidents.

Enforcement

- Applicants with more than 3 points will not be eligible for employment
- If inventory of driver’s license shows an employee has 1-3 points on his/her MVR, he/she will be counseled by management and issued a verbal warning.
- Employees with 4-5 points on MVR will be counseled by management and issued a written warning with the possibility of being required to attend a defensive driving class.
- Six (6) or more points on an employee’s MVR may be grounds for termination.

Definition of Incident

Any citation resulting in a diversion or finding of guilt in a court of law.

Minor Incident: Any conviction unless it qualifies as “Major Incident”. This category, however, does not include cases involving:
1. Motor vehicle equipment, load, or size requirement violations:
2. Improper display or failure to display license plate violations:
3. Failure to sign or display registration card violations.

At-fault Accident: Any accident where the driver was designated as having caused the accident, or negligently contributed to its occurrence.

Major Incident: Any citation resulting in a diversion or finding of guilt involving:
1. Driving while intoxicated or under the influence of alcohol or drugs; or driving while impaired;
2. Failure to stop and report an accident;
3. Homicide, manslaughter, or assault arising out of the operation of a motor vehicle;
4. Driving while license is suspended or revoked;
5. Reckless driving;
6. Possession of transporting an open contained of alcoholic beverage;
7. Speed contest, drag racing or attempting to elude an officer of the law.

At-Fault Accident: Any accident where the employee was determined to be more than 50% at fault and total damages exceed $500.00.

With regards to hiring authority and recommendations, Human Resources may make a recommendation, but the final hiring decision shall be made by the Department Head or Elected Official within the guidelines of this policy. The hiring decision in departments with appointed Department Heads shall be subject to approval by the Director of Administration. Employees who need transportation in the course of their normal work may be assigned a County vehicle for their use. All other employees needing transportation for County business may use vehicles assigned to the motor pool. As a last alternative, when no County vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.

Employees who drive a vehicle on County business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Employees are also responsible for any driving infractions or fines as a result of their driving.

Non-employees and non-business passengers (i.e., family and friends) are prohibited from riding in County vehicles, unless authorized by the department head.
Employees who use their personal vehicles for approved business purposes will receive a mileage reimbursement equal to the Internal Revenue Service optional mileage allowance for such usage. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. Employees who operate personal vehicles for County business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent.

Employees must report any accident, theft, or malicious damage involving a County vehicle to their supervisor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 48 hours after the accident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

Employees are not permitted, under any circumstances, to operate a county vehicle or a personal vehicle for county business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any county vehicle at any time or operate any personal vehicle while on county business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

The following is the Dickinson County policy concerning use of county owned vehicles. This policy shall apply to all vehicles purchased with public funds allocated by the Board of County Commissioners.

Use of County Vehicles
1. County owned vehicles shall be used only for official county business.
2. All county vehicles shall display the proper markings as outlined in K.S.A. 8-305.
3. Current mileage shall be recorded on all fuel purchases.
4. Only county employees will be allowed to operate county vehicles. Reserve deputies, volunteers, or other individuals may be authorized by the Department Head or Elected Official as needed by the position description. The vehicles will be equipped to satisfy IRS regulations.

Proof of Insurance
State law requires that any person operating a vehicle have proof of insurance. Certificates of insurance are provided for all county owned vehicles. Employees who operate these vehicles are responsible for having this proof of insurance in their possession while operating the vehicle. They would pay any fine incurred for not having proof of insurance.

Vehicle Damage
Whenever a county vehicle is damaged or involved in an accident, the Department Head or Elected Official must be notified immediately. The Administration Department will then be notified by the Department Head or Elected Official so that a claim may be filed if necessary.

Commuting Rule
A personal use vehicle is a county vehicle assigned to an employee to commute to and from work, unless the vehicle qualifies as a non-personal-use vehicle, as defined in IRS Publication 15B. (Not applicable for Elected Officials.)
An allocation of a personal use vehicle is considered a benefit and required payment of a $1.50 to the employee through payroll for each one-way commute from home to work and from work to home (also, work to lunch and lunch to work). Use of county vehicles for personal use other than for commuting or deminimus personal use (such as a stop for a personal errand on the way between a business delivery and the employee’s home) is prohibited. Personal use of a vehicle is all use that is not for your trade or business. (IRS Publication 15B) A commuting log is to be submitted with payroll.

A non-personal use vehicle as defined in IRS Publication 15B includes the following:
- Clearly marked police and fire vehicles.
- Unmarked vehicles used by law enforcement officers if the use is officially authorized.
- An ambulance or hearse used for its specific purpose.
- Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
- Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
- A passenger bus with a capacity of at least 20 passengers used for its specific purpose.
- School buses.
- Tractors and other special purpose farm vehicles.

A pickup truck with a loaded gross vehicle weight of 14,000 pounds or less is a qualified non-personal use vehicle if it has been specially modified so that it is not likely to be used more than minimally for personal purposes. For example, a pickup truck qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and meets either of the following requirements.

A. It is equipped with at least one of the following items:
   a. A hydraulic lift gate
   b. Permanent tanks or drums
   c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
   d. Other heavy equipment (such as an electric generator, welder, boom or crane used to tow automobiles and other vehicles).

B. It is used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mineral drilling, timbering, or other similar operation for which it was specifically designed or significantly modified.

C. County employees based on their job descriptions required to be available for emergency response on a 24 hour basis.

**Enforcement**
Enforcement of this policy shall be the responsibility of the Department Heads or Elected Officials. Violation of any part of this policy could result in the loss of the privilege.
509 Information Technology Acceptable Use Policy

Effective Date: 1/1/2008
Revision Date: 4/16/2013
Revision Date: 1/24/2019

Objective

Dickinson County recognizes that use of the Internet and e-mail is necessary in the workplace, and employees are encouraged to use the Internet and e-mail systems responsibly, as unacceptable use can compromise security and place Dickinson County and its citizens at risk. This policy outlines the guidelines for acceptable use of Dickinson County’s technology systems.

Scope

This policy must be followed in conjunction with other Dickinson County policies governing appropriate workplace conduct and behavior. Any employee who abuses the county-provided access to e-mail, the Internet, or other electronic communications or networks, including social media, may be denied future access and, if appropriate, be subject to disciplinary action up to and including termination. Dickinson County complies with all applicable federal, state and local laws as they concern the employer/employee relationship, and nothing contained herein should be misconstrued to violate any of the rights or responsibilities contained in such laws.

Questions regarding the appropriate use of Dickinson County's electronic communications equipment or systems, including e-mail and the Internet, should be directed to your supervisor or the information technology (IT) department.

Policy

Dickinson County has established the following guidelines for employee use of the County’s technology and communications networks, including the Internet and e-mail, in an appropriate, ethical and professional manner.

Confidentiality and Monitoring

All technology provided by Dickinson County, including computer systems, communication networks, County-related work records and other information stored electronically, is the property of Dickinson County and not the employee. In general, use of the County’s technology systems and electronic communications should be job-related and not for personal convenience. Dickinson County reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including Internet use, transmitted by or stored in its technology systems, whether onsite or offsite.

Internal and external e-mail, voice mail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation. They are also subject to the Kansas Open Records Act. Employees must be aware of this
possibility when communicating electronically within and outside the County. It is important to note that this includes any business activity that takes place on the employee’s personal devices like phones and home computers.

**Appropriate Use**

Dickinson County employees are expected to use technology responsibly and productively as necessary for their jobs. Internet access and e-mail use is for job-related activities; however, minimal personal use is acceptable.

Employees may not use Dickinson County’s Internet, email or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual’s race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law, may be transmitted. Harassment of any kind is prohibited.

Disparaging, abusive, profane or offensive language and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e-mail—are forbidden.

Employees may not use Dickinson County’s computers or network in a way that disrupts their use by others. This includes sending or receiving excessive numbers of large files and spamming (sending unsolicited e-mail to many users). Streaming of audio and video content like internet radio, live camera feeds, television/news, should be limited to work related activities. Continuous streaming of audio or video content is a substantial drain on network resources and is prohibited.

Employees are prohibited from downloading software or other program files or online services from the Internet without prior approval from the IT department. All files or software should be passed through virus-protection programs prior to use. Failure to detect viruses could result in corruption or damage to files or unauthorized entry into County systems and networks.

Every employee of Dickinson County is responsible for the content of all text, audio, video or image files that he or she places or sends over the County’s Internet and e-mail systems. No email or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. All outgoing communications should reflect appropriate workplace conduct and language.

Employees are prohibited from connecting hardware not owned by the County to Dickinson County computers or other network connected devices. This includes but is not limited to external hard drives and USB flash drives.

**Employee Acknowledgement**

I have read and fully understand this policy. I understand that my use of Dickinson County’s information and communication technology constitutes full acceptance of the terms of this policy and consent to monitoring.
510 Cell Phone Usage

Effective Date: 1/1/2008
Revision Date: 12/29/2011

Dickinson County provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, their clients, associates, and others with whom they may conduct business. Cell phone use is intended for business-related calls. Cell phone invoices may be regularly monitored.

As a representative of Dickinson County, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

Cellular phones are the property of Dickinson County. To protect the employee from possible tax liability for the personal use of this equipment, County cellular phones are to be used to conduct County business only.

Employees are expected to refrain from using cellular phones while driving. The employee’s greatest responsibility is for his/her personal safety and the safety of other drivers, pedestrians, and passengers.

Employees in possession of County equipment are expected to protect the equipment from loss, damage, or theft. If the cellular phone is damaged, destroyed, or lost, it should be immediately reported to your department head. Employees may be held responsible for the cost of a replacement for lost, broken, or stolen phones. Upon resignation, suspension, or termination of employment, employees will be expected to present the phone in good working condition, and if unable to do so, the employee may be responsible for the cost of a replacement.

The following are unauthorized uses of County cellular equipment:
- Any call which could reasonably be made from a standard telephone or other electronic communication that is available at a lesser cost.
- Any call made in relation to an employee’s personal business or entertainment.
- Any calls of unreasonable duration.

All employees must comply with all State and Federal regulations regarding Traffic Rules of the Road regarding wireless communications devices:

Kansas Statute Article 15: Uniform Act Regulating Traffic: Rules of the Road; 8-15,111: Test messaging, prohibited:
(3) “Wireless communication device” means any wireless electronic communication device that provides for voice or data communication between two or more parties, including, but not limited to, a mobile or cellular telephone, a test messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages or a laptop computer. “Wireless communication device” does not include a device that is voice operated and which allows the user to send or receive a test based communication without the use of either hand, except to activate or deactivate a feature or function.
(4) “Write, send or read a written communication” means using a wireless communication device to manually type, send or read a written communication, including, but not
limited to, a test message, instant message or electronic mail.

(b) Except as provided in subsection (c) and (d), no person shall operate a motor
vehicle on a public road or highway while using a wireless communications device to
write, send or read a written communication.

(c) The provisions of subsection (b) shall not apply to:

(6) A law enforcement officer or emergency service personnel acting within the
course and scope of the law enforcement officers or emergency service
personnel’s employment;

(7) A motor vehicle stopped off the regular traveled portion of the roadway;

(8) A person who reads selects or enters a telephone number or name in a
wireless communications device for the purpose of making or receiving a
phone call;

(9) A person who receives an emergency, traffic or weather alert message; or

(10) A person receiving a message related to the operation or navigation
of the motor vehicle.

(d) The provisions of subsection (b) shall not prohibit a person from using a wireless
communications device while operating a moving motor vehicle to:

(4) Report current or ongoing illegal activity to law enforcement;

(5) Prevent imminent injury to a person or property; or

(6) Relay information between transit or for-hire operator and the operator’s
dispatcher, in which the device is permanently affixed to the motor vehicle.

All employees must comply with the above law. The employee as well as the County can be
fined for violations of this law. These penalties are not covered by our liability insurance.
Should an employee violate this law, immediate termination may result.

No personal cell phones or County cell phones shall be used to take photos or videos of co-
workers. No photos or video are to be taken without permission of the subject. No personal
photos or videos shall be taken with a County owned cellular phone.

Any conduct which violates this policy may result in disciplinary action, up to and including
termination of employment.

Personal use of County cell phones are discouraged, however if used for personal reasons,
the employee’s department head will calculate the amount of reimbursement required and
will notify the employee in writing. The written notification will clearly show the calculation
and accompanied by the bill.

The rate for reimbursement will be the lesser of (a) the amount by which the monthly charge
exceeds the base monthly charge, or (b) the amount which equals by the number of minutes
of personal use identified on the monthly statement, plus all long distance, roaming or other
special charges incurred for personal use.

The employee will have one week to deliver a personal check made payable to Dickinson
County for the amount owed.
511 Workplace Monitoring

Effective Date: 1/1/2008
Revision Date:

Workplace monitoring may be conducted by Dickinson County to ensure quality control, employee safety, security, and customer satisfaction.

Computers furnished to employees are the property of Dickinson County. As such, computer usage and files may be monitored or accessed.

Dickinson County may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because Dickinson County is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

512 Safety-Wellness

Effective Date: 1/1/2008
Revision Date: 3/10/2011

To assist in providing a safe and healthful work environment for employees and the public, Dickinson County has established a Safety-Wellness committee. This program is a top priority for Dickinson County. Its success depends on the alertness and personal commitment of all.

Dickinson County provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. 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.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers’ compensation benefits procedures.
GENERAL SAFETY RULES
Safety rules are primarily for employee protection. Injuries impose severe burdens on employees and their families. They often result in loss of pay and can lead to permanent disability or disfigurement. The facility where you are assigned has an emergency procedure and evacuation plan to follow in the event of fire or other disaster. All employees are expected to familiarize themselves with the location of emergency equipment.

Any job-related injury or illness, regardless of severity, must be reported immediately to your supervisor for prompt attention as necessary. An initial incident report must be reported/completed and forwarded to the Human Resources Department.

The observance of the following fundamental safety rules should impose no hardship on anyone. It will make Dickinson County a better and safer place in which to work.

- Waste and trash containers must be used to keep work areas clean and orderly.
- Use common sense in performing your duties.
- Report any work injury/illness to your supervisor.
- Report unsafe conditions to your supervisor.
- Do not use any equipment, vehicles or materials when overly tired, nauseated, feverish or under the influence of any substance that may affect your judgment.
- Keep your work area neat and tidy.
- Use mechanical devices or request assistance in lifting heavy loads.
- Wear seat belts when operating any County vehicle or driving your own personal vehicle while on County business.
- Do not use tops of cabinets or tops of bookcases for extra storage or displays.
- Be sure that aisles or exits are kept clear; do not let cords interfere with walkways.
- Keep paper clips, tacks, pins, and other objects off the floor.
- Store all sharp objects properly when not in use.
- Open and close doors cautiously and use extra caution at blind hallway intersections.
- Open only one file cabinet at a time to avoid tip over. Cabinets should be loaded from the bottom to top and emptied in the reverse order.
- Report or clean up all spills immediately.
- Use step stools, platforms or ladders for climbing. NEVER USE CHAIRS.
- Report any frayed electrical cords.
- Aisles, hallways and fire exits must always remain open.
- All stored materials must be stacked properly on a firm and even foundation. Stacks must not be allowed to reach a hazardous height and, where possible, stacks must be cross-tied or braced for mutual support.
- Employees must familiarize themselves with all firefighting and evacuation procedures. Employees should further familiarize themselves with all exits proximate to their work area. Access to firefighting equipment must be kept clear.
- The use of all fire extinguishers, regardless of type, must be reported to the employee’s supervisor and exchanged for a full extinguisher.
- Tools, personal safety, and other equipment shall be maintained in good serviceable condition. Tools must be used in a safe manner and should not be used when they are broken or badly worn. All electrical tools must be grounded, unless they are double insulated. Broken or badly worn tools should be given to the employee’s supervisor for repair or replacement.
- Protective equipment and clothing, including but not limited to safety shoes, safety glasses, goggles, hard hats and hearing protection must be worn where required.
Disorderly conduct, running or horseplay on County premises is prohibited.

All injuries and accidents (including but not limited to those involving County vehicles) regardless of the severity, must be reported immediately to the employee’s supervisor.

All injured employees are required to report for treatment as requested by the County’s workers’ compensation physician. Employees will not be permitted to return to work without written approval from the physician.

Employees who observe an unsafe condition are required to report it to their supervisor immediately.

Extension or drop cords shall not be placed in areas where they will create tripping or other hazards.

**EMERGENCY EVACUATION PLANS AND RE-ENTRY:**

In any emergency, employees should follow alarms or other alerts to evacuate the building and/or area near the premises. Always follow the basic evacuation procedure but remember that personal safety is paramount and takes precedence.

- Check your work area for anything needed to be secured.
- Secure locks on all secured containers and cabinets.
- Leave your work area and report to your designated assembly area.

The Emergency Preparedness Director will coordinate with fire, police, or other emergency preparedness personnel to determine when the building may be re-entered.

**IMPROPER HEALTH AND SAFETY PRACTICES**

All employees are expected to abide by safe work practices and adhere to general safety rules to ensure their safety as well as the safety of co-workers. Infractions of Dickinson County health and safety practices will be dealt with in accordance with the County’s policies and discipline and will be based on the following factors:

- Severity of the infraction
- Whether the infraction endangered only the employee or co-workers
- Whether the infraction was a first or repeat violation

**INFLUENZA IN WITH WORKPLACE – GUIDELINES**

Influenza is a contagious illness that includes symptoms such as coughing, nasal congestion and discharge, fever, sore throat, headache, body aches and general fatigue. Dickinson County realizes that employees with influenza often need to continue with normal life activities, including working. In deciding whether an employee apparently suffering from influenza may continue to work, the County considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee’s continued presence must pose no risk to the health of the employee, other employees and the public. If an employee disputes the County’s determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee’s continued employment poses no significant risk to the employee, other employees or the public.

Employees are reminded that the County sponsors annual influenza vaccinations during the fall. The County also provides Sick leave to cover absences due to influenza. All employees
are urged to contact the Human Resources Department regarding any questions about the possible contagious nature of another employee’s temporary illness.

**Social Distancing Guidelines**

In the event of an influenza pandemic or other communicable disease situation, Dickinson County may implement these social distancing guidelines to minimize the spread of the influenza and other communicable disease among staff.

During the work day, employees are requested to:

Avoid meeting people face-to-face. Employees are encouraged to use telephone and e-mail to conduct business as much as possible, even when participants are in the same building.

If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.

Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops, and training sessions.

Encourage customers and others to request information via phone and e-mail in order to minimize person-to-person contact.

**Stopping the Spread of Germs at Work:**

Illnesses such as influenza and colds are caused by viruses that infect the nose, throat, and lungs. The flu and colds usually spread from person to person when an infected person coughs or sneezes.

**How to help stop the spread of germs:**

Cover your mouth and nose when you sneeze or cough:

Cough or sneeze into a tissue and then throw it away. Cover your cough or sneeze if you do not have a tissue, then clean your hands and do so every time you cough or sneeze.

Clean your hands often:

When available, wash your hands with soap and warm water, then rub your hands vigorously together and scrub all skin surfaces. Wash for 15 to 20 seconds. It is the soap combined with the scrubbing action that helps dislodge and remove germs. When soap and water are not available, alcohol-based disposable hand wipe or gel sanitizers may be used. If using a gel, rub the gel in your hands until they are dry. The gel doesn’t need water to work; the alcohol in the gel kills germs that cause colds and the flu.

Avoid touching your eyes, nose or mouth:

Germs are often spread when a person touches something that is contaminated with germs and then touches his or her eyes, nose, or mouth. Germs can live for a long time (some can live for two hours or more) on surfaces like doorknobs, desks, and tables.

Stay home when you are sick and check with a health care provider when needed:

When you are sick or have flu symptoms, stay home, get plenty of rest and check with a health care provider as needed. Remember: keeping your distance from others may protect them from getting sick. Common symptoms of flu include: fever, headache, extreme tiredness, cough, sore throat, runny or stuffy nose, muscle aches, nausea, vomiting, and diarrhea.
Practice other good health habits:
Get plenty of sleep, be physically active, manage your stress, drink plenty of fluids, and eat nutritious food. Practicing healthy habits will help you stay healthy during the flu season and all year long.

For more information, visit www.cdc.gov/flu or call the CDC Flu Information Line at (800) CDC-INF0.

SAFETY-WELLNESS COMMITTEE OPERATING PROCEDURES
In accordance with Dickinson County’s commitment to safety, a safety-wellness committee has been established for the following purposes:

- To maintain and enhance employee interest in health, wellness, and safety issues.
- To ensure that supervisors and employees are aware, through training activities, that they are responsible for the prevention of workplace accidents.
- To help make health and safety activities an integral part of the County’s operating procedures, culture and programs.
- To provide an opportunity for discussion of health, wellness and safety problems and possible solutions.
- To inform and educate employees and supervisors about health, wellness, and safety issues.
- To help reduce the risk of workplace injuries and illnesses.
- To help ensure compliance with federal and state health and safety standards.

To accomplish these objectives, the Safety-Wellness committee will:

- Define duties and responsibilities of committee members.
- Include representation from different levels and areas of the County.
- Meet at least monthly.
- Record minutes of meetings, documenting attendance and issues.
- Develop methods to increase and maintain safety awareness.

RECOMMENDED ADULT IMMUNIZATIONS

Dickinson County will follow the Recommended Adult Immunization Schedule provided by the Center for Disease Control (CDC) in offering immunizations as described below.

A Vaccination Declination Form must be completed and signed by the employee and department manager for any employee refusing to receive the recommended immunizations.

Healthcare personnel and public safety workers exposed to blood or other potentially infectious body fluids. (Health Department, EMS, Sheriff, Emergency Management, Custodial)

- Hepatitis B
- Tetanus (Tdap)
- MMR (Measles, Mumps and Rubella)
- Varicella (Chicken Pox)

Road & Bridge, Appraiser, Environmental Services, Zoning
- Tetanus (Tdap)
All Employees

- Influenza
- Employees will not be required to complete and sign the Vaccination Declination Form for refusing the Influenza immunization.

Copies of all immunization documentation shall be filed with Human Resources.

All immunizations will be submitted to the individual’s health insurance for reimbursement. Should the employee not have insurance coverage, the cost will be charged to the appropriate county department. The Health Department will accept the insurance reimbursement for all immunizations as the only payment required. There will be no out-of-pocket expense to the employee.
DICKINSON COUNTY
VACCINATION DECLINATION FORM

Date: __________________________

Employee Name: __________________________________

I understand that due to my occupational exposure to blood or other potential infectious materials I may be at risk. I have been giving the opportunity to be vaccinated with the following: (Please check all that apply).

- Hepatitis B (3 shot series)
- Tetanus (Tdap)
- Varicella (Chicken Pox)
- MMR (Measles, Mumps and Rubella)
- Influenza (Flu)

However, I decline the vaccinations at this time.

If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated, I can receive these at that time.

I acknowledge that I have been provided education and training regarding the benefits of participating in the vaccine program in conjunction with the Center for Disease Control and Prevention Guidelines.

_________________________ ______________________
Employee Signature Date

_________________________ ______________________
Department Manager Signature Date
513 Smoking and Tobacco Use Policy

*Effective Date: 1/1/2008*
*Revision Date: 11/1/2018*

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

“Smoking” For the purpose of this policy, means inhaling, exhaling, burning, carrying or possession of any lighted tobacco products including cigarettes, cigars, pipe tobacco, water-pipes, hookahs or any other lighted tobacco products, as well as any product consumed in a similar manner; or the use of an electronic cigarette or any other device intended to simulate lighted tobacco use.

“Tobacco Products” For the purpose of this policy, is defined to include: cigarettes, cigars, pipes and other smoking product; dip, chew, snuff, smokeless pouches, and any other smokeless tobacco product; and nicotine delivery devices, such as e-cigarettes, vaping devices or other similar devices.

FDA approved nicotine replacement therapy products used for tobacco cessation are excluded from this definition.

Smoking or tobacco use shall be prohibited in all Dickinson County owned or leased vehicles and equipment.

Smoking or tobacco use shall be prohibited in all Dickinson County facilities and jail and detention facilities.

Employees who violate this policy shall be subject to prosecution under the provisions of K.S. A. 21-4010 and amendments thereto. Any person found guilty of smoking in violation of this statute shall be punishable according to the penalty provisions of K.S.A. 21-4012 and will be subject to the same disciplinary actions that accompany infractions of other Dickinson County rules including written warning, suspension, and possible termination.

Dickinson County employees who choose to use tobacco products during their work hours are subject to established rules and procedures concerning rest breaks.

Dickinson County employees shall not use tobacco products at any time they are talking to or otherwise interacting with members of the public while on County time.

The Kansas Indoor Clean Air Act became effective July 1, 2010. This Act prohibits smoking in public places, places of employment and within 10 feet of any doorway, open window or air intake as well as other places not included here. (K.S.A. 21-2009 et seq. as amended)
514 Clothing and Uniforms

Effective Date: 10/16/08
Revision Date: 4/16/2013

Where there is clothing or uniform provided as part of the job duties and said clothing is not labeled with Dickinson County labels and/or logo, it will be considered a taxable fringe benefit and subject to payroll taxes pursuant to IRS Publication 529. [www.irs.gov/publications/p529/]

Non-taxable uniforms will have to meet two requirements:
  - Must be worn as a condition of employment; and
  - Not suitable for everyday wear

IRS Publication 529 requires that it is not enough that you wear distinctive clothing. The clothing must be specifically required by your employer. Nor is it enough that you do not, in fact, wear your work clothes away from work. The clothing must not be suitable for taking the place of your regular clothing.

Protective clothing required in your work such as safety shoes or boots, safety glasses, hard hats, and work gloves are not considered a taxable fringe benefit.

If these requirements are not met, all clothing purchases are considered a taxable fringe benefit and are subject to payroll taxes. All reimbursements must be made through payroll. All vouchers submitted for reimbursement must be accompanied by receipts. No purchases may be made by Dickinson County credit card or direct charge accounts.

Where there is clothing or a uniform provided as part of an employees job duties, Dickinson County issues uniforms to each new employee as part of the new hire process. The uniforms are considered county property and are to be returned in the event of termination.

Safety Boots
Dickinson County employees whose job description requires wearing steel toed boots will be reimbursed up to $125.00 per year for the purchase of these boots. Safety toed boots may either be steel-toed or of a composite material. The reimbursement for required safety equipment will be made through the voucher process.

Purchase of these boots may be made by either (1) from the Safety Shoe Service truck vendor or (2) outside purchase.

The purchase of any boot over $125.00 will be the responsibility of the employee. The employee must bring in a paid receipt for any purchase of boots from an outside vendor. The employee will attach the paid receipt to a County Voucher for reimbursement.

Departmental Procedures:
Road and Bridge employees will be required to wear steel toed boots and qualify for the annual reimbursement of up to $125.00. Dickinson County will require and provide uniform shirts for all Road and Bridge employees. Each employee of the Road and Bridge
department will receive a monthly allowance for the purchase of work jeans. This uniform allowance will be paid and taxed appropriately through payroll.

Custodial employees are required to wear steel toed shoes/boots and qualify for the annual reimbursement of up to $125.00. These employees will also be required to wear and be provided work uniforms.

Certain staff members working in the environmental services department are required to wear work uniforms which will be provided. Staff members may be provided a monthly allowance for the purchase of approved work jeans. This monthly allowance will be paid and taxed appropriately through payroll.

The Sheriff’s department requires and provides uniforms of all deputies and corrections officers. An annual boot reimbursement of up to $125.00 is available for approved boots. Employees must bring in a paid receipt for any purchase. Reimbursement will be paid and taxed appropriately through payroll.

EMS staff members are required to wear uniforms provided by Dickinson County. An annual boot reimbursement up to $125.00 per year is available for approved boots. Employees must bring in a paid receipt for any purchase. Reimbursement will be paid and taxed appropriately through payroll.

Appraiser staff will be required to wear hiking boots while performing field work. Hiking boots must have steel or hard plastic Shank to prevent punctures from nails or other sharp objects, the uppers must support the ankle and be water proof, to guard against twisted ankles and cuts from wire hidden in high grass. Soles must be of the vibram type to prevent slipping. Dickinson County will reimburse up to $100.00 every two years to buy appropriate foot ware. Employees must bring in a paid receipt for any purchase. Reimbursement will be paid and taxed appropriately through payroll.
515 Employee Training

Effective Date: 2/21/2019

Employee training is essential for an organization’s success. Dickinson County staff is required to complete certain training and certify understanding of said training. Many of these requirements stem from federal or state regulations that apply to all County employees.

Dickinson County utilizes online training provided by ThinkHR, a value added service of belonging to KCAMP. ThinkHR has many courses to help train employees on a wide range of topics. Training subjects may include but are not limited to:

- Harassment
- Compliance and Legal
- Environment and Climate
- Workplace Safety
- Leadership
- Computer/IT
- Customer Service
- Professional Development

Each year training modules will be selected and assigned to employees, managers and supervisors. All training is to be completed by October 31 of each year. Once an employee has completed a training module, they will e-mail a copy of their completion certificate to Human Resources.

Ongoing and annual training is essential to continued professional development. Each training module offered provides dynamic information for employees to obtain a working knowledge of each topic presented. The fundamental training requirements offered to County employees allows for continuous professional growth.

Disregarding or failing to comply and complete the required training modules, could lead to a wage freeze or reduction, demotion and other disciplinary action including, up to and including possible termination of employment.
516 Purchasing Card

Effective Date: 2/27/2020

I. PURPOSE
The purpose of this policy is to establish the responsibilities and procedures for using county purchase cards (Credit Cards).

II. SCOPE
This policy is applicable to all Dickinson County government including but not limited to elected officials, department managers, employees and the 8th Judicial district. It applies to all purchase regardless of the source of funds and complies with Dickinson County purchasing resolutions, policies and department procedures. The County Administrator may grant exemptions and / or exceptions.

III. POLICY STATEMENT
Dickinson County government maintains a Purchasing Card program that allows authorized individuals to make specific business-related purchases of eligible goods and services. The Purchasing Card is intended only for Dickinson County government business transactions. The card is also imprinted with

“Dickinson County, Kansas
For Official Use Only
KS Tax Exempt # KSX272Y7C8”.

The card is subject to any existing County purchasing resolutions and policies. Under no circumstances is the purchasing card to be used for personal purchases. This policy establishes the process for authorization, handling and use of Dickinson County purchasing cards and is applicable to all County departments and elected offices pursuant to K.S.A. 19-101 et seq. This program is designed to delegate authority and responsibility to purchase items directory to the departments. The Administration Office/Budget Director is responsible for managing the Purchasing Card program and each department is responsible for managing its cardholder accounts in a manner that conforms to this policy and supporting procedures as established by the Administration Office. A number of unique controls have been developed for the Purchasing Card program that does not exist in a tradition credit card environment. These controls unsure that the cards can be used only for specific purchases and within specific credit and transaction limits.

IV. AUTHORITY AND RESPONSIBILITY
The Administration Office/Budget Director provides the management of the Purchasing Card. The hierarchal structure follows:

Administration Office/Budget Director Responsibility
Department Responsibility
Cardholder Responsibility
a. Administration Office/Budget Director Responsibility

- Develop and manage process to reconcile card accounts each month
- Approved all cardholder applications and spending limits with the department manager or elected official
- Monitor account for inappropriate or illegal use
- Revoke card privileges for inappropriate or illegal use
- Suspend card privileges for failure to provide transaction documentation in a timely manner
- Increase or decrease card spending limits as necessary
- Review all transactions, discuss any changes in accounting codes needed with the department manager or elected official and enter changes into the accounting system
- Authorize processing of payment to card issuer

b. Department Responsibility

- Provide Cardholder Application request to the Administration Office/Budget Director
- Provide signed Cardholder Agreement to the Administration Office/Budget Director
- Give employees their purchase cards and inform cardholder of procedures and responsibilities when using the purchasing card
- Receive and distribute information from the Administration Office/Budget Director pertaining to the Purchasing Card
- Assign accounting codes for each purchase, authorize payment and submit all receipts with overview report to the Administration Office/Budget Director promptly for payment
- Complete and forward all documentation, including supporting documents to the Administration Office/Budget Director
- Notify Administration Office/Budget Director of suspected inappropriate or illegal use
- Notify Administration Office/Budget Director of changes in spending limits and / or any revocations of purchasing cards and destroy cancelled cards
- Notify Administration Office/Budget Director immediately if a card is lost or stolen
- Ensure that the cardholder does not circumvent spending limits or budget limits by splitting purchases, using another cardholder’s card or other means
- Ensure under no circumstance that a Cardholder approve his / her own purchases

c. Cardholder Responsibility

- Make eligible purchases within authorized spending limits only for purchasing items in accordance with county policies. Never accept cash or gift cards in lieu of credit
Dickinson County, KS

- Use the card only for purchasing items in accordance with county policies
- Inform the merchant that the purchase is sales tax exempt and be prepared to provide the merchant with a state tax exemption form.
- Maintain Purchasing Cards in a secure fashion and prevent unauthorized charges to the account
- Maintain adequate documentation of all purchases. This includes itemized receipts, packing lists, invoices, etc.
- Give purchase documentation to Department Manager or Elected Official promptly to ensure payment on time
- If using the purchase card for travel complete the Dickinson County Travel Envelope and give travel envelope and documentation to Department Manager or Elected Official for approval
- Notify the Department Manager, Elected Official and Administration Office/Budget Director immediately if the card is lost or stolen
- Never use the card for personal purchases or in violation of county policies. Violation may result in revoking the card and/or disciplinary action, up to and including termination of employment and/or criminal prosecution. Cardholder will be required to reimburse the county for all costs associated with improper use
- Return the Purchasing Card to Department Manager, Elected Official or Administration Department/Budget Director prior to separation from employment
- There will be no purchasing of snacks. The county will only be responsible to provide meals while away on overnight travel

V. SECURITY AND CONSEQUENCES OF MISUSE

a. Card Security
   - The Cardholder is responsible for safeguarding the Purchasing card at all times. The Cardholder should never allow anyone else to use the card or account number and should never use the card to procure personal items. Purchasing resolutions, policies and procedures place upon the Cardholder direct responsibility for the proper and lawful execution of purchasing actions. No employee of the county has authority to issue instructions or approve a procedure that is in direct violation with the law or county resolutions, policies or procedures. Any act exceeding that individual’s authority is no longer an act of the county but becomes a personal responsibility. All employees must maintain the highest standard of conduct. Any conflict of interest or appearance thereof, between county responsibilities and personal lives must be avoided.

b. Lost / Stolen Cards
   - When a Purchasing Card is lost or stolen, the Cardholder should contact the Budget Director and their supervisor to report the lost / stolen card. Contact should be immediate so that the highest level of detail regarding account activity leading up to the lost / stolen date can be provided.
c. Separation of Cardholder
   ➢ Prior to separation from the Cardholder’s department to another function that does not require Cardholder authority; the Cardholder will surrender the card to the Administration Office/Budget Director or Department Manager or Elected Official. The Cardholder will review with their Supervisor the status of any unreconciled, questionable, partially approved, unresolved, and disputed transactions and identify supplies and/or services which have been ordered but not yet received so the appropriate action can be taken to complete these activities.

d. Card Misuse / Fraud
   ➢ Consequences of misuse of the Purchasing Card are serious, and may include card suspension, card revocation, disciplinary action, employment termination, personal financial responsibility for purchase(s) and legal action. All employees must maintain the highest standard of conduct. Any conflict of interest or appearance thereof, between County responsibilities and personal lives must be avoided. Failure to follow the above listed responsibilities and any additional responsibilities that may be listed in this policy and/or related procedures will result in a minimum of the following consequences:
      i. First Offense: Verbal warning to the Cardholder and Supervisor
      ii. Second Offense: Written warning to the Cardholder, Supervisor, Department Manager or Elected Official
      iii. Third Offense: Card Cancelation – privilege revoked

VI. DEFINITIONS
Cardholder – Employee of Dickinson County who is issued a card and who has authority to use it for Dickinson County purchases

Fraud – The Purchasing Card is intentionally used for personal transactions or purchasing items restricted by other policies. The Cardholder is not the individual to whom the card is issued.

Misuse – Does not submit purchase documentation in a timely manner to ensure prompt payment. Failure to maintain adequate documentation of all purchases. Making purchases not intended for Government use or Official business purposes.

Purchasing Card – A credit card issued for official Dickinson County business. Purchasing Cards are also referred to as a credit card.

Spending Limits – Spending and transaction limits for each cardholder both per transaction and on a daily or monthly basis and by vendor and/or commodity type.

Supervisor – An individual whose job is to oversee and guide the work of activities of a group of other people.
VII. PROCEDURES
The County Budget Director maintains established procedures of the purchase cards. Please refer to the Administration Office/Budget Director for the most current procedures related to the Credit Card policy.

To Obtain a Card:
- Department Manager or Elected Official will decide which department employees are authorized to be issued a card and to recommend transaction and purchase limits for each cardholder. They will notify the Budget Director who will contact the purchase card company and request the card.
- Depart Manager or Elected Official will complete a purchasing card application form and authorized cardholders will sign a cardholder agreement form before receiving their purchasing card.
- Administration Office/Budget Director will approve or deny purchasing card applications and spending limits.

How to Use the Card
- Identify the purchase needed and determine funds availability. Determine if the purchase complies with the pre-approved restrictions.
- Purchase goods/services. Inform the merchant that the purchase is for official County business and not subject to state or local sales tax. The cardholder may be required to provide a state tax exempt form.
- Retain the itemized receipt and give the receipt and any supporting documentation to the Department Manager or Elected Official.
- For telephone and internet orders; Inspect and verify order accuracy, quality and price when merchandise arrives. For internet orders, check the website before purchasing for information regarding the level of security provided.
DICKINSON COUNTY
Cardholder Agreement

By signing this Cardholder Agreement, the undersigned Cardholder specifically acknowledges and agrees that:

- The purchasing card is to be used only for official Dickinson County business purposes and the cardholder shall abide by any purchasing policies approved by the County Commission. The cardholder shall submit receipts documenting in detail all the goods and services purchased, cost, place and date of purchase.

- Cash shall not be accepted for credit card returns. Merchants shall credit the account instead of returning cash. A copy of the return transaction shall be attached to the statement. Additionally, Cardholder is prohibited from selecting the cash back option while checking out during the purchase transaction.

- The purchase of meals while on County business may be authorized according to County policies.

- Any cardholder who uses the purchasing card inappropriately shall be required to reimburse Dickinson County for all costs associated with such improper use, including, but not limited to, sales tax, gratuities, or any lodging expenses which exceed the approved Dickinson County per diem rate. If the County is not reimbursed by the Cardholder for improper purchases, the Cardholder agrees to allow the County to withhold said amount from their paycheck.

- Violation of any County policy or procedure may result in revocation of card use privileges and / or disciplinary action, up to and including termination of employment and criminal prosecution.

- Upon termination of employment with Dickinson County, the purchasing card shall be returned to the Administration Office. County has the right to withhold final pay from employee until purchase card is returned and the cardholder’s account is reconciled.

Purchasing Card Account Number: ______________________________

Received by: _________________________________________________________

(Print Cardholder Name)

Cardholder Signature: ______________________________________________

Date: _____________________________________

Department Manager/Elected Official Signature: ____________________________
DICKINSON COUNTY
Purchasing Card Application Request

☐ New Account
☐ Request Replacement Card
☐ Request Lost / Stolen Replacement

☐ Close Account
☐ Change Spending Limits
☐ Other

_______________________
Account Limits:

☐ Daily Dollar Limit ________________
☐ Monthly Dollar Limit:

☐ Daily # of Transactions Limit ______
☐ Per Transaction Limit:

☐ Merchant Type Limit ________________________________________________

☐ Transaction Type Limit _____________________________________________

Cardholder Name _______________________________________________________

Department ____________________________________________________________

Date: ________________________________

Signature _______________________________________________________________________________________
(Department Manager / Elected Official)

Date: ____________________________ Signature ____________________________
(County Administrator)
601 Employee Conduct and Work Rules

Effective Date: 1/1/2008
Revision Date:

To ensure orderly operations and provide the best possible work environment, Dickinson County expects employees to follow rules of conduct that will protect the interests and safety of all employees and the County. It is the County’s policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees and is free from all forms of harassment and violence. Each employee has an obligation to observe the County’s policies and to maintain proper standards of conduct at all times. If an individual’s behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Behavior Standard: Maintain a positive work atmosphere by acting and communicating in a manner so that you get along with customers, co-workers, and management.

Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person.

Employees have the right to conduct their work without disorderly or undue interference from other employees. The County prohibits employees from violating this right of their co-workers.

Dickinson County encourages a congenial work environment of respect and professionalism. Therefore, Dickinson County prohibits employees from intentionally harming or threatening to harm other employees, clients, vendors, visitors, or property belonging to any of these parties. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace.

The County believes that employees are motivated to do what is best and are accountable for their actions. However, we must establish certain “Rules of Conduct” so that we can all work together in an efficient manner. These rules are intended to protect the rights of everyone and are actually common sense rules of behavior. Violation of or failure to observe the following “Rules of Conduct” may be cause for disciplinary action up to and including termination of employment. The following listing is intended to be a guide and is not all inclusive.

- Misappropriation of money, property or time
- Willful damage to property or endangering of individuals
- Possession of a dangerous weapon
- Use, sale, possession, distribution or being under the influence of a controlled substance
- Failure to follow specific, appropriate instruction
- Falsification of any document or verbal misrepresentation

Employees are responsible for maintaining their work area in a neat and professional manner.
Employees are responsible for assuring the security of County confidential/proprietary material in their possession and similarly maintaining the security of County provided equipment. Employees concerned for the security of their work area or equipment must inform their supervisors of such concerns.

The County reserves the right to search unlocked and/or publicly used County property at any time without consent. The County may request a search of personal property at the worksite or locked company property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities reside therein. Refusal of such a request may result in disciplinary action up to and including termination.

The County may take disciplinary action against employees whose conduct violates this or other Dickinson County policies and practices. The supervisor should consult the department head or the Human Resources Department on such matters.

EMPLOYEE CONDUCT GUIDELINES
Employment with Dickinson County is “at will” which means it is subject to termination by either the County or the employee at any time, for any reason. There are no contractual relationships between the County and an employee, and letters, benefit or policy statements, performance appraisals, employee handbooks, or other employee communications should not be interpreted as such. No one has the authority to enter into any oral or written employment contract without the signed explicit written approval of the Board of County Commissioners, and no written employment contract will be valid without the signatures of the Board of County Commissioners.

Employee Responsibility:
It is the duty and the responsibility of every employee to be aware of and abide by existing rules and regulations. It is also the responsibility of the employee to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established. Employees are encouraged to take advantage of all learning opportunities available and request additional instruction when needed.

Responsibilities of supervisors and department heads:
The immediate supervisor or department head must approach corrective measures in an objective manner. If the employee’s performance of assigned tasks is the issue, the supervisor or department head should generally look to see that proper instructions, appropriate orientation and training have been given and that the employee is aware of the job expectations. Not only single incidents, but also patterns of poor performance should be of concern as these are indicative of overall performance. If misconduct is the issue, the supervisor or department head should take steps to make sure that the employee has been made aware of the County’s policies regarding the infraction. If in either case appropriate instruction or information was not communicated, a plan for such communication should be immediately developed and reviewed with the employee.
602 Recording Devices in the Workplace

*Effective Date:* 1/1/2008

*Revision Date:*

Employees are prohibited from having any form of recording or photography device in the workplace and from recording or photographing fellow employees in the workplace or during working time. Violations of this policy may result in immediate discipline (including possibility of termination), immediate removal of the recording device and/or the employee from the workplace, and retention of the recording device for inspection by the County and/or legal authorities. Limited exceptions will apply where the employee in possession of the recording device has been provided advance written authorization to use the recording device by an authorized member of management and the recording device is being used in an authorized manner to further County business.

Prohibited “recording devices” under this policy include but are not limited to cameras, camcorders, video devices, picture or video capable cellular telephones, cassette recorders, and digital voice or image recorders. Cellular telephones, PDAs, MP3 and DVD devices, portable computers, and other devices are covered if they are equipped with any device or technology that has the capability to record images or sounds. This prohibition applies irrespective of whether the recording capability is activated or not.

603 Social Media Policy

*Effective Date:* 4/16/13

*Revision Date:*

Personal Web sites and blogs have become prevalent methods of self-expression in our culture. Dickinson County respects the right of employees to use these media resources during their personal time. However, if you as an employee choose to identify yourself as a Dickinson County employee on a Web site or blog, you should adhere to the following guidelines:

1. Make it clear to the readers that your views expressed are the employee’s alone and that they do not necessarily reflect the views of Dickinson County.
2. Confine employees social networking to matters unrelated to the County if necessary to ensure compliance with securities regulations and other laws
3. Employees are prohibited from using or disclosing confidential and/or proprietary information, including personal health information about customers or co-workers.
4. Employees are prohibited from posting or displaying comments about co-workers or supervisors or the employer that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the employer’s workplace policies against discrimination, bullying, harassment, retaliation or hostility on account of race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

Be careful not to let blogging interfere with your job or customer commitments. You may be more likely to resolve complaints by speaking with co-workers or going through the County, rather than posting grievances online.
If blogging activity is seen as compromising, Dickinson County may request a cessation of such commentary and the employee may be subject to coaching and, potentially, disciplinary action. Nothing in this policy shall be deemed to interfere with employee rights to engage in discussions protected by law. For any questions about these guidelines or any matter related to personal Web sites or blogs, contact Human Resources.

604 Cameras in the Workplace

*Effective Date: 1/1/2008*

The County prohibits employee use of cameras in the workplace including camera phones, as a preventative step believed necessary to secure employee and customer privacy and business information. Cameras may be approved for official use only. However the County reserves the right to install security cameras in work areas for specific business reasons.

Employees are prohibited from bringing cameras or other visual recording devices, including camera phones, into the workplace unless specific advance written authorization has been obtained from management.

Authorization will be granted when a specific business purpose will be served by the possession or use of such a device and when its use will not violate customer or employee privacy. Authorization may be granted in limited personal circumstances that will be reviewed on a case-by-case basis.

Authorization may be revoked at any time for any reason. In such cases, employees will be given a reasonable opportunity to remove the equipment from the premises.

605 Workplace Civility – Violence in the Workplace

*Effective Date: 1/1/2008*  
*Revision Date: 10/8/2015*

Employees at all levels of the County are expected to treat each other with respect. The County depends on cooperation and teamwork among all employees.

The objective of this policy is to achieve the following:

1. Reduce the potential for violence in and around the workplace.

2. Encourage and foster a work environment that is characterized by respect and healthy conflict resolution.

3. To mitigate the negative consequences for employees who experience or encounter violence in their work lives.
4. Outline the procedures to be followed when a threatening or violent incident occurs in the workplace.

Dickinson County is committed to providing, in so far as reasonable within available resources, a safe environment for working and conducting business.

All employees are responsible for helping to maintain a violence free workplace, refraining from acts of violence and promoting a safe working environment. To that end, each employee is required to govern themselves accordingly. In addition, any employee experiencing an act or threat of violence whether from another employee or from an individual outside the organization is asked to report an act or threat to his or her immediate supervisor or another manager. The County intends to use legal, managerial, administrative and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public. Any violent act(s) committed by employees will be subject to disciplinary action up to and including termination or prosecution as appropriate.

Workplace violence as referred to in this policy includes, but is not limited to, an act or behavior that:

A. Is physically assaultive;
B. Consists of a communicated or reasonably perceived threat to harm or endanger another individual or to destroy property;
C. Would be interpreted by a reasonable person as carrying potential for physical harm to the individual or a reasonable person would perceive as menacing;
D. Involves carrying or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening.

In the interest of maintaining a workplace that is safe and free of violence, the possession or use of a dangerous weapon is prohibited on County property, in County vehicles, or in any personal vehicle which is used for County business except as provided for law enforcement and authorized individuals.

If a workplace violence act or altercation occurs and constitutes an emergency, a witness should:
1. Contact 911;
2. Inform an immediate supervisor and the appropriate Department Head;
3. Request parties to separate without becoming physically involved.

In instances that do not constitute an emergency, contact the immediate supervisor who will in turn inform the appropriate Department Head, then the Director of Human Resources and the County Administrator. The Department Head or immediate supervisor is responsible for documenting the incident or threat. Documentation should be in written form and include:

1. Summary of incident or threat;
2. Names of the persons involved;
3. Date, time and location of the threat or incident;
4. Names of witnesses;
5. Who was informed
6. Summary of action taken, if any.

The Department Head will contact the Director of Human Resources and the County Administrator who will take responsibility for coordinating any further response to the incident, including assessment and investigation.

Employees are expected to refrain from fighting, “horseplay”, or other conduct that may be dangerous to others. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Conduct that threatens intimidates or coerces another employee or member of the public at any time, including off-duty periods, will not be tolerated. In addition, this prohibition includes all acts of harassment, including harassment that is based on an individual's race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

Please DO NOT IGNORE violent, threatening, harassing, intimidating or other disruptive behavior. If you see or hear a commotion or disturbance near your work area, do not try to intercede or see what is happening. If you observe or experience such behavior by anyone on the premises, whether he or she is an employee or not, report it immediately to a supervisor.

**605(a) Weapons Policy**

*Effective Date: 7/7/2016*
*Revision Date: 3/8/2017*

**Purpose**
The purpose of this policy is to inform employees and officials of the County's policy and prohibitions regarding weapons in the workplace.

**Policy**
*General Policy.* All employees, officials, contractors and other persons, with certain exceptions described below, are prohibited from carrying, brandishing, intentionally displaying, threatening others, discharging, or otherwise using "weapons" in the workplace, while engaged in County business, at County-sponsored functions, in County vehicles, or in or on County property (including County buildings and the public areas of such buildings). It is outside the scope of employment for any County employee, official or contractor, to engage in any of the above described conduct while conducting County business under any circumstances.

*"Weapons."
For purposes of this policy “weapons” include, without limitation, firearms of all types and sizes, whether loaded or not; air guns, BB guns, pellet guns, and the like; simulated weapons; knives, swords, switchblades, razors, (other than small pocket knives, utility knives, kitchen knives used in food service); clubs, bludgeons, batons, bats, and the like; incendiary or explosive devices or any sort whatsoever; martial arts weapons, including but not limited to, nun chucks, throwing stars and the like; and any item carried with the intent
or used to threaten or intimidate another. The term “weapons” does not include the lawful possession of personal security devices, intended for use by members of the public, including but not limited to mace, pepper spray, or other personal defense sprays.

Exceptions. The foregoing prohibitions do not apply to certified law enforcement officers; Federal law enforcement and protective service personnel; members of the Uniformed Services actively engaged in the performance of their duties; Sheriff’s Deputies; and security guards licensed to carry firearms and retained by the Dickinson County Government who are performing such services.

Concealed Carry of Handguns. County employees and officials who are not otherwise prohibited by state or federal law from possessing a firearm may carry concealed handguns (NOTE: ONLY HANDGUNS) in conformance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq., as amended. Employees may carry their concealed handgun into buildings that are not posted against concealed carry by members of the public. The Dickinson County Courthouse is posted against gun/weapons. Employees and officials who carry concealed handguns in County vehicles or their personal vehicles while conducting County business must secure their handguns in a locked and secured handgun safe or in a locked compartment within the vehicle any time the handgun is not otherwise concealed on their person. Carrying a concealed handgun is not within the course and scope of employment with exceptions only for law enforcement personnel noted in the paragraph above.

The Dickinson County courthouse has implemented security to establish a “NO GUNS/WEAPONS” environment. Under this policy no employee may carry concealed weapons in the Dickinson County Courthouse.

Regardless of this provision, the General Policy still applies to all County employees, officials and contractors, with the above described Exceptions.

The Dickinson County Administrator shall take such steps as are necessary to implement this policy.

606 Drugs and Alcohol

Effective Date: 1/1/2008
Revision Date:

It is Dickinson County’s desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition to perform their jobs in a satisfactory manner.

The illegal use, sale, or possession of narcotics, drugs, alcohol, or controlled substance while on the job or on Dickinson County property is prohibited and is a dischargeable offense. Any illegal substance will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Off-the-job illegal drug use, which could adversely affect an employee’s job performance or which could jeopardize the safety of others, the public, or Dickinson County equipment is proper cause for disciplinary action up to and including termination of employment.
Employees who are arrested for off-the-job drug activity may be considered to be in violation of this policy. In deciding what action to take, management will take into consideration the nature of the charges, the employee’s present job assignment, and the employee’s record with Dickinson County and other factors relating to the impact and circumstances of the employee’s arrest.

The safety of our employees and facilities, as well as the safety of the general public and our ability to fulfill our obligations under the Drug-Free Work Place Act of 1988, are of paramount concern.

While Dickinson County has no intention of intruding into the private lives of its employees, the County does expect employees to report for work, in a condition to do their duties. The County recognizes that employee’s off-the-job, as well as on-the-job, involvement with drugs, alcohol, and weapons can have an impact on the workplace and on our ability to accomplish our goal of a drug, alcohol and weapons free work environment.

Over-the-counter drugs and drugs prescribed by a physician for an employee’s personal use within the last twelve months from the date of drug testing and quantities not exceeding reasonable or specified dosage requirements are not subject to this policy. Any employee who is taking medication prescribed by a physician must be able to provide a record of the prescription, including the name of the medication, the prescribing physician’s name, the reason it was prescribed, and any limitations the prescription may place on the employee’s ability to perform assigned duties. Further, employees taking prescription or non-prescription medications are responsible for being aware of any potential effect such drugs may have on their reactions, judgment, or ability to perform their duties, and if impairment is possible, to report such use to their supervisor prior to reporting to work.

The County will conduct pre-employment testing for the following substances and for any other substances as may be required by state law, federal law, regulations or contractual agreement:

- Alcohol
- Hallucinogens
- Amphetamines
- Marijuana
- Barbiturates
- Methadone
- Benzodiazepines
- Opiate derivatives (heroin, morphine, codeine)
- Cocaine metabolites
- Phencyclidine (PCP)

The County reserves the right to conduct a periodic review of the foregoing list and to add additional drugs to the list, with or without notice.

Cooperation and compliance with Dickinson County’s Drug and Alcohol Policy is a condition on continued employment for all employees. Failure to comply with this policy may lead to disciplinary action up to and including termination of employment.
**Employees to be Tested**
Current and prospective employees shall submit to drug and alcohol testing both prior to employment and may be required to submit to testing at random intervals during employment. Any employee may be required to submit to testing with reasonable suspicion of drug and/or alcohol use. Any employee involved in an automobile accident or incident involving personal injury will be required to be tested as soon after the accident as possible.

Department of Transportation (DOT) Regulated Employees: For the purpose of assuring compliance with the above, both employees and applicants for safety-sensitive positions will be subject to random testing, pre-employment, reasonable cause, post-accident, (if tested positive) follow-up and return-to-duty testing. Safety-Sensitive DOT Regulated positions are those that require a Commercial Driver’s License (CDL) which includes all Road and Bridge Department Employees.

**Pre-Employment**
Each applicant for employment will be required as a condition of employment, to undergo a urine drug screen. Applicants will be asked to sign the Pre-Employment Offer and Employee Consent to Alcohol and Drug Screening. If an applicant tests positive and is determined to be in violation of this policy, the applicant will be ineligible for employment.

It is preferred that a new employee be tested prior to reporting for work. However, it is realized that under certain circumstances a new employee may start before test results are known. In such circumstances the employee’s hiring is conditional upon passing the drug test.

**Employee’s Responsibility to Report Prescriptions**
Unless an employee’s physician has advised the employee that the controlled substance they are taking does not adversely affect their ability to safely operator a motor vehicle or perform duties of the position, that employee should not drive under the influence of a prescribed controlled substance or perform those duties affected.

**Release of Information**
All drug and alcohol testing information will receive the highest level of respect in relation to confidentiality. Information regarding an individual’s testing results or rehabilitation may be released only upon the written consent of the individual, except that such information must be released, regardless of consent, to the Human Resources Director or the representative of a state agency upon request as part of an accident investigation. Statistical data related to testing and rehabilitation that is not name-specific and training records must be made available to the Human Resources Director or the representative of a state agency upon request.

**Storage of Testing Records**
All records relating to drug and alcohol testing will be kept in a locked file, separate from other regular personnel files.

**Procedures and Requirements of Drug Screen**

**Outline of Procedure**
An applicant or employee required to submit to a drug screen will be advised of the following:
1. Methods of drug/alcohol screening which will be used.
2. Substances which may be identified.
3. Consequences of a refusal to submit to drug/alcohol screening test or of a confirmed positive result; and
4. Reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

Consent Forms
An applicant or employee will be required to sign the necessary drug/alcohol screening consent forms established by the county or authorized by the collection site agency. Refusal to sign required drug/alcohol screening consent forms will be considered refusal to submit to a drug/alcohol screening test as a condition of employment and will be considered the equivalent of receiving a confirmed “positive” result for employment.

Screening Collection Location and Time
An applicant or employee shall be informed of the drug/alcohol screening specimen collection location and time. The applicant or employee shall be responsible for reporting to the collection site at the scheduled time, with a photo ID, and comply with the directions of the specimen collector.

1. An employee who is requested to submit to a drug specimen collection shall be given time off with pay for that purpose.
2. Failure by an applicant or employee to report to the collection site at the scheduled time will be considered refusal to submit to a drug/alcohol screen as a condition of employment or continued employment, and will be considered the equivalent of receiving a confirmed “positive” result. The applicant or employee shall not be utilized in a safety-sensitive capacity until cleared by the MRO (Medical Review Officer) or a SAP (Substance Abuse Professional)

Conditions of Drug/Alcohol Screenings
An individual offered employment and/or reassigned to a safety-sensitive position shall be required to take and pass a drug and alcohol screening test as a condition of employment or continued employment.

Screening and Collection Sites/Procedures
Collection sites for drug screening specimen collection will be established by the Third-Party Administrative provider. Drug testing of the specimen will be provided through an established and accredited laboratory that has completed certification to conduct drug testing by the U. S. Department of Health and Human Services (DHHS) and National Institute of Drug Abuse.

Alcohol Testing: Alcohol testing will be conducted by a certified Breath Alcohol Technician (BAT).
Chain-of Custody Practices: Strict chain-of-custody practices will be adhered to regarding urine specimen collection, transportation to the laboratory, during laboratory analysis, MRO review and reporting to the agency.
Split-Sample Specimen: All urine specimens collected will be split-samples.
Safety/Health Threat: An employee who is removed from the work site pending the results of a drug screening test because the employee is deemed by their immediate supervisor and the Dickinson County Human Resources Director to pose a threat to safety or health shall be on leave without pay.
Escort to Testing Site: Except in the case of random or new hire testing, an employee must not be allowed to drive to a facility for alcohol and drug testing.

**Medical Review Officer (MRO)**
The Medical Review Officer (MRO) is an agent of the Third-Party Administrator. The qualifications and functions of the MRO are available upon request from the Consortium.

All drug test results, whether positive or negative, will be reviewed by the MRO of the Third-Party Administrative provider, in accordance with 49 CFR Part 40.33. In the event of a presumptive positive, the MRO will contact the person whose specimen is was to determine what medications and/or the reason the test was returned positive. The MRO, based on his/her review of the information, will make the final determination of confirmed positive or negative. It is only after the MRO review that Dickinson County will be notified of the outcome of the test.

**Confirmed Positive Drug Screen Result**
**Confirmed Positive Result for Applicant**
An applicant who received a confirmed positive drug screen result or the equivalent shall have the offer of employment withdrawn and shall be subject to disqualification from application for Dickinson County employment for a period of two (2) years from the effective date of the disqualifying action.

**Tampering with Drug Screen**
**Applicant’s Tampering**
Any applicant for a Dickinson County position who intentionally tampers with a sample provided for drug screening, violates the chain-of-custody or identification procedures, or falsifies test results shall have the conditional offer of employment withdrawn. Such actions will be grounds for disqualification for all positions in Dickinson County service.

**Recordkeeping**
**Confidentiality**
Records relating to drug/alcohol testing will be maintained as confidential, available only on a strict “need to know” basis.

**Storage**
Records will not be kept in an employee’s regular personnel file.

**Release of Information**
Information regarding an individual’s drug and alcohol testing results or rehabilitation may be released only upon written consent of the individual, EXCEPT:

1. Such information must be released regardless of consent to a government agency as part of an accident investigation; or
2. Such information may be disclosed regardless of consent in a lawsuit, grievance or other proceeding initiated by or on behalf of the individual and arising from a verified positive drug/alcohol test.

**Mandated Requirements**
Records will be maintained according to mandated requirements.
607 Drug and Alcohol Testing Policy,
Effective Date: 1/2/2008
Revision Date: 6/6/2019

I. GENERAL

II. PROHIBITIONS

III. TESTS REQUIRED

IV. HANDLING OF TEST RESULTS, CONFIDENTIALITY

V. CONSEQUENCES FOR DRIVERS ENGAGING IN PROHIBITED CONDUCT

APPENDIX

A. Information concerning the effects of alcohol and controlled substances
B. DER and service agents
C. Job classification supplement
D. Dilute specimen negative information
I. GENERAL

A. Purpose

1. The Department of Transportation (DOT), Federal Motor Carriers Safety Administration (FMCSA) requires Dickinson County to establish a drug and alcohol testing program designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. Further, the purpose of this policy is to bring Dickinson County into compliance with all regulations, which require affirmative actions to eliminate the impact of the use of controlled substances and misuse of alcohol in the workplace.

2. This policy does not create any contractual rights in favor of employees to whom the Policy is applicable. Nor does this Policy in any way alter the at-will nature of employment or imply that discharge will occur only “for cause”.

3. The presence of controlled substances in the body as well as the use or possession of controlled substances and/or alcoholic beverages while on Dickinson County property, or in any Dickinson County vehicle, or on duty including breaks or lunch, paid or unpaid, on any shift is strictly prohibited.

4. Designated Employer Representative: (Appendix B) contains the name, address, and telephone number of the Designated Employer Representative (DER). The DER is authorized by Dickinson County to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer consistent with the requirements of 49 CFR Part 40.

B. Applicability

This policy applies to any employee of Dickinson County who holds a Commercial Driver’s License (CDL) and uses that license to operate a commercial motor vehicle. 49 CFR Part 382.107 defines these vehicles as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(1) Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
(2) Has a gross vehicle weight rating of 26,001 or more pounds; or
(3) Is designed to transport 16 or more passengers, including the driver; or
(4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F)

C. Testing Procedures

It is a condition of employment that all employees who hold a Commercial Driver’s License (CDL) and uses that license to operate a commercial motor vehicle submit to drug and alcohol testing. All testing conducted under this policy will follow procedures as set forth in 49 CFR Part 40. The procedures have been developed to protest the
employee and the integrity of the testing process, to safeguard the validity of the test results, and to ensure that the test results are attributed to the correct employee.

D. Definitions

Words and phrases used in this policy are as defined and found in 49 CFR Parts 40.3 and 382.107.

II. PROHIBITIONS

A. Alcohol

1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.

2. No driver shall use alcohol while performing a safety-sensitive function. This includes beverages containing alcohol or substances containing alcohol including any medication, mouthwash, food, candy, or any other substance that would cause alcohol to be present in the body.

3. No driver shall perform safety-sensitive functions within four hours after using alcohol.

4. No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until a post-accident alcohol test has been administered, whichever occurs first.

B. Controlled Substances

1. The Department of Transportation currently tests for: Marijuana, Cocaine, Amphetamines (Amphetamine, Methamphetamine, MDMA, MDA), Opioids (Codeine, Morphine, Heroin, Hydrocodone, Hydromorphone, Oxycodone, Oxymorphone) and Phencyclidine.

2. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance.

   a. ILLEGAL DRUGS: The use of any illegal drug or any substance identified in Schedule I through V of the Controlled Substance Act is prohibited at all times unless a legal prescription has been written for the substance. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

   b. MEDICAL MARIJUANA OR RECREATIONAL USE IF PROHIBITED UNDER THIS POLICY. The Federal Government and the Department of Transportation do not recognize Medical Marijuana prescriptions or Recreational Use. Federal Law always supersedes State law(s). Dickinson County shall follow all Federal Government regulations and guidelines regarding Medical Marijuana or Recreational Use and will not allow its employees, individuals, drivers, operators and/or contractors to be employed or perform work at any of Dickinson County’s locations or operations while on Medical Marijuana or Recreational Use.
c. **LEGAL DRUGS:** The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a supervisor. In addition, the employee must obtain a written release from a licensed medical practitioner releasing the person to perform their job duties any time they obtain a performance-altering prescription.

d. **PRESCRIPTION DRUGS:** A legally prescribed drug means that the employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient’s name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing safety-sensitive functions is prohibited.

e. **CBD OIL:** The claimed use of CBD oil shall not be considered a medical excuse for a positive marijuana test.

C. **Refusal to submit to a required alcohol or controlled substance test.**

No driver shall refuse to submit to an alcohol or controlled substance test required by 49 CFR Parts 40 and 382.

As an employee, you have refused to take a drug test if you:

1. Fail to appear for any test (except pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer
2. Fail to remain at the testing site until the testing process is complete
3. Fail to provide a urine specimen for any drug test required by this part of DOT agency regulations
4. In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of the provision of a specimen
5. Fail to provide a sufficient amount of urine when directed and it has been determined through a required medical evaluation, that there was no adequate medical explanation for the failure
6. Fail or decline to take an additional drug test the employer or collector has directed you to take
7. Failing to undergo a medical examination when required
8. Failing to cooperate when any part of the testing process
9. For an observed collection, fail to follow the observer’s instructions to raise and lower clothing above the waist, lower clothing and underpants, and turn around to permit the observer to determine if you have a type of prosthetic or other device that could be used to interfere with the collection process
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
11. Admit to the collector or MRO that you adulterated or substituted the specimen
12. Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations
13. Fail to provide a sufficient breath specimen, and the physician has determined through a required medical evaluation, that there was no adequate medical explanation for the failure
14. Failing to sign Step 2 of the alcohol testing form
15. The employee refused to wash his or her hands – after being directed to do so.

For Pre-employment Tests, the Following are NOT Refusals
1. Failure to appear for the test
2. Failure to remain at the site prior to the commencement of the test
3. Failure to provide a specimen before the test commences

III. TEST REQUIRED

A. Pre-Employment or Transfer testing

1. Any applicant offered a safety sensitive position or an employee transferring to a safety sensitive position must first take a pre-employment drug test. This applicant or employee must receive a verified negative test result before performing any safety sensitive function. Details of pre-employment testing and exemptions can be found in 49 CFR Part 382.301.
2. Dickinson County must request alcohol and controlled substances information from previous employers in accordance with the requirements of 49 CFR Parts 40 382.413 and 391.23 (e).
3. Applicants offered a safety sensitive position and employees transferring to a safety sensitive position must sign release of information forms allowing Dickinson County to receive alcohol and controlled substances information from previous employers.

B. Post-accident testing

1. As soon as practicable following an accident the driver of a commercial motor vehicle, operating on a public road in commerce, must be tested for alcohol and controlled substances under certain conditions.
   a. Alcohol testing must be conducted if a driver receives a citation for a moving violation within 8 hours of the accident.
   b. Drug testing must be conducted if a driver received a citation for a moving violation within 32 hours of the accident.
2. The driver who is subject to post-accident testing shall remain readily available for such testing (meaning that the employer knows the location of the driver). If employee leaves the scene of the accident prior to submission to such test, employee may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be considered to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of the accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The following chart defines when an accident has occurred and when testing must take place.
Details of post-accident testing and exemptions can be found in 49 CFR Part 382.303.

C. Random testing
All drivers that perform safety sensitive functions are subject to random drug and alcohol testing.

1. Random testing will be unannounced and unpredictable; spread reasonably throughout the calendar year. Testing will be conducted at all times of the day when safety sensitive functions are performed.
2. Employees are required to proceed immediately to the collection site once notified of testing.
3. Drug tests will be conducted anytime a safety sensitive employee is on duty. Alcohol tests will only be conducted on an employee immediately before performing, while performing, or just after performing a safety sensitive function.
4. The list of employees selected will be retained by the DER in a secure location.

Details of the random testing process can be found in 49 CFR Part 382.305.

D. Reasonable suspicion testing
All drivers that perform safety sensitive functions are subject to reasonable suspicion alcohol and/or drug testing. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse or alcohol misuse. A trained supervisor must make the determination to test based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Examples of reasonable suspicion include, but are not limited to, the following:

1. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse.
2. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
3. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.

Details of the reasonable suspicion testing process can be found in 49 CFR Part 382.307.
E. Return-to-duty
Details of the return-to-duty testing process can be found in 49 CFR Part 40, Subpart O.

F. Follow-up testing
Details of the follow-up testing process can be found in 49 CFR Part 40, Subpart O.

IV. HANDLING OF TEST RESULTS, CONFIDENTIALITY

A. Access to records

1. Except as required by law or expressly authorized by release by employee, Dickinson County will not release driver information that is contained in records required to be maintained under 49 CFR Part 40 and 382.
2. A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver’s use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance tests.
3. A driver’s testing records will be made available to a subsequent employer upon receipt of a written request from the driver.
4. Dickinson County may disclose information required to be maintained pertaining to a driver to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test result), (including, but not limited to, a worker’s compensation, unemployment compensation, or other proceeding relating to a benefit sought by the driver).

V. CONSEQUENCES FOR DRIVERS ENGAGING IN PROHIBITED CONDUCT

A. Use of drivers who fail or refuse a drug test.

1. General. Compliance with this drug testing policy is a condition of employment. Refusal to take a required drug test or failure of a drug test shall result in removal from performing safety sensitive functions. Additional disciplinary action up to and including termination may result.
2. Prohibitions on use: Dickinson County will remove from performing a safety sensitive function any employee who:
   a. Fails a drug test as verified by the Medical Review Officer (MRO), or
   b. Refuses to take a drug test required by this policy. (See Section II.C)
3. Required Referrals and Evaluation. Any applicant or employee who fails or refuses a drug test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.
4. An employee may be given an opportunity to retain his or her employment, provided they first do the following:
   a. Have been evaluated by a SAP, and
   b. Have completed the recommended evaluation/rehabilitation program successfully, and
   c. Receive a verified negative test result on the return-to-duty test.
B. Retesting of Drug Positive Samples
   1. General. An applicant/employee may request a retest of a positive sample, within 72
      hours of notification of the positive test result from the MRO. The request may be
      verbal or in writing to the MRO.
   2. Rest Provisions. The retest will be conducted at a different SAMHSA certified
      laboratory. The test will be conducted on the split sample that was provided by the
      applicant/employee at the same time as the original sample. All costs for such
      testing are to be reimbursed to Dickinson County by the applicant/employee unless
      the result of the split sample test invalidates the result of the original test. The
      method of collection, storing, and testing the split sample will be consistent with the
   3. Detection Levels. Because some analytes deteriorate or are lost during freezing
      and/or storage, quantitation for a retest is not subject to a specific cutoff
      requirement but must provide data sufficient to confirm the presence of the drug or
      metabolite.

C. Use of drivers who fail or refuse an alcohol test.
   1. General. Compliance with this alcohol testing policy is a condition of employment.
      Refusal to take a required alcohol test or failure of an alcohol test will result in
      removal from performing safety sensitive functions. Additional disciplinary action
      up to and including termination may result.
   2. Refusal and Prohibited Conduct: Dickinson County will remove from performing a
      safety sensitive function any employee who:
      a. Has a confirmed alcohol test result of 0.02 or higher but less than .04. This driver
         must be removed from duty for a minimum of 24 hours. This is not a positive
         test requiring a SAP referral.
      b. Fails an alcohol test with a confirmed result of 0.04 of higher
      c. Refuses to take an alcohol test required by this policy (See Section II.C)
   3. Required Referrals and Evaluation. Any employee who fails or refuses an alcohol test
      will be referred to a Substance Abuse Professional (SAP) for evaluation and
      treatment.
   4. An employee may be given an opportunity to retain his or her employment, provided
      they first do the following:
      a. Have been evaluation by a SAP, and
      b. Have completed the recommended evaluation/rehabilitation program
         successfully, and
      c. Receive a verified negative test result on a return-to-duty test.

D. All costs associated with the evaluation and rehabilitation program are the responsibility
   of the employee.

E. Employees should consult their health insurance policy for extent of nervous, mental and
   substance abuse coverage.

F. A second positive test whether drug or alcohol or the equivalent will result in immediate
   termination of employment.

G. Additional Requirements
Dickinson County may impose such additional disciplinary actions as they deem appropriate. This may include removal from performing covered functions, suspension (with or without pay), and even termination.

APPENDIX A

ALCOHOL AND CONTROLLED SUBSTANCES USE SUPPLEMENT

A. Why you should get involved:
1. Although Dickinson County has no history of substance abuse problems, we recognize that substance abuse, alcoholism and alcohol misuse are problems throughout America.
2. There are three good reasons why you should be concerned if any of your co-workers are using drugs or alcohol on the job.
   a. Your health and safety may be at risk.
   b. Substance abuse and alcohol misuse costs you money.
   c. Substance abuse and alcohol misuse creates a negative work environment.
3. According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated $102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.
4. Absenteeism among problem drinkers or alcoholics is 3.9 to 8.3 times greater than normal. If your fellow workers don’t come to work, you may have to do their jobs in addition to your own.
5. Workers who use drugs and/or misuse alcohol don’t function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity.
6. No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the company. Acceptance of any misuse put you, this company, and the public at risk.
7. Workers who use alcohol and other drugs affect everyone. Studies show that compared to alcohol and drug-free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more worker’s compensation claims.
8. The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, and tardiness, sick leave, insurance claims, and worker’s compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment and damage to the company’s public image means that workplace substance abuse can further cut profits and competitiveness.
9. Alcohol can destroy relationships, lead to serious problems with the law (drunk driving) and even cause harm to the people you love.
10. If taking drugs and drinking affects your work life, it could lead to job loss and all the financial problems that would follow.
B. Effects on an individual’s health, work, and personal life:

ALCOHOL
1. Alcohol is a central nervous system depressant. Taken in large quantities, it causes not only the euphoria associated with being drunk, but also adversely affects your judgment, ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.
2. Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.
3. In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

MARIJUANA
1. Marijuana is a central nervous system depressant. It causes a feeling of euphoria, increased sense of well-being, lack of motivation, lowered inhibitions, talkativeness, dry mouth and throat, increased appetite, impaired coordination, concentration and memory, and increased heart rate.
2. Long term use may result in deteriorating work performance, “burn out” involving muddled thinking, acute frustration, depression, and isolation, impaired sexual development and fertility, including production of abnormal sperm and menstrual irregularities, damage to the lungs and pulmonary system, hallucinations and paranoia, increased risk to safety and health as a result of impaired judgment and motor abilities.
3. Prolonged use of marijuana often results in psychological dependence for the user. Moreover, marijuana is considered a “gateway” drug. Casual users of marijuana often become chronic users, or become abusers of “harder” drugs.

COCAINE
1. Cocaine is a central nervous system stimulant. It causes brief but intense feelings of euphoria and competence, increases pulse, blood pressure, body temperature, and respiratory rate. It dilates the pupils of the eyes, causes extreme excitability and anxiety, and produces sleeplessness and chronic fatigue.
2. Long-term use results in bleeding and other damage to nasal passages, paranoid psychosis, hallucinations, and other mental abnormalities. Use causes impaired driving ability and death caused by heart or respiratory failure.
3. Cocaine users often become psychologically and physically dependent on the drug after relatively short periods of use. In many cases, crack cocaine use leads to virtual immediate addiction.

AMPHETAMINES
1. Amphetamine is a central nervous system stimulant. It causes feelings of alertness and euphoria, increases heart rate and blood pressure. It dilates the pupils of the eyes, decreases appetite, enables the user to go without sleep for relatively long periods of time, and causes distorted thinking.
2. Use causes dizziness, headaches, blurred vision, sweating, and loss of coordination, tremors, convulsions, physical collapse, anorexia, and malnutrition resulting from decreased appetite. It causes sudden blood pressure increases from injections resulting in fever, stroke, or heart failure, nervousness,
irritability, drastic mood swings, hallucinations, paranoia, physical collapse, and brain deterioration; overdose or continued heavy use can be fatal.

3. Amphetamines are addictive both physically and psychologically. Following the use of amphetamines, many users experience a "crash" which is often counteracted by taking more of the drug, creating an increasingly difficult pattern to break.

OPIATES
1. Opiates are central nervous system depressants. The physical effects of opiates depend on the opiate used, the dose, and how the drug is taken. Effects may include: short lived state of euphoria, followed by drowsiness, slowed heart rate, breathing and brain activity, depressed appetite, thirst, reflexes and sexual desire, and increased tolerance for pain.
2. The most common dangers associated with opiate misuse are: AIDS, blood poisoning, and hepatitis as the result of drug injection and use of un-sterilized or "shared" needles, death resulting from the injection of impure heroin, death resulting from an unexpectedly high purity of the drug, convulsions, coma, or death from overdose.
3. Opiates, particularly heroin, have an unusually high potential for abuse and addiction. Heroin addiction often leads to malnutrition, infection and unattended injuries and diseases. Addicts tend to continue using the drug despite damaging physical and psychological consequences.

Phencyclidine (PCP)
1. PCP is a central nervous system stimulant. The physical effects of PCP include: altered states of consciousness, disorientation, confusion, and memory loss; highly unpredictable and sometimes bizarre or even violent behavior; extreme agitation; impaired driving ability and increased tolerance to pain.
2. The most common dangers of PCP use are mental changes resembling schizophrenia, severe depression, and loss of learning abilities and violent and other "intoxicated" behaviors resulting in bodily harm or death.
3. Physical dependence on PCP has been documented and may be accompanied by memory loss, violence, weight loss and paranoia. Symptoms of withdrawal include headaches, intense craving for the drug, increased need for sleep, and "flashbacks" for a period of years.

C. Signs and symptoms of alcohol misuse – Any one or more of the following signs may indicate a drinking problem.

- Family or social problems caused by drinking
- Job or financial difficulties related to drinking
- Loss of a consistent ability to control drinking
- "Blackouts" or the inability to remember what happened while drinking
- Distressing physical and/or psychological reactions if you try to stop drinking
- A need to drink increasing amounts of alcohol to get the desired effect
- Marked changes in behavior or personality when drinking
- Getting drunk frequently
- Injuring yourself – or someone else while intoxicated
- Breaking the law while intoxicated
- Starting the day with a drink
D. Signs and symptoms of substance abuse – Any one or more of the following signs may indicate an abuse problem:

- Poor physical coordination/slow reactions and slurred speech
- The odor of marijuana smoke in the area
- Hand tremors or unsteady walking
- Dilated or constricted pupils
- Disorientation/unusual restlessness
- Combative behavior, loud arguing or fighting
- The presence of drug paraphernalia and/or observing the employee ingest, inject, smoke, or inhale (snort) a prohibited substance
- Work performance problems, including a deterioration in quality and/or quantity of work
- Problems with attendance such as tardiness and increasing absenteeism
- Increased accidents and injuries
- Poor judgment and difficulty in concentration
- Personality changes, including aggressiveness, mood changes, fearful or paranoid behavior
- Negligence in personal hygiene or pale or sickly complexion
- Social withdrawal, including isolation, overreaction to criticism, and lack of eye contact
- Emotional changes such as noticeable signs of anxiety or depression, paranoia, or excessive laughing

E. Available methods of evaluating and resolving problems associated with the misuse of drugs or alcohol:

1. Outpatient programs exist in a variety of settings:
   a. Community mental health centers
   b. Full service agencies
   c. Private physicians’ and therapists’ offices
   d. Occupational settings
   e. Specialized alcoholism treatment facilities

2. Inpatient services, designed for those with more serious problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.

F. Where to find help for you or a co-worker

- Employee Assistance Program (Your employee assistance program (EAP) provider)
  1-800-999-1196
- Al-Anon / Al-Ateen
  1-800-356-9996
- Narcotics Anonymous
  1-818-773-9999
APPENDIX B  Drug and Alcohol Testing Program Personnel and Services

1. DESIGNATED EMPLOYER REPRESENTATIVE (DER)
   Primary Contact
   Diane Greenough
   109 East First Street, Suite 208
   Abilene, KS 67410
   785-263-3120

   Secondary Contact
   Brad Homman
   109 East First Street, Suite 208
   Abilene, KS 67410
   785-263-3120

2. LOCAL COLLECTION SITE
   Memorial Hospital
   511 NE 10th St.
   Abilene, KS 67410
   785-263-2100

   In most instances the ComplianceOne mobile collector can do your collections on site. However, a local collection site has been set up for use when the onsite collector is unavailable.

3. MEDICAL REVIEW OFFICER (MRO)
   Nationwide Medical Review
   Steven Paschall, MD
   7160 Graham Road
   Indianapolis, IN 46250
   Local: 1-317-547-8620
   Toll-Free: 1-888-265-6362

4. CERTIFIED LABORATORY
   Clinical Reference Laboratory
   8433 Quivira
   Lenexa, KS 66215
   Toll-Free: 1-800-445-6917

5. EMPLOYEE ASSISTANCE PROGRAM (EAP)
   REFERRAL FOR SUBSTANCE ABUSE PROFESSIONAL (SAP)
   Employee Assistance
   Local 1-785-575-9343
   Toll Free: 1-800-999-1196
APPENDIX C

EMPLOYEE/SUPERVISORY POSITIONS
SUBJECT TO DRUG AND ALCOHOL TESTING

(JOB CLASSIFICATIONS/TITLES)

A. Road and Bridge Supervisor or Assistant Supervisor
B. Road and Bridge Foreman
C. Road and Bridge Equipment Operators
D. Road and Bridge Mechanic
E. All other Road and Bridge employees performing safety sensitive functions not listed in A-D above.
SUPPLEMENT
DILUTE NEGATIVE DRUG TEST RESULTS

This supplement explains what happens when an employer receives a report from the MRO of a negative dilute specimen and employer options.

A negative dilute specimen (Creatinine 5mg/dl to <20 mg/dl, Specific gravity between 1.01 and 1.003) is a specimen that contains an unusually high level of water concentration. Some of the ways this can occur are outlined below:

1. Donor may consume large amounts of water as part of their regular routine.
2. In the case of “shy bladder” collector may offer extra fluids in order to obtain a specimen.
3. Donor may consume large amounts of water in an effort to intentionally dilute the specimen causing drug concentrations to fall below the cutoff levels.
4. Donor may conceal additional water on their person and add to the specimen in an effort to deliberately dilute the sample.

As an employer you may establish different policies regarding dilute negative specimens based on different types of tests: Under 49 CFR Section 40.197, you have the following options:
   a. Accept a negative dilute specimen as a valid drug test.
   b. Require one recollection of the specimen.

The different types of tests are marked in which Dickinson County will accept a negative dilute specimen or require a repeat test to be performed.

<table>
<thead>
<tr>
<th>Type</th>
<th>Accept Test</th>
<th>Repeat Test</th>
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<tbody>
<tr>
<td>Pre-Employment</td>
<td>3</td>
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<tr>
<td>Post-Accident</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Reasonable Cause</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Return to Duty</td>
<td>3</td>
<td>3</td>
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<tr>
<td>Follow-Up</td>
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<td>3</td>
</tr>
<tr>
<td>Random</td>
<td>3</td>
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</tr>
</tbody>
</table>

1. You must treat all employees the same for this purpose. For example, you must not retest some employees and not others for each test type. Retests should be done as soon as possible and within the same selection quarter.
2. You are required to inform your employees in advance of your decisions on these matters.
3. You must ensure that the employee is given the minimum possible advance notice that he or she must go to the collection site.
4. You must treat the result of the recollected test as the test result of record.
5. You are required to follow the provisions regarding negative dilute specimens as outlined under Section 40.197 or 49 CFR Part 40.

Diane Greenough, Human Resource Director 5/30/2019
EMPLOYEE ASSISTANCE PROGRAM
Department of Transportation (DOT)
Safety Sensitive Positions

The goal of the Employee Assistance Program (referred to as EAP) is to assist employees of Dickinson County who may experience personal or emotional difficulties, which may affect job performance. Dickinson County has contracted with “Employee Assistance Program” to provide this service. The EAP is available to all safety-sensitive employees of Dickinson County and their immediate family members.

POLICY

• Dickinson County recognized that personal and emotional difficulties, which may include alcohol and drug problems, marital and family difficulties, stress, anxiety, depression, financial issues and workplace conflicts, may affect any employee.
• Dickinson County recognized personal and emotional difficulties can contribute to deteriorating job performance.
• Dickinson County encourages employees to utilize the services available through “Employee Assistance Program”. In addition, supervisors may utilize the resources of the EAP as an integral part of the intervention program when personal problems are suspected of causing poor job performance.
• Dickinson County acknowledges that use of the EAP does not in any way alter management’s responsibility or authority as an employer.
• Participation in the EAP will not in any way jeopardize future employment or career advancement; participation will not, however, protect the employee from disciplinary action or substandard job performance or rule infractions.
• Dickinson County recognizes and encourages employees to use the EAP on a voluntary basis. Dickinson County therefore agrees to help promote the EAP for employees and immediate family members who seek assistance with personal and emotional difficulties.

CONFIDENTIAL STATEMENT

• Dickinson County recognized that the success of the EAP will be enhanced by protecting the confidentiality of those employees utilizing the program.
• The “Employee Assistance Program” will not reveal the name of the employee who self refers to the EAP.
• Information supplied to Dickinson County on employees referred to the EAP, by a supervisor, will be limited to the following: acknowledgment of failed or kept appointments and acknowledgment of treatment compliance. Additional information, including specific diagnosis or treatment, will not be released unless the employee signs a release specifying the information to be released and to whom.
• All information regarding an employee’s participation in the EAP is part of the clinical record maintained by “Employee Assistance Program” and it subject to all state and federal confidentiality laws governing such medical records.
PROCEDURE

The Employee Assistance Program will be coordinated by an external agency, ComplianceOne. This program will include a toll free 1-800 number, available 24 hours a day, answered by licensed or certified master’s level mental health professionals who will provide crisis intervention, telephone assessment, and assistance with a referral to community resources if appropriate. The 1-800 Employee Assistance Program number will be provided to each individual.

All referrals, for face to face counseling, will be directed to the nearest community mental health center or appropriate agency for assessment and determination of the most appropriate level of care. These referrals would include coordination of the time, date, therapist, and location according to the caller’s convenience. A face-to-face contact, with a therapist, will be assured within specific time frames, according to the level of urgency. Dickinson County has provided two (2) face-to-face sessions, with no out of pocket expenses, per household per calendar year under this policy. All expenses incurred beyond these initial sessions, voluntary or mandatory, will be the responsibility of the employee.

VOLUNTARY REFERRAL

The EAP provides unlimited access to all employees and immediate family members, for use at their own discretion as needed. A mental health professional will listen and offer suggestions that might help. Crisis intervention, telephone assessment, and timely access to ongoing treatment resources is appropriate are available through “Employee Assistance Program”.

MANDATORY REFERRAL

Mandatory referrals may be made to the EAP by supervisors of Dickinson County. A mandatory referral shall be the result of a documented problem or problems related to poor job performance on the part of the employee. If a mandatory referral is made by a supervisor, the referral form shall be completed by the supervisor, signed by the employee and the form forwarded to the EAP coordinator of Dickinson County. The EAP coordinator of Dickinson County will contact the EAP counselor to alert them to the required contact. The employee will have 48 hours after signing the referral form to contact an EAP counselor by calling 1-800-999-1196 to set up a face-to-face meeting. The EAP counselor will confirm contact from the employee by notifying the EAP coordinator of Dickinson County. Failure to contact the EAP counselor within 48 hours, without just cause, may be grounds for disciplinary action, including termination.
MANDATORY REFERRAL

As an employee of Dickinson County I understand that I have been referred to the Dickinson County Employee Assistance Program (EAP). I understand that I must:

[ ] Contact the EAP counselor (SAP) within 48 hours of time designated below

A signed copy of this form will be presented to the EAP, as notification that I am a referral from Dickinson County.

I understand that if I do not follow the directions checked above, that I may be subject to disciplinary action up to and including discharge of employment with Dickinson County.

Name of Employee: ________________________________________________________________

Social Security Number: __________________________________________________________

_________________________________________________________  Date

Signature of Employee

_________________________________________________________  Date

Referring Supervisor

_________________________________________________________  Date

Designated Employer Representative

_________________________________________________________  Date  Time

(Continued on Next Page)
I, _______________________________________ (Name of Employee), authorize ComplianceOne, and/or its agents/service providers, to release the following individually identifiable health information regarding:

1. My initial contact with the Employee Assistance Program (EAP) counselor, Qualified Mental Health Professional (QMHP) or Substance Abuse Professional (SAP).
2. Confirmation of a face-to-face assessment/evaluation (for Mental Health or Substance Abuse), including the results of the assessment/evaluation (for Mental Health or Substance Abuse) of me by the QMHP or SAP and any recommendations the QMHP or SAP has made for treatment as outlined in the Mandatory Referral Checklist.
3. Confirmation of my admittance, including the date and estimated length of stay, to an appropriate treatment program (for Mental Health or Substance Abuse).
4. Confirmation of my attendance at all scheduled treatment appointments (for Mental Health or Substance Abuse).
5. My completion of the treatment program (for Mental Health or Substance Abuse).
6. My positive drug and/or alcohol test results.

I authorize ComplianceOne, and/or its agents/service providers to release the above information to the Designated Employer Representative of Dickinson County.

I also understand the purpose of this disclosure is to inform the Designated Employer Representative of Dickinson County of my compliance with this mandatory referral.

I also understand I may revoke this authorization at any time, except to the extent that the authorization has already been relied upon, by submitting such revocation in writing to the Designated Employer Representative of Dickinson County and ComplianceOne. Employee’s initials _________.

I further understand that this authorization will be valid for 90 days after my completion of the treatment program. Employee’s initials _________.

Printed name of employee:
________________________________________________________________________________
(Or employee’s representative)

Relationship of Employee’s Representative to Employee: _________________________________

Employee’s Social Security Number:
________________________________________________________________________________

________________________________________________________________________________
Signature of Employee or Employee’s Representative Date

________________________________________________________________________________
Witness Date
EMPLOYEE AFFIRMATION OF
DRUG AND ALCOHOL TESTING POLICY
EAP POLICY

As an employee in a safety sensitive position, I affirm that I have received, read and understand the Dickinson County Drug and Alcohol Testing Policy and educational materials. I am aware that I may be required to undergo a drug and/or alcohol screen as outlined by Dickinson County policy requirements and that I will be informed prior to the drug/alcohol screen; and, that I may be referred to an education and treatment program depending on the results of the drug/alcohol screen. I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with Dickinson County. I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with Dickinson County. I am aware and agree that the Policy does not create any contractual rights in my favor or in any way alter the at-will nature of my employment or imply that discharge will occur only “for cause”.

EAP Policy

As an employee of Dickinson County I affirm that I have received a copy of the EAP Policy and I have attended an employee awareness briefing on the implementation of this program. I am aware that I may be referred to an education and treatment program based on deterioration in my job performance. I agree to abide by all provisions of the EAP policy as a condition of my continued employment with Dickinson County.

_________________________________________________________
Employee Printed Name

_________________________________________________________
Employee Signature Date

_________________________________________________________
Dickinson County Representative Date
Dickinson County, KS

608 Anti-Harassment Policy and Complaint Procedure (includes Dating/Consensual Relationship Policy Provision)

Effective Date: 1/1/2008
Revision Date: 4/16/2013
Revision Date 4/26/2018

Dickinson County strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the company should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work and learn in a safe, yet stimulating atmosphere. For that reason, Dickinson County, will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, Dickinson County will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Dickinson County in compliance with applicable federal, state and local anti-discrimination and harassment laws and regulations enforces this policy in accordance with the following definitions and guidelines:

Discrimination
It is a violation of Dickinson County policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is whole or in part, the person’s race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

Harassment
Dickinson County prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker or any person working for or on behalf of Dickinson County. Verbal taunting (including racial and ethnic slurs) that, in the employee’s opinion, impairs his or her ability to perform his or her job is included in the definition of harassment.
The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy.

- Verbal harassment includes comments that are offensive or unwelcome regarding a person’s race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law, or appearance, including epithets, slurs and negative stereotyping.

- Non-verbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because race, color, creed, national origin, gender, citizenship, religion, disability, age, veteran status, sexual orientation, gender identity, LGBTQ status or any other status protected by law.

**Sexual Harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Dickinson County’s anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as “unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature…when…submission to or rejection of such conduct is used as the basis for employment decisions…of such conduct has the purpose or effect of ….creating an intimidating, hostile or offensive working environment.”

There are two types of sexual harassment:

- “Quid pro quo” harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

- “Hostile work environment,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it is supervisors, other employees or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Tests, e-mails, cartoons or posters of a sexual nature, vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.

- Is used as basis for an employment decision.
• Unreasonable interferes with an employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy.

• Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

• Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages; tweets and internet postings; or other form of communication that is sexual in nature and offensive.

• Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Courteous, mutual respectful, pleasant, non-coercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

Retaliation
No hardship, loss, benefit or penalty may be imposed on an employee in response to:
• Filing or responding to a bona fide complaint of discrimination or harassment
• Appearing as a witness in the investigation of discrimination or harassment
• Serving as an investigator of a complaint

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

Consensual Romantic or Sexual Relationships
Dickinson County strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may create the perception by others, that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships,
consent by the staff member is suspect and may be viewed by others or, at a later date, by
the staff member as having been given as the result of coercion or intimidation. The
atmosphere created by such appearances of bias, favoritism, intimidation, coercion or
exploitation undermines the spirit of trust and mutual respect that is essential to a healthy
work environment. If there is such a relationship, the parties need to be aware that one or
both may be moved to a different department or other actions may be taken.

If any employee of Dickinson County enters into a consensual relationship that is romantic or
sexual in nature with a member of his or her staff (an employee who reports directly or
indirectly to him or her), or if one of the parties is in a supervisory capacity in the same
department in which the other party works, the parties must notify the human resource
director. Because of potential issues regarding quid pro quo harassment, Dickinson County
has made reporting mandatory. This requirement does not apply to employees who do not
work in the same department or to parties who do not supervise or otherwise manage
responsibilities over the other.

Once the relationship is made known to Dickinson County, the county will review the
situation with human resources in light of all the facts (reporting relationship between the
parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or
both parties need to be moved to another job or department. If it is determined that one
party must be moved, and there are jobs in other departments available for both, the parties
may decide who will be the one to apply for a new position. If the parties cannot amicably
come to a decision, or the party is not chosen for the position to which he or she applied, the
parties will contact human resources, which will decide which party should be moved. That
decision will be based on which move will be least disruptive to the organization as a whole.
If it is determined that one or both parties must be moved, but no other jobs are available for
either party, the parties will be given the option of terminating their relationship or resigning.

**Complaint Process**
Dickinson County will courteously treat any person who invokes this complaint procedure,
and the county will handle all complaints swiftly and confidentially to the extent possible in
light of the need to take appropriate corrective action. Lodging a complaint will in no way be
used against the employee or have an adverse impact on the individual’s employment status.
Because of the damaging nature of harassment to the victim and to the entire workforce,
aggrieved employees are strongly urged to use this procedure. However, filing groundless or
malicious complaints is an abuse of this policy and will be treated as a violation.

**Managers and supervisors**
Managers and supervisors must deal expeditiously and fairly with allegations of
discrimination, harassment, or sexual harassment within their departments whether or not
there has been a written or formal complaint. They must:

- Take all complaints or concerns of alleged or possible harassment or discrimination
  seriously no matter how minor or who is involved.
- Ensure that discrimination, harassment or inappropriate sexually oriented conduct is
  immediately reported to HR so that a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring
during and after any investigations or complaints.
Managers and supervisors who knowingly allow or tolerate discrimination, harassment or sexual harassment or retaliation, including the failure to immediately report such misconduct to human resources, are in violation of this policy and subject to discipline.

Confidentiality
The employee assistance program (EAP) provides confidential counseling services to county employees. Individuals wishing to discuss an incident confidentially or seeking information and advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to Dickinson County of a potential harassment or discrimination issue (see below complaint procedure for more on how to notify the county of an issue or complaint).

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the complaining person will be protected to as great a degree as possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the county’s legal obligation to act on the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained by the county and those involved in the investigation. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.

Complaint procedure
Dickinson County has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The county will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. An individual who feels harassed, discriminated or retaliated against may initiate the complaint process by filing a complaint in writing with Dickinson County’s human resource (HR) director. No formal action will be taken against any person under this policy unless HR has received a written and signed complaint containing sufficient details to determine if the policy may have been violated. The complainant (the employee making the complaint) may obtain the complainant form from the HR department. If a supervisor or manager becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of an employee’s coming forward, the supervisor or manager should immediately report it to the HR director.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the HR director will notify the County Administrator and review the complaint with the county’s legal counsel.
3. Within five working days of receiving the complaint, the HR director will notify the person(s) charged [hereafter referred to as respondent(s)\(^*\)] of a complaint and initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. During the investigation, the HR director, together with legal counsel or other management employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
5. Within 15 business days of the complaint being filed (or the matter being referred to the HR director), the HR director or other person conducting the investigation will conclude the investigation and submit a written report of his or her findings.

6. If it is determined that harassment or discrimination in violation of this policy has occurred, the HR director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints made against the respondent; and d) the quality of the evidence (e.g. first-hand knowledge, credible corroboration).

7. If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR director may recommend appropriate preventive action.

8. Within five days after the investigation is concluded, the HR director will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.

9. The complainant and the respondent may submit statements to the HR director challenging the factual basis of the findings. Any such statement must be submitted no later than five working days after the meeting with the HR director in which the findings of the investigation are discussed.

10. Within 10 days from the date the HR director meets with the complainant and respondent, the county will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR director and other management staff as may be appropriate, and decide what action, if any, will be taken. The HR director will report the county’s decision to the complainant, the respondent and the appropriate management assigned to the department(s) in which the complainant and the respondent work. The county’s decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If a disciplinary action it to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

**Alternative legal remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.
Name of Claimant: ______________________________  Date __________

Department: __________________________________

Phone Number: __________________  E-mail: __________________________

Name of Accused: ________________________________________________

Department: ____________________________________

Relationship of the Accused to the Complainant (manager, co-worker, client, etc.)

______________________________________________________________

Date of Occurrence: ______________  (If more than one event, please report each event on a separate form)

Time of Occurrence: __________

Where did the specific event occur?

______________________________________________________________

______________________________________________________________

Please explain the events that occurred:

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________
How did you react to the situation? Did you take any action to stop perceived inappropriate behavior?

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

Describe the harm you have suffered as a result of the event.

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

Were there any witnesses to this specific event? (If yes, please provide their names.)

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

___________________________________________________________________

Is there any physical evidence that supports your complaint? If so, please describe or attach copy of evidence.
What would be your desired outcome of the investigation?

The information provided in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence Dickinson County deems relevant.

Signature of Claimant

Date

Please return this form to Human Resources.

609 Personal Appearance
Effective Date: 1/1/2008
Revision Date:
Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Dickinson County presents to customers and visitors.

During business hours or when representing Dickinson County, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance.

### 610 Resignation

**Effective Date:** 1/1/2008  
**Revision Date:**

Resignation is a voluntary act initiated by the employee to terminate employment with Dickinson County. Although advance notice is not required, Dickinson County requests at least 2 weeks written resignation notice from all employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire and also ineligible for payment of accrued vacation leave and one-third of their sick leave balance.

At termination the employee will receive his/her final paycheck on the first regularly scheduled payday following the termination. The last paycheck shall include the following:

- Regular earnings through the last day of employment except Department Heads who will be paid for a full month providing they actually work one-half of the month or more.
- Resignations and Retirement: If an employee leaves county employment with a two week written notice and works the entire two weeks, the employee will be paid one-third of their sick leave balance and all of their vacation leave balance.
- If Dickinson County, in its sole discretion, terminates employment for cause, forfeiture of unused all leave time may result.

### 611 Security Inspections

**Effective Date:** 1/1/2008
Dickinson County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, Dickinson County prohibits the possession, transfer, sale, or use of such materials on its premises. Dickinson County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of Dickinson County. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of Dickinson County (at an administrative level) at any time, either with or without prior notice.

Dickinson County likewise wishes to discourage theft or unauthorized possession of the property of employees, Dickinson County, visitors, and customers. To facilitate enforcement of this policy, Dickinson County or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto Dickinson County's premises.

### 612 Solicitation

**Effective Date:** 1/1/2008  
**Revision Date:**

In an effort to ensure a productive and harmonious work environment, persons not employed by Dickinson County may not solicit or distribute literature in the workplace at any time for any purpose.

Dickinson County recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

### 613 Progressive Discipline
Effective Date: 1/1/2008
Revision Date:

The purpose of this policy is to state Dickinson County’s position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels. All employees of Dickinson County are subject to this Progressive Discipline policy.

Dickinson County's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with Dickinson County is based on mutual consent and both the employee and Dickinson County have the right to terminate employment at will, with or without cause or advance notice. Dickinson County may use progressive discipline at its discretion.

Dickinson County supports the use of progressive discipline to address conduct issues such as poor work performance or misconduct and to encourage employees to become more productive workers and change their behavior to Dickinson County standards and expectations. It is Dickinson County policy to use progressive discipline when any employee violates standards of job performance and/or conduct. The County may, at any time, terminate the employment of any individual including when employees violate standards of job performance and/or conduct.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

Dickinson County recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Dickinson County. A corrective action form is available from the Human Resources Department. The warning form including documentation of the incident and previous applicable discipline will be
forwarded to the Human Resources Department to be filed in the official personnel file.

**Verbal warning:** A verbal warning is an oral reprimand given to an employee by his/her supervisor. The employee's supervisor will meet with the employee and inform him/her of the specific behavior that is unacceptable. The supervisor will clearly identify the behavior and set a time by which the situation must be rectified. A written record of this conversation will be placed in the employee's personnel file to document the conversation.

This tool is used to warn the employee that performance or conduct must improve or more serious steps will be taken. To initiate an oral warning:

- Meet with the employee to discuss the matter.
- Inform the employee of the nature of the problem and the action necessary to correct it.
- Complete the corrective action form to document the meeting and the nature of the warning.

**Written warning:** A written warning is a reprimand given to an employee by his/her supervisor. The employee's supervisor will meet with the employee and inform him/her of the specific behavior that is unacceptable. A written warning will state the nature of the offense, method of correction and action to be taken if offense is repeated. The supervisor will clearly identify the behavior and set a time by which the situation must be rectified. The written record will be placed in the employee's personnel file.

This tool is used to formally warn the employee that performance or conduct must improve or more serious consequences including job termination may follow.

- Meet with the employee to discuss the matter.
- Inform the employee of the nature of the problem and the action necessary to correct it.
- Complete the corrective action form to document the meeting and the nature of the warning.

**Suspension:** A suspension is the removal of an employee from service without pay for a specific period of time. The supervisor will clearly identify the behavior and set a time by which the situation must be rectified. The written record will be placed in the employee's personnel file.

Three to five days suspension is generally in order and must be discussed with Human Resources before suspension is given. The suspension will be given in writing and orally to the employee. Leave time will not be granted during the suspension.

**Termination:** Termination is the removal of an employee from County employment. Employees who are terminated from employment from Dickinson County will receive their final pay on the next regularly scheduled payday. Terminated employees may not receive payment for accrued leave.

This action must be discussed and approved by the Human Resources Department before terminating. Human Resources may consult legal counsel, if needed, before termination.
action is taken. Depending upon the severity of the misconduct, termination may be an immediate action or may be preceded by other disciplinary action as outlined above. Extensive written documentation is needed and is determined on a case-by-case basis.

Because employee discipline and termination has a direct impact on liability and unemployment insurance and associated ratings of Dickinson County government, this section applies equally to all departments.

NOTE: Demotion or salary reduction may occur at the discretion of the department head.

Procedures for Disciplinary Action
Whenever the misconduct of an employee occurs that in the opinion of the employee’s supervisor requires the application of disciplinary action to correct, the supervisor will carry out the following:

- Document the misconduct in writing
- Determine the appropriate disciplinary action to correct the problem
- Meet with the employee to review the problem and the proposed disciplinary action. The meeting should be private and include the employee, supervisor, department head or other person requested to be present by the department head.
- Give the employee an opportunity to refute the facts or argue against the proposed disciplinary action. The employee may submit comments in writing to be attached to the record for the disciplinary action.
- The supervisor or department head shall make the final decision in the disciplinary action or sanctions.
- The employee shall be notified of the action in writing for all disciplinary actions. A copy of the documentation of misconduct and disciplinary action shall be given to the Human Resources Director for placement in the employee’s personnel file.

In case of acts of violence or other flagrant misconduct, serious safety violations, or criminal offenses, any employee may be suspended immediately pending an investigation and review of the matter.

An employee may be suspended with pay when he or she has been arrested for a crime and is awaiting final judgment. An employee may be suspended with or without pay when he or she has been charged with “improper conduct” while on the job and an internal investigation is being conducted.

The following may result in disciplinary action, up to and including discharge.
- Violation of the County’s policies or safety rules
- Insubordination, disobedience
- Unauthorized possession, use or sale of alcohol or controlled substances on work premises or during working hours
- Theft or dishonesty
- Physical or Sexual harassment
- Disrespect toward fellow employees, visitors or other members of the public
- Poor attendance or poor performance
- Intoxication during working hours

This list is intended to be representative of the types of activities that may result in
disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the County. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

In the event of dismissal for misconduct, all benefits end at the end of the month. COBRA may not be available to anyone dismissed from Dickinson County for gross misconduct.

614 Separation of Employment

Effective Date: 1/1/2008
Revision Date:

Separation of employment can occur for several different reasons. Employment may end as a result of resignation, retirement, release (end of season or assignment), and reduction in workforce or termination. When an employee separated from Dickinson County, his or her supervisor must contact Human Resources to schedule an exit interview, typically to take place on the employee’s last workday. The department head is also responsible for completing a Personnel Change form and submitting to Human Resources.

**TYPES OF SEPARATION**

Resignation:
Resignation is a voluntary act initiated by the employee to end employment with Dickinson County. The employee should provide a minimum of two weeks’ notice prior to resignation. If an employee does not provide advance notice or fails to actually work the remaining two weeks, the employee will be ineligible for re-hire and not receive accrued benefits. The resignation date must not fall on the day after a holiday. The resignation must be made in writing and include the last day of work and reason for leaving and filed with Human Resources.

Retirement:
Employees who wish to retire are required to notify their department head and the Human Resources Department in writing at least one (1) month before planned retirement date.

Job Abandonment:
Employees who fail to report to work or contact their supervisor for three consecutive workdays shall be considered to have abandoned the job without notice effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resources Department at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for re-hire.

Termination:
Employees of Dickinson County are employed on an “at-will” basis, and the County retains the right to terminate an employee at any time.

Reduction in Workforce:
An employee may be separated because of changes in duties, organizational changes, lack
of funds or lack of work.

Release:
Release is the end of temporary or seasonal employment

Automatic Termination
If an employee has not returned to full-duty status from an authorized leave of absence, he/she will be automatically terminated. An employee will be considered unable to return to work if he or she cannot perform the essential functions of the job in full capacity, with or without reasonable accommodation. Under no circumstances may an employee be absent from the workplace for more than one (1) consecutive year, unless on Military Leave.

OUT PROCESSING
Return of Property:
The separating employee must return all County property at the time of separation, including but not limited to uniforms, cell phones, keys, PCs, identification cards. Failure to return some items may result in deductions from final paycheck. An employee will be required to sign a wage reduction authorization agreement to deduct the costs of such items from the final paycheck.

Exit Interview:
The separating employee shall contact the Human Resources Department as soon as notice is given to schedule an exit interview. The interview will be on the employee’s last day of work or other day as mutually agreed upon.

Health Insurance:
Health insurance terminates on the last day of work. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided by the health insurance plan in which the employee is currently enrolled. Employees will be required to pay their share of the health and dental premiums through the last day of work.

Re-hire:
Former employees who left Dickinson County in good standing and were classified as eligible for re-hire may be considered for re-employment. An application must be submitted to the Human Resources Department, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisor must obtain approval from the Human Resources Director prior to re-hiring a former employee. Re-hired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or other benefits.

Bar from Employment:
An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for re-hire.

615 Post Resignation/Termination Procedures
Effective Date: 1/1/2008
Revision Date:

When appropriate, Human Resources will attempt to schedule and conduct an exit interview with the terminated employee. An exit interview helps the County to obtain information that may be useful in improving employee relations as well as provide additional information to the terminated employee regarding KPERS, COBRA, etc.

The employee’s department head must complete a Personnel Change form provided by the Human Resources Department. This form must be completed to ensure that the employee is terminated in a uniform and consistent manner from all appropriate systems, that County property is reclaimed and that the employee’s final paycheck is paid in accordance with federal and state laws or regulations.

All terminated employees will be paid in accordance with state and federal laws. Earned but unused paid leave will be paid in accordance with each leave policy.

Health and dental insurance for a terminated employee will terminated the last day of the employment. Human Resources is responsible for terminating all insurance and notifying the employee of his/her conversion rights.

Exit Interview
Human Resources may schedule an exit interview with a terminating employee on the employee’s last day of employment and for arranging the return of Company property including:

- County ID Badge
- Office Keys
- County-issued credit cards
- County manuals
- County cell phone or pagers
- Any additional County-owned or issued property

Benefits end on the last day of employment. An employee, unless dismissed for gross misconduct, has the option to continue medical/dental benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) regulations.

If an employee is in the KPERS retirement plan, information regarding this plan will be provided at the exit interview.

616 Problem Resolution
Dickinson County, KS

Effective Date: 1/1/2008
Revision Date:

Dickinson County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Dickinson County supervisors and management.

Dickinson County strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Dickinson County in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor within 2 calendar days, after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Department Head or any other member of management.

2. Supervisor responds to problem during discussion or within 7 calendar days, after consulting with appropriate management, when necessary. Supervisor documents discussion.

3. Employee presents problem to Human Resources Director within 2 calendar days, if problem is unresolved.

4. Human Resources Director counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s), if necessary, and directs employee to Board of County Commissioners for review of problem.

5. The Board of County Commissioners reviews and considers problem. Board of County Commissioners informs employee of decision within 30 calendar days, and forwards copy of written response to Human Resources Director for employee's file. The Board of County Commissioners has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

617 Workplace Etiquette
Dickinson County, KS

Effective Date: 1/1/2008
Revision Date:

Dickinson County strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. Dickinson County encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the Human Resources Office if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all your pages.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked up.
- Be careful not to take or discard others' print jobs or faxes when collecting your own.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- Clean up after yourself and do not leave behind waste or discarded papers.
Dickinson County, KS

KWORCC MANDATORY POLICIES

701 Coverage for Volunteer Workers and Prisoners/Community Service Workers

Effective Date: 1/1/2008
Revision Date:

KWORCC Mandatory Policy

KWORCC Member Counties are required to file a K-WC-123 to cover all volunteer workers and/or a K-WC-135 to cover all prisoners or community workers who perform services for the Member County. It is mandatory under the Kansas Workers Compensation Act that the employers "elect in" such workers so that they are eligible to receive workers compensation benefits and are limited to workers compensation as their exclusive remedy for on-the-job injuries.

702 Independent Contractors - KWORCC

Effective Date: 1/1/2008
Revision Date:

KWORCC Mandatory Policy

By virtue of membership in the KWORCC pool, each Member County agrees to require that all individuals or business (contractors) who perform any type of service or work (other than those exclusively supplying goods) to enter a written agreement with the County that requires the contractor at all times to maintain workers compensation insurance coverage and to provide written proof of such coverage. The proof of insurance shall be presented to KWORCC at time of payroll audit. In the absence of such proof of insurance or other similar evidence, KWORCC shall have the discretion to include such expenditures in the Member County's payroll at the time of audit. If workers compensation benefits are paid by KWORCC to any employee or agent working for such contractors as a result of an on-the-job injury while performing for Member County, KWORCC shall have the right to charge said Member County the premium on the dollar amount paid for work performed by the contractor.

703 Autopsies - KWORCC

Effective Date: 1/1/2008
Revision Date:

KWORCC Mandatory Policy

In the event that an employee’s death occurs suddenly and the cause of death is not apparent, it shall be the policy of Dickinson County to direct the county coroner to conduct an autopsy.

NOTE: Pursuant to K.S.A. 22a-231 and K.S.A. 22s-232, when a person dies by casualty (which would include an on-the-job injury), the coroner shall be notified and shall take charge of the dead body, make inquiries regarding the cause of death and reduce the findings to a report in writing. Such report shall be filed with the clerk of the district court of the county in which the death occurred.