

January 6, 2025



Crook County  
Employee Policy Handbook  
November, 2022

**CROOK COUNTY EMPLOYEE POLICY HANDBOOK  
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## WELCOME

It is our pleasure to welcome you to CROOK COUNTY ("County"). This Employee Policy Handbook is being provided as a guide to your day-to-day work.

We hope your employment with us will be long and enjoyable. This Handbook is intended to serve as a guideline only and is not an employment contract or a guarantee of continued employment or employment for any specific length of time. **The County and you have an "at-will" work relationship. That means that either the County or you can end the employment relationship at any time, with or without notice, with or without reason.**

It is not possible to anticipate every workplace situation or to provide information for every possible question. Please feel free to consult with your supervisor or the designated human resources administrator if you have any questions or concerns about the policies included in this handbook or any issues that may not be addressed.

The County Court reserves the right to amend, modify, rescind, delete, supplement or revise any policy included herein at any time with or without notice. However, the County will make reasonable efforts to provide employees with notice of any changes to this Policy Handbook and this Handbook is available for review in the County's administration office.

Occasionally, these policies may conflict with the provisions of a collective bargaining agreement. In case of any conflict between these policies and the provisions of a collective bargaining agreement, the provisions of the collective bargaining agreement will control. When collective bargaining agreements are silent on a particular issue, the policies of the Handbook will guide County action related to administration of policy.

Please familiarize yourself with the contents of this handbook and, again, welcome.

## **I. GENERAL**

### **AT-WILL EMPLOYMENT:**

The employment relationship is at-will and either the County or the employee may terminate the relationship at any time with or without cause and with or without notice. The County believes this policy benefits both the County and the employee by allowing the flexibility to make decisions that serve the best interests of each party. This at-will relationship cannot be altered except by written agreement signed by the employee and the County Court. An exception applies for employees subject to a collective bargaining agreement, whose employment relationship will be governed by the terms of that agreement.

### **OPEN-DOOR POLICY:**

Employees are a valuable source of innovative and interesting ideas and suggestions. Any suggestions, questions or complaints an employee has about his or her job should be frankly and fully discussed with management. Open discussion will help prevent major problems and will improve County operations. To make sure questions, suggestions and complaints are heard, the County Court requests that employees visit with their managers or supervisors, or the designated administrator of human resources at any time.

### **EQUAL EMPLOYMENT OPPORTUNITY:**

It is the policy of Crook County to employ, retain, promote, discharge and otherwise assess all job applicants and employees on the basis of their merits, qualifications and competence. Crook County is an equal opportunity employer, and as such, we consider individuals for employment according to their abilities and performance. Employment decisions are made without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, veteran status, military status (except for Veterans Preference as described in the employment application), association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed.

Any job applicant or employee who believes he or she has been discriminated against because of any protected classification is encouraged to bring his or her concern to the County Counsel who is the designated EEO Officer for the County. Concerns will be investigated immediately and resolved in accordance with Oregon and federal laws. (If the complaint relates to the County Counsel, the job applicant should bring his or her concern to the County Judge.)

### **AMERICANS WITH DISABILITIES ACT (ADA):**

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities. Individuals still need to be "qualified" for the job, and not pose a "direct threat."

Individuals may be protected under the ADA if any of the following conditions exist:

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- They currently have a physical or mental impairment that substantially limits a major life activity.
- They have a record of such an impairment, physical or mental, that substantially limits a major life activity; or;
- They are perceived to have such impairment.

Episodic or in remission conditions may meet the definition of a disability if it would substantially limit a major life activity when active.

Temporary, non-chronic impairments of short duration, with little or no residual effects usually are not considered disabilities under ADA. Examples of, but not limited to, impairments that typically would not meet the ADA definition of a disability: common cold, seasonal or common influenza, joint sprain, minor and non-chronic gastrointestinal disorders or broken bones that are expected to heal completely.

The use of ordinary eyeglasses or contact lenses that are intended to fully correct visual acuity or eliminate refractive error, typically are not considered disabilities under ADA.

Reasonable accommodations may be available to individuals with temporary impairments, including impairments related to pregnancy.

Individuals who currently engage in illegal use of drugs are excluded from ADA protection.

The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse/significant other, etc.) with a disability.

Crook County offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought by a disabled individual. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or the function is so highly specialized that an expert must be specially hired to perform it.

Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn't cause undue hardship for Crook County. Individuals protected by the ADA should discuss their need for possible accommodation with their manager and Human Resources.

### **GENETIC INFORMATION NON-DISCRIMINATION ACT (GINA):**

Crook County does not discriminate against applicants or employees based upon either the employee's or the employee's family genetic information; nor does Crook County use genetic information in employment decisions.

Once a condition manifests itself, the GINA no longer applies. More detailed information about GINA is available on the EEOC poster placed on the employee bulletin board.

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Genetic information and Wellness Programs: Employees may be asked to sign voluntary waivers, in which, the employee acknowledges that his/her genetic information will only be provided to licensed health care professionals or board-certified counselors involved in the wellness program. There is no penalty for non-participation.

## **DEFINITIONS:**

“Department” means a unit of administration accountable to the County Court or the electorate of Crook County. The term “department head” encompasses elected officials.

“Division” means a unit of administration accountable to a department head. A “division head” is a supervisor.

“County Court” means the elected body consisting of a county judge and two commissioners, or a successor board of commissioners as may be constituted in the future.

“Human Resources Director” means that position or positions designated by the County Court to manage personnel-related issues including but not limited to recruitment, hiring, firing, discipline, negotiation and administration of benefits, management of grievances, labor negotiations and other activities as required to manage the personnel system. The functions of human resources may be carried out by a single individual, County Counsel, the County Treasurer, the County Judge, an appointed administrator or any other position designated by the County Court or any combination of positions or staff persons designated by one of the previously designated positions.

“County administrative office” means the office of the County Court.

“County administrative officer” means the County Judge, a County administrator designated by the County Court, another administrative officer designated by the Court, or the County Counsel when authorized to act by the County Court.

“Payroll office” means the office of the county treasurer or such office as the County Court may designate in the future to prepare, administer, and coordinate County payroll and benefits.

“Designated human resources officer” means County Counsel or such other position as the County Court may designate.

“Employee” means all persons compensated on County payroll for employment related services, including elected officials except to the degree that the term is used in the context of control. Nothing herein is intended to imply that an elected official is under the control of the County Court in the discharge of his or her official duties. It does not include independent contractors doing business with the County.

## II. EMPLOYMENT POLICIES AND PRACTICES

### RECRUITMENT AND SELECTION:

It is the policy of Crook County to recruit and select the most qualified persons for employment with the County. Recruitment and selection is conducted in a manner designed to ensure open competition, provide equal employment opportunity and to prohibit any form of discrimination based on any protected classification established by federal, Oregon or local law.

Each department head, manager or supervisor, including elected officials service as formal department heads but subject to applicable law and the provisions herein regarding the District Attorney and Sheriff, is responsible to recruit, select, evaluate, discipline and, subject to County Court approval, terminate employment of those within the manager's area of authority. The Human Resources Director (or County Counsel or County Judge, when the position of Human Resources Director is vacant) will provide guidance and will monitor personnel actions to ensure uniform compliance with county, state and federal policies, statutes and regulations. The County Court or its designee will be the final authority in all personnel matters.

Recruitment will be tailored to the position being filled. Except for job announcements that are only posted internally for application by current Crook County employees, job announcements will be publicized in appropriate media (generally the newspaper of record at least once and/or on the Crook County website for at least three days; however, other appropriate media such as internet job sites, alternative newspapers and/or professional journals may be substituted). In addition to or in lieu of public posting, written notification may be sent to the local Employment Department not less than seven (7) days prior to the selection process. When the Employment Department is utilized for sole-source recruitment, no notice is required.

Applicants will be screened based on the requirements of the position applied for. No applicant will be required to provide or suggested to provide their personal passwords associated with a personal social media account, or be asked to add Crook County to the applicant's list of contacts associated with a personal social media website. In interviewing candidates, department managers/supervisors are required to use an interview committee consisting of individuals with whom the new hire will be required to work closely and/or individuals with similar job responsibilities. Interview committees should consist of a minimum of three people, including the department head or supervisor. Each department manager or supervisor is responsible for selecting and managing the interview committee and selecting the successful applicant, but the final hiring authority, where appropriate, shall rest with the County Court. Final approval by the County Court will be granted if the position is classified and budgeted, if application process is handled in accordance with all mandatory policies and laws and the applicant meets or exceeds the established minimum qualifications.

The recruitment and hiring of department heads shall be in a manner determined by the County Court.

- ***Internal Applicants***

Crook County encourages its existing employees to seek out additional responsibility. County employees may apply for open positions either before or after the positions have been publicly



posted. In such cases, the hiring supervisor or manager may, at his or her discretion, subject to the approval of the County Judge, forgo the hiring procedures outlined herein and select the internal candidate.

- ***Special Provisions Related to Advancement of Part-Time and Temporary Employees***

Occasionally, a temporary, seasonal or part-time employee may wish to seek full-time or regular employment status with the County or a department head may wish to solicit a temporary, seasonal or part-time employee to accept full-time or regular employment. Such advancement shall be authorized without benefit of a competitive hiring process, provided that the position for which the temporary, seasonal or part time employee was originally hired was recruited utilizing a competitive process.

A temporary employee may be hired without the benefit of a competitive hiring process. "Temporary" means employment of less than 1560 hours duration in a twelve-month period in any single position or single department. For the purposes of this section, "temporary" does not include "seasonal" employees who have a reasonable expectation of being hired on a short-term basis for two or more successive years.

- ***Special Provision Related to Hiring from Prior Applicant Pools***

A department head may, without engaging in further recruitment, hire from a pool of applicants derived through advertising for the same or another position with the County within the previous 12 months.

- ***Hiring of Minors***

Oregon employers who hire minors must apply for and obtain an annual employment certificate from the Child Labor Unit of the Bureau of Labor and Industries. Please contact Human Resources for further information.

- ***Veteran's Preference in Hiring***

All things being equal, Crook County may give preference to veterans, when making hiring decisions; Crook County does not discriminate against individuals based on current or prior military service.

## **EMPLOYMENT APPLICATION FORM:**

The employment application form completed by an applicant prior to being hired is an important document and is an important part of the hiring process. The application shall be a permanent part of the employee's personnel record. Crook County will check some or all of the information provided on the application form and may conduct background checks on applicants or, if hired, County employees. If it is determined that an applicant for employment has provided false, inaccurate or misleading information on the employment application form or at any point during the application process, the individual shall be disqualified from consideration for employment with County or, if hired, shall be subject to termination of employment.

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All employees are subject to criminal background checks either before or after their hire date. An adverse criminal background is grounds for termination. An employee may not begin employment prior to the criminal background check being completed. An adverse criminal background is not an absolute bar to County employment, but full disclosure by applicants of prior criminal history is essential to fair consideration of the nature of the conviction and its relationship to the position for which an applicant is being considered. Failure to fully disclose a criminal history at the time of application is grounds for termination even if an employee already started working for the County. Disclosed information may be used to disqualify an applicant from further consideration when, in the sole judgment of the County, such criminal history may threaten the integrity of County operations, or may reflect poorly upon the public image of the County.

All employees are asked to provide on their hire date documentary proof that they are eligible to work legally within the United States. Based on the I-9 requirements, the employee must complete Section 1 on their first day of employment, and provide acceptable documentary proof for Section 2 within three business days. In conformity with the Immigration Reform and Control Act of 1986 (IRCA), we hire only those who are eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform Crook County immediately if their eligibility changes.

After an individual is employed by Crook County (as allowed by law) Crook County may choose to use the federal E-Verify program to validate social security numbers, or Crook County may use other methods for verifying social security numbers. The I-9 and all associated documents will be held in secure, confidential storage.

Expired documents are not valid documents for I-9 purposes.

### **CLASSIFICATION OF EMPLOYMENT:**

All employees are classified for compensation, overtime and benefits purposes as follows:

- ***Full-Time Regular Employee***

An employee, other than a temporary or seasonal employee in a position for which the employee is expected to work 40 hours during a workweek for a period in excess of six months. The County Court may establish a lower hour requirement to qualify for full-time, regular status during periods of budgetary constraints or as otherwise determined by the County Court.

- ***Part-Time Regular Employee***

An employee in a position for which the employee is expected to work less than full-time for a period in excess of six months.

- ***Temporary Employee***

Either a full-time or part-time employee who is hired to work in any one department for no more than 1,560 hours in any 12-month period. Temporary employees may, at times, be hired for consecutive assignments. Temporary employees are not eligible for benefits, other than those required by statute.

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- ***New-Hire Employee***

An employee who has not yet completed his or her initial six-month review period with the County.

- ***Seasonal Employee***

Either a full-time or part-time employee hired for a position that is seasonal in nature and will not last longer than seven months in a twelve-month period. Seasonal employees are not eligible for benefits, other than those required by statute.

- ***Volunteers and Unpaid Interns***

Volunteers and unpaid interns will not receive pay or be eligible for benefits. Unpaid interns will perform work for educational purposes, and will be afforded legal protections as provided by Oregon law.

- ***Nonexempt Employee***

An employee whose position is not exempt from overtime pay requirements because the employee's position does not meet the overtime exemption criteria under the Fair Labor Standards Act (FLSA) and State of Oregon wage and hour laws.

- ***Exempt Employee***

An employee whose position meets the criteria for exemption from overtime pay under the FLSA and State of Oregon wage and hour laws, generally including management, supervisory, administrative, professional and other classifications of employees whose positions are exempt under the law from overtime pay requirements. An employee's status as exempt is determined based on the nature of work performed. The manner in which an employee is compensated (hourly versus salary) is not indicative of exempt status.

Employees will be informed of their appropriate classification and whether they are "exempt" or "non-exempt" at the time they begin their employment with Crook County. A job classification may change as an employee's position or job duties change. Any employee who has questions about his or her job classification or their "exempt" or "non-exempt" status, should direct their questions to their supervisor or the Human Resources Director.

- ***Position Compensation Grading***

The Grading System:

The County Court establishes initial position classifications and grade level for all positions in Crook County employment.

The objectives of the classification and grading systems are:

- To provide like pay for like work;
- To establish qualification standards for each position and a basis for recruiting, testing and other selection purposes;

- To provide appointing authorities with a means of analyzing work distribution, areas of responsibility, lines of authority, and other relevant relationships between individuals and groups of positions;
  - To assist appointing authorities in determining personnel service costs and projections for annual budget requirements;
  - To provide a basis for developing standards of work performance;
  - To establish lines of promotional opportunity;
  - To identify employee training needs and development potential;
  - To provide uniform and meaningful titles for all positions;
  - To provide the fundamental basis of the compensation program and other aspects of the personnel program;
  - To develop written descriptions for all positions; and
  - To standardize position titles such that each indicates a defined range of duties and responsibilities and has the same meaning throughout the Crook County organization.
- ***Use of Position Titles***

Position titles are used in all personnel accounting, appropriation and financial records. No one will be appointed to or employed in a position under a title not included in the classification or grading plan. Other job titles may be used in the course of departmental routine as a working title, in official correspondence, and in other circumstances not having to do with the personnel process covered by these policies.

- ***Employee Compensation Committee***

The County Court may establish a committee of County staff for the purpose of applying a formula, adopted by the County Court, to determine the compensation grade of a given position. The committee may be convened upon either the creation of a new position or upon referral by the Human Resources Director for a completed re-grading request as described below. The duties of the committee may be established or modified by order or resolution of the County Court.

- ***New Positions or Modification of Responsibilities***

Whenever a new position is established, or duties of an existing position change, the department manager or supervisor shall submit to the Human Resources Director a written comprehensive job description describing the duties of such position in detail. The Human Resources Director will then review the information for evaluation and possible re-grading, and, if the information is found sufficient, refer the matter to the compensation committee. The committee will evaluate the information provided and submit a recommendation to the Crook County Court. When an employee is promoted internally to fill a new position, the classification or grading for the new position shall apply immediately on the effective date of appointment and no reclassification process is required.

- ***Re-grading***

Whenever a position is re-graded from a lower grade to a higher grade or vice-versa, the method of filling the position is determined in accordance with the policies regarding transfers, demotions, or promotions, as appropriate. However, the incumbent of any re-graded position may be eligible for appointment to the new position without further examination.

- ***Request for Grading Review***

A department manager or supervisor may request that a position within his or her department be evaluated for re-grading during the period January 1 – March 31 of each year, prior to the preparation of the annual budget. An individual employee seeking such a review should discuss his or her request with his or her department manager or supervisor and the reasons he or she believes a re-grading is justified.

In requesting re-grading, it is important to remember that the grading system for purposes of comparing job duties looks only at pay grade. Pay steps within a pay grade are based on job performance and advancements to higher pay steps within a pay grade are determined on merit. Requests for reclassification into a new “step” are not permitted.

To initiate a re-grading, the department manager or supervisor shall prepare a revised job description and submit the revised job description along with the employee’s current job description to the Human Resource Director. The revised job description should accurately reflect the duties of the position. The department manager or supervisor shall also submit an accompanying memo outlining the reasons he or she believes the position should be reclassified. The memo must address each of the following considerations:

- What duties and responsibilities does the employee perform which were not considered in classifying the employee at his or her present level?
- What additional duties or responsibilities, if any, has the employee assumed in her or his position that justify reclassification?
- What additional supervisory responsibility, if any, has the employee assumed in her or his position that justify reclassification?
- What demonstrated cost-savings, if any, has the employee’s work provided to the County?

If demonstrating cost savings, the supervisor must indicate where funds may be transferred within the current-year budget from either personal services, materials and services or capital outlay because reclassification of the employee in question will result in savings. Alternatively, the supervisor may show reductions in current-year budget from prior year budget or may show that due to increased responsibility, a needed position will not be required in a future-year budget.

Assertions that an employee is “under-compensated,” that an employee is performing at a level that exceeds expectations or that an employee is compensated at a different rate than another County employee in another department shall only be considered during a County-wide comprehensive compensation study.

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When in the opinion of the Human Resource Director sufficient justification has been provided to pursue re-grading, the Director will refer such request to the Compensation Committee. For all such requests, the Human Resources Director shall include a current compensation comparison between the position being reviewed and the same or substantially similar position in at least five Oregon counties of similar population with Crook County. The committee will present a recommendation to the County court whose decision on the matter will be final.

- ***Multiple Submissions Prohibited***

In the event the Court rejects the request for re-grading, a request for re-grading of the same position may not be resubmitted for at least 12 months.

- ***Effective Date***

All reclassifications and/or re-gradings take effect as of the effective date the County Court may approve, or July 1 of the next forthcoming fiscal year if no effective date is otherwise specified.

- ***Waiver***

At any time, the above notwithstanding, the County Court, on its own initiative, may waive the above process in part or in whole.

**REVIEW PERIOD:**

Crook County strives to achieve excellence. To that end, all New Hires shall undergo a six-month review period to determine their suitability for continued employment with Crook County. If the employee's manager or supervisor believes the employee is not performing his or her job adequately or, for any other reason, believes an additional period of review is needed to evaluate the employee's job performance or suitability for employment with Crook County, at management's discretion, the employee's review period may be extended on a month-to-month basis, not to exceed a total review period of 12 months.

Every employee shall be evaluated prior to the completion of six months of employment with Crook County. The employee must receive a satisfactory performance evaluation in order to achieve regular status. Upon satisfactory completion of his or her review period, an employee shall receive half of the next higher step in the pay grade for his or her position. Upon completion of one year of employment and a satisfactory performance evaluation, an employee shall receive the remaining half of the step received at six months bringing the employee to the full next step of the grade

Completion of the review period and appointment to regular status does not change the "employment at-will" status of the employee.

**ANNIVERSARY DATE:**

The anniversary date for employees hired on the 1<sup>st</sup> day of the month through the 15<sup>th</sup> day of the month shall be retroactive to the 1<sup>st</sup> day of the month in which the employee begins work

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for County. The anniversary date for employees hired on the 16<sup>th</sup> day of the month through the last day of the month shall be the 16<sup>th</sup> day of the month in which the employee begins work.

### **EMPLOYMENT OF RELATIVES:**

Qualified relatives of employees are eligible for hire with Crook County. "Relative" includes spouse, registered same-sex domestic partner, child, parent, sibling, grandparent, grandchild, aunt, uncle, cousin or in-law, "step" relative or those who act in such a capacity not related by blood.

Relatives may work within the same work areas so long as there is no direct supervisory relationship between relatives. Specifically, no employee is allowed to work within the "chain of command" of a relative who directly supervises the employee, participates in the evaluation of the employee or who is in a position to influence decisions made about the employee's salary, work duties, career advancement, promotion, discipline, demotion or discharge.

Relatives requesting the same vacation and/or holiday schedules will be accommodated so long as the County's needs are not compromised by the absences.

Each employee who becomes married to another employee or becomes the registered same-sex domestic partner of another employee while employed with the County shall be required to adhere to this policy. If a conflict is created as a result of a marriage or registered same-sex domestic partnership that occurs while the employees involved are employed with the County, one of the employees will be transferred to a different position or, if no other suitable position is available, one of the employees may be terminated.

### **WORK HOURS:**

The County Court establishes the hours during which County facilities are open to the public and establishes work hours for County departments. County offices are generally open to the public between the hours of 8:00 a.m. through 5:00 p.m., including the noon hour, Mondays through Fridays, unless otherwise authorized or directed by the County Court. Department managers and supervisors are responsible for scheduling personnel to serve the public at all times during working hours unless the County Court specifically changes the hours due to a bona fide shortage of staff or for any other reason as determined by the County Court.

With respect to a recognized County holiday, only the County Court can alter the work hours of County departments. The intent is to be open to the public between during regularly scheduled hours of operation -- generally, the hours of 8:00 a.m. through 5:00 p.m. This includes periods of unusual slowness, such as the days before holidays. If department heads or elected officials wish to change staffing levels (not operating hours), they must maintain departmental coverage. If employees are allowed by their department heads or elected officials to leave early, they must use accrued time (vacation, PTO, or other compensated time) to make up the difference. The accrued time used must be documented at the time it is taken by the employee. Unless arrangements are made prior to the absence, it is expected that employees will work their normally scheduled shift the day before the holiday.

On occasion, due to extraordinary weather or County events and incidents, employees may be required to work long hours which might be outside the employee's regular work

schedule. Specifically, employees within the Sheriff's Office and the Road Department are asked to stay on the job until the job is done. Overtime for non-exempt employees is available during such circumstances in accordance with Oregon and federal wage and hour laws and the terms of any applicable collective bargaining agreement.

- ***Timecards and Records of Time Worked***

Federal and Oregon law require the County to maintain accurate records of time worked in order to correctly calculate employee pay, withholdings and benefits. Each employee is required to maintain accurate records of the hours worked by the employee. To ensure the accuracy of such records, each employee must complete timecards stating all hours worked by the employee, including overtime, if any, and any non-work time including vacation, sick leave, holiday time, compensatory time off, any paid or unpaid leave of absence and any other designated category of time.

Time worked shall be recorded daily on a non-exempt employee's timecard and must be signed by the employee prior to submitting it to the manager or supervisor at the end of each pay period.

Employees are expected to pay close attention to time entries and make sure all time entries are recorded accurately. Falsifying a timecard or time record is a serious breach of trust and of County policy. An employee's signature on his or her timecard is verification by the employee that the information on the timecard is accurate, that the employee has actually worked all hours recorded on the timecard as hours worked and that the employee has not worked any hours not recorded on the timecard. Any alterations to an employee's timecard must be approved and initialed by the employee's supervisor or department head. Tampering with, altering or falsifying any timecard or time record is prohibited and will subject the offender to discipline up to and including termination of employment.

- ***Work Hours for Minors***

Work hours for minors are regulated by both state and federal laws. There are strict limitations on the number of hours a minor may work, when they can work, and on the types of work permissible. Please contact Human Resources for further details.

### **MEAL BREAKS / REST BREAKS / BREASTFEEDING BREAKS:**

- ***Meal Breaks***

Each non-exempt employee who works a shift of six hours or more is entitled to an unpaid meal break of not less than 30 minutes and not more than 60 minutes, to be determined by the County Court or department head/supervisor, depending on the employee's work schedule and the operating needs of the employee's department. For work periods between six and seven hours, the meal period is to be taken between the second and fifth hours worked. For work periods greater than seven hours the meal period is to be taken between the third and sixth hours worked. Meal breaks may not be taken at the beginning or the end of the employee's work shift or combined with a rest break or rest breaks.



- ***Rest Breaks***

Non-exempt employees who work the major portion of any four hour period are also required to take a 10-minute rest break after every two hours of work, not including meal breaks. Rest breaks are paid as time worked and may not be taken together, added onto a meal break, taken at the end of the employee's work shift to allow the employee to leave work early, taken at the beginning of the employee's work shift to allow the employee to arrive late or skipped for any reason.

Supervisors cannot authorize any employee to skip the employee's rest or meal breaks. Since rest breaks and meal breaks are required by law, employees who do not take required breaks will be subject to disciplinary action, up to and including possible termination of employment.

Meal and rest breaks are the employee's personal time. In the event of an emergency or other circumstance authorized by the County which requires a non-exempt employee to work a portion or all of a meal break, the employee will be compensated for the time worked at the employee's regular rate of pay or at the employee's overtime rate of pay, if applicable.

Employees engaged in personal business (smoke-breaks, running errands, handling childcare issues, personal phone calls, etc.) during work hours shall attempt to confine those activities to meal and rest breaks. Employees will not be granted additional breaks or additional break time to conduct personal business.

- ***Expression of Breast Milk***

The County will provide reasonable rest periods to accommodate an employee who needs to express milk for her child eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not possible, or if the employee is exempt from overtime laws, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

The County will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the County is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the County may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. The County will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The County will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than

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a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the County will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

**Notice.** An employee who intends to express milk during work hours must give their supervisor or the Human Resources Director reasonable oral or written notice of her intention to do so in order to allow the County time to make any preparations necessary for compliance with this rule.

**Storage.** Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

### **PAYDAYS AND PAYCHECKS:**

Normal pay periods for County employees shall be from the first day of the month to the 15<sup>th</sup> day of the month and from the 16<sup>th</sup> day of the month to the last day of the month. An employee's paycheck represents work performed during the previous pay period (i.e., a July 15<sup>th</sup> paycheck pays for work from June 15<sup>th</sup> until June 30<sup>th</sup>). When the last working day of the month falls on Thursday for the Crook County Road Department, all County employees shall receive their checks on that Thursday. For all employees, if the payday falls on a Friday, Saturday or Sunday, paychecks will be distributed on Thursday.

Paychecks shall not be issued early. Paychecks will be distributed to each department in accordance with established distribution procedures. Any employee who wants another employee to pick up his or her check must give verbal or written authorization to the Finance Department before a check will be released. Any employee who wants another individual, not a County employee, to pick up his or her check must give written authorization to the Finance Department before the check will be released.

Employees must report lost or stolen paychecks to their supervisor or manager immediately. The payroll administrator will be notified and a "stop-payment" order will be issued against the check at the employee's expense. The County cannot take responsibility for a lost or stolen paycheck.

### **PAYROLL DEDUCTIONS:**

Attached to each employee's paycheck is a pay stub showing the number of hours worked during the pay period, the amount of total earnings, specific employee contributions to benefit plans and the amounts for the specific payroll deductions required by law or authorized by the employee.

Any voluntary payroll deductions must be authorized by the employee in writing and submitted to the payroll administrator. Any revocation of a voluntary payroll deduction must also be in writing and must be submitted by the employee to the payroll administrator by no

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later than the date timesheets are due to payroll. Unless a written revocation is submitted to the payroll administrator on or before the date timesheets are due, the County is entitled to make previously authorized voluntary deductions from the employee's paycheck for that payroll month.

An employee should review his or her pay stub carefully each pay period and retain the pay stub for the employee's records. Any questions about any payroll deductions should be directed to the appropriate department head.

### **GARNISHMENTS AND SUPPORT ORDERS:**

On occasion the County will receive a garnishment or court order directing the County to withhold monies from an employee's paycheck to satisfy an outstanding debt. At such time the affected employee will be notified immediately. The County will honor garnishments and court orders in accordance with the provisions of law. Any questions, concerns or disputes related to garnishments or court orders should be addressed to the appropriate judicial office and not to the County.

### **OVERTIME PAY AND COMPENSATORY TIME-OFF:**

Non-exempt employees who work more than 40 hours in a workweek shall receive compensation for all overtime hours worked at the rate of one and one-half times the employee's regular rate of pay or, if compensatory time off (CTO) is given in lieu of pay, at the rate of one and one-half hours for each overtime hour worked. Non-worked hours such as vacation, holiday, sick time, CTO or personal time off are not counted as time worked for purposes of calculating overtime.

Normally, employees will receive payment for overtime worked. However, with the agreement of the employee and the County or if budgeted funds are not available to pay overtime, non-exempt employees may receive CTO in lieu of payment at the rate of one and one-half hours for each overtime hour worked.

CTO can be accrued to a maximum of 80 hours and must be taken within twelve months after it is earned. If an employee has accrued the maximum of 80 hours of CTO, the employee shall be paid for any additional overtime hours worked. If an employee has not used accrued CTO within twelve months, the employee shall be paid, on the employee's next regularly scheduled pay day, for all accrued and unused CTO hours earned more than twelve months prior to the scheduled pay day. Payment for accrued CTO shall be at the employee's rate of pay in effect when payment is made for the accrued CTO or, if paid upon termination of employment, at the employee's final rate of pay or the average of the employee's regular rate of pay received during the last three years of employment, whichever is higher.

Subject to prior County Court approval to the contrary, the employee must use all accrued and unused CTO before the employee may use accrued and unused vacation leave or other accrued and unused paid leave available to the employee.

Overtime has a direct impact on County costs. Therefore, employees must receive supervisor approval prior to working overtime. Whenever possible, advance notice will be given

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to an employee when overtime is needed. However, due to County needs or public demands, advance notice may not always be possible.

Exempt employees do not receive overtime compensation or CTO.

### **ON-CALL POLICY JUVENILE DEPARTMENT EMPLOYEES:**

Each week, the director of the Juvenile Department is to designate an "on-call" staff member, who is to be available from 8 a.m. Wednesday until 8 a.m. the following Wednesday. The designated staff member is to remain in contact with law enforcement officials via pager, cell phone or other electronic means for rapid response to requests for assistance with law enforcement matters regarding juveniles.

In assigning "on-call" time, the Juvenile Department Director will equitably distribute after-hours duty.

A non-exempt staff member who is "on call" shall be compensated \$100 (or such increased amount as the Court may provide) for the week he or she is on call. Not more than one staff member each week may receive "on call" pay. A staff member who voluntarily "covers" for a staff member who is not "on call" is not entitled to compensation from the County.

The on-call employee will not be reimbursed for commuting from the employee's residence to the Juvenile Department, and vice versa. Mileage will only be reimbursed from the Juvenile Department to point of destination. Mileage will not be reimbursed for trips less than 5 miles. On-call employees shall not take home County vehicles, unless prior authorization is obtained from the Juvenile Director.

In addition to "on-call pay," a staff member who is called to respond after hours to a juvenile matter is entitled to either overtime pay or compensatory time off during the next twelve months. Exchange time will be granted in the amount of one and one half hours off for each hour worked above 40 total hours in a work week. If, because of necessity as determined by the Juvenile Director, the additional compensatory time cannot be taken during the twelve month period following when the compensatory time off is earned, the employee will be paid out in overtime hours as described in the "Overtime Pay and Compensatory Time Off". For purposes of calculating the 40 hours limit, only time actually worked while on-call is considered. Holidays, sick time, vacation time, "floating holidays" and other time earned but not taken by the employee is not counted toward the 40-hour limit.

Any "on-call" employee required to work on a declared County holiday (excluding "floater" holidays), is entitled to compensation for the hours worked 1½ times his or her regular compensation for the hours worked during the holiday.

It is the responsibility of the Juvenile Department director to ensure that employees take compensatory time off to the maximum extent possible before additional time is paid to employees. In the event that an "on-call" employee does not respond to a request for assistance from law enforcement, the responsibility to respond defaults to the Juvenile Director, who, if required to respond to lack of response by an "on-call" employee, will investigate the

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reason why. Failure to respond without a good and sufficient reason is grounds for immediate termination.

- ***WHISTLEBLOWER PROTECTION (ORS 659A.200 and 659A.203)***

No employee of Crook County will be prohibited from discussing, in response to an official request, either specifically or generally with any member of the Legislative Assembly, legislative committee staff acting under direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district, the activities of the state or any agency or political subdivision in the state; or any person authorized to act on behalf of the state or any agency or political subdivision in the state.

No employee of Crook County will be disciplined or threatened with discipline for disclosing any information that the employee reasonably believes is evidence of: (1) A violation of any federal or state law, rule or regulation by the state, agency or political subdivision; (2) Mismanagement, gross waste of funds or abuse of authority or substantial and specific danger to public health and safety resulting from action of the state, agency or political subdivision; or (3) Subject to ORS 659A.212(2), the fact that a person receiving services, benefits or assistance from the State or agency or subdivision, is subject to a felony or misdemeanor warrant for arrest issued by the state of Oregon, any other state, the federal government, or any territory, commonwealth governmental instrumentality of the United States.

No employee of Crook County will be required to give notice prior to making any disclosure of the type described in the first two paragraphs of this Whistleblower Protection section, except as limited by ORS 659A.206(1).

No employee of Crook County will be discouraged, restrained, dissuaded, coerced, prevented or otherwise interfered with when making disclosures or engaging in discussions of matters protected in the first two paragraphs of this section.

**Affirmative Defense.** An employee's good faith and objectively reasonable belief of a violation of federal, state or local law, rule or regulation by the employer will be an affirmative defense to a civil or criminal charge related to the disclosure by the employee of lawfully accessed information related to the violation, including information that is exempt from disclosure as provided in ORS 192.501 to 192.505 or by Crook County policy, if the information is provided to:

- A. A state or federal regulatory agency;
- B. A law enforcement agency;
- C. A manager employed by the County;
- D. An attorney licensed to practice law in the state of Oregon if a confidential communication is made in connection with the alleged violation described in this Subsection E and in furtherance of the rendition of legal services to the employee that are subject to ORS 40.225.

An employee may not assert the affirmative defense described above if the information:

- A. Is disclosed or re-disclosed by the employee or at the employee's direction to a party other than the parties listed in the Affirmative Defense paragraph;

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B. Is stated in a commercial exclusive negotiating agreement with Crook County, provided that the agreement is not related to the employee's employment with Crook County; or

C. Is stated in a commercial nondisclosure agreement with Crook County, provided that the agreement is not related to the employee's employment with Crook County.

The affirmative defense described above is available to an employee who discloses information related to an alleged violation by a coworker or supervisor described in the Affirmative Defense paragraph if the disclosure relates to the course and scope of employment of the coworker or supervisor.

The affirmative defense may not be asserted by an employee who is an attorney or by an employee who is not an attorney but who is employed, retained, supervised or directed by an attorney if the information disclosed pursuant to the Affirmative Defense paragraph is related to the representation of a client.

Disclosures made under this Whistleblower Protection section are subject to the rules of professional conduct established pursuant to ORS 9.490.

Subject to the rules of professional conduct established pursuant to ORS 9.490, a public employee who is an attorney may report to the Attorney General the employee's knowledge of a violation of federal, state or local law, rule or regulation by Crook County.

Disclosure of information pursuant to the Affirmative Defense paragraph does not waive the attorney-client privilege or affect the applicability of any exemption from disclosure of a public record under ORS 192.501 to 192.505.

Notwithstanding the affirmative defense discussed above, information protected from disclosure under federal law, including but not limited to the federal Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191), may be disclosed only in accordance with federal law.

Any employee who feels that the County has acted in contravention of this Whistleblower Protection policy may file a grievance as permitted by any applicable collective bargaining agreement, or the process described in the employee handbook, or may file any grievance, objection, or complaint as may be permitted by applicable law including but not limited to ORS 659A.215.

## **PERFORMANCE REVIEWS:**

As a means of providing information about an employee's work performance, each employee shall be evaluated by his or her supervisor on an annual basis. This provides an opportunity for the employee and the employee's supervisor or manager to talk about contributions made by the employee during the preceding year, areas for continued growth, performance deficiencies and skills that need improvement. The performance review will also take into consideration the employee's work conduct and demeanor, attendance and tardiness record throughout the year.

If an employee receives a performance review which the employee believes does not accurately reflect his or her work performance or contributions, the employee may write a rebuttal that will be attached to the performance review and placed in the employee's personnel file.

Performance reviews may be given more frequently than once a year if there are performance concerns or areas of improvement that require immediate attention, if the employee's supervisor or department head determines that a more frequent review is otherwise appropriate or required or at the request of an employee. All performance reviews shall be reviewed and approved by at least one member of the County Court and submitted to the designated human resources administrator for inclusion into the employee's personnel file.

### **COMPENSATION REVIEW:**

It is the goal of the County to ensure that all employees are compensated fairly and equitably for the services they provide.

Annually, at the initiation of a new fiscal year, and when financially possible and reasonable, the County Court shall determine what cost of living percentage, if any, will be applied to the Pay Plan. Increases, if given, will coincide with the beginning pay period of the new fiscal year and the Pay Plan Schedule shall be adjusted accordingly.

In addition to cost of living increases, if applicable, and if funds are budgeted, employees are eligible for merit pay increases upon completion of the employee's annual review and, provided the employee's performance has met or exceeded performance standards established by the County Court. Employee evaluations and consideration for merit increases shall be completed prior to the employee's anniversary date. If, for any reason, the evaluation is delayed until after the employee's anniversary date, and if any pay increase is given, the pay increase will be retroactive to the employee's anniversary date. Employees who are at the top step of the pay grade for their position are not eligible for merit pay increases.

Normal merit increases will be one pay step if recommended by the department manager or supervisor and authorized by the County Court. The County Court may authorize merit pay increases of more than one pay step if the department manager recommends a pay increase of more than one step and the County Court approves the higher increase. All approved merit pay increases approved between the 1<sup>st</sup> day of the month and the 15<sup>th</sup> day of the month shall be retroactive to the 1<sup>st</sup> of the month. Merit pay increases approved between the 16<sup>th</sup> of the month and the last day of the month, shall be effective on the 16<sup>th</sup> of the month in which the merit pay increase is approved.

### **PROMOTION, TRANSFER, DEMOTION AND TEMPORARY ASSIGNMENTS:**

- *Promotion*

When an employee is promoted from one position to another having a higher pay grade, the employee will receive an increase of not less than one pay step. If the employee's current pay rate is below the minimum pay step for the higher class, the employee's pay rate will be increased to at least the minimum pay step in the higher class. If the employee's current rate of pay falls within the grade of the higher class, the employee's pay shall be adjusted to the

step and grade for the higher class which is at least equal to a one step pay increase, so long as this does not exceed the pay grade of the class.

- ***Voluntary Transfer***

If an employee voluntarily transfers to a position in another County department, the employee's compensation will be re-established within the budgeted grade for the employee's new position. An employee who voluntarily transfers to a new position will be subject to a probationary period as if he or she were a new employee.

- ***Involuntary Transfer or Demotion***

When an employee is involuntarily transferred or demoted for cause or for administrative purposes, the employee's compensation will be set at a level appropriate for the employee's new duties. An employee who is involuntarily transferred to a new position will be subject to a probationary period as if he or she were a new employee.

- ***Temporary Assignment***

If an employee is temporarily assigned to a position with a pay grade that is higher than the pay grade for the employee's regular position for a period of 30 days or more, the employee will be paid at the first step of the higher pay grade or will be granted a step pay increase, whichever is higher, for the entire period worked in the temporary assignment. If an employee is temporarily assigned to a position with a higher pay grade for a period of less than 30 days, the employee shall continue to receive the employee's rate of pay for the employee's regular position. An employee who is temporarily assigned to a position with a lower pay grade, for any period, shall not receive a reduction in pay. No temporary assignment shall exceed six months.

- ***Emergency Assignment***

In the event of an emergency, an employee may be temporarily assigned by a supervisor or the County Court or its designee to any task. An employee performing an emergency assignment shall be compensated at his or her regular rate of pay. An emergency assignment becomes a temporary assignment after 120 days.

- ***Transfer of Benefits***

When an employee is transferred, promoted, demoted or hired by another County department, the cost of employee benefits shall transfer with the employee. An employee who accepts employment with another County department shall suffer no loss of seniority or associated benefits.

- ***Rehire***

An employee who leaves County employment and is later rehired normally is not granted seniority and accrued benefits based on total years of service with the County. However, seniority and accrual of benefits, or a portion thereof, may be restored at the sole option of the County Court.



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**LONGEVITY PAY:**

As a way of honoring those employees with long-term service with the County, Longevity Pay will be paid starting with the employee's tenth year of service, and for each five-year increment of full-time service thereafter, according to the following schedule:

<b>Years of Service</b>	<b>Longevity Pay</b>
10 Years	\$35/month
15 Years	\$70/month
20 Years	\$105/month
25 Years	\$140/month
30 Years	\$175/month

**FAIR PAY ACT:**

Crook County shall not make any discriminatory compensation decisions or practices that affect compensation, in accordance with the Fair Pay Act.

**INTERNAL COMMUNICATIONS AND REQUIRED POSTINGS:**

Bulletin boards, mailboxes, and office e-mail are used to communicate important information to employees on a regular basis. Each employee is responsible for reading posted or distributed information on a timely basis.

Various agencies in the state and federal government require certain posters to be displayed in a conspicuous place. Each County-owned building will have a bulletin board, or space available, so that employees can regularly view these required postings.

**PARKING:**

Employees are not to park in prohibited areas.

**CELL PHONES:**

A small number of employees are given County-issued cell phones because their jobs demand that they be in constant contact with the County. The phones are for business use **only** and are not for one's personal use. Employees who carry County-issued cell phones should be constantly sensitive to the potential of misusing the cell phone by using it for personal business.

Misuse of County-provided cell phones is an offense regulated by the Government Standards and Practices Commission (GSPC), which has jurisdiction over the ethical conduct of all public sector employees in Oregon. In the event that a County employee is investigated by

the GSPC for misuse of County property, the County will not pay any defense costs related to such an investigation unless the employee is exonerated.

If a County employee has a personal cell phone and can demonstrate to his or her department head that it is used for business purposes on a regular and routine basis, the department head may apply to County administration for reimbursement up to \$25.00 a month to offset some of the cell phone's contract costs. A department head requesting authorization to reimburse an employee must make a formal application to County administration requesting a reimbursement, attach a job description that supports the need for a cell phone for County business, agree to have the cell phone number published in the County's employee telephone directory and indicate out of what departmental budget line item the reimbursement will be come. The request will be reviewed by County administration and, if the need for a cell phone is justified, will authorize the reimbursement. The County finance department will perform a yearly audit of all employees receiving a cell phone reimbursement.

Employees are discouraged from driving and using their cell phones at the same time. If calls must be made while on the road, an employee shall pull a safe distance off the road, make the necessary call and then get back on the road. Being irresponsible while driving potentially leaves the County at risk and the employee and other travelers in physical danger.

### **EMERGENCY CLOSINGS / DELAYED OPENINGS:**

Because of weather conditions or emergency situations as determined by the County Court, it may be necessary from time to time to close County offices or delay the opening of County offices. In such situations the following pay provisions will apply:

- If the County is not open for business, regular full-time or regular part-time, non-exempt employees can use accrued vacation time for time not worked for a partial or full day of County closure.
- If an employee comes to work, and there is a delayed opening, the employee will be paid for the entire day. If an employee comes to work more than one-half hour late and there is a delayed opening, the employee will be paid for actual hours worked.
- If the County is open for business, but an employee does not come to work, the employee may take accrued vacation time or time without pay (if vacation time is not available) for the day's absence.
- If, after arriving at work, it is decided by the County Judge to close County offices and services, employees who are scheduled to work that day will be paid for the entire day.

Exempt employees: Federal and Oregon laws require that exempt employees be paid on a salary basis. Therefore, unless emergency closures extend to more than a full calendar week, exempt employees will receive their regular pay during closures for weather related or emergency circumstances.

All decisions regarding emergency closures and delayed openings will be made by the County Judge in his or her sole discretion. The County will attempt to communicate information about any emergency closure or delayed opening in as timely a manner as possible. On days when weather is inclement, employees should 1) check the County website for closure notices;

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2) contact department heads at home or by cell phone and/or 3) consult media outlets to determine closure status.

### **TRAVEL AND USE OF COUNTY VEHICLES:**

Travel on official County business shall be by public carrier, County-owned vehicle or private vehicle. For the purposes of this section, operating a vehicle while on "County business" shall include employees operating County-owned vehicles and employees driving their own private vehicle while performing services for the County. Employees who fail to comply with this policy may not operate a vehicle while on County business. Violations of this section may result in discipline up to and including termination.

An employee must have the approval of his or her department head before operating a vehicle while on County business. An employee must disclose all traffic infractions, offenses, and accidents in their driving history before approval is granted.

Travel shall be by automobile unless otherwise authorized by the County judge. Employees shall not use County vehicles for personal purposes. However, a personal stop that does not result in a deviation from the business purposes shall not constitute a violation of this policy. Notwithstanding this exception, employees should be aware that the personal use of County vehicles is an extremely sensitive issue with the public. Employees are expected to use good judgment in the use of County vehicles and to not call into question with the public the manner in which the vehicles are used.

Employees operating a vehicle while on County business are expected to drive in a safe and careful manner and in accordance with all applicable laws and regulations. An employee who does not possess a valid driver's license is prohibited from operating a vehicle while on County business. If an employee's driver's license is suspended or revoked, the employee shall immediately notify his or her department head or supervisor.

Citations received by an employee operating a vehicle on County business are the employee's responsibility. These citations include parking tickets, but do not include citations related to defective equipment on County-owned vehicles, or citations related to the County's ownership of the vehicle, such as title or registration issues. Failure to pay fines or make court appearances related to citations issued in conjunction with operation of vehicles on County business may lead to discipline up to and including termination. Employees shall notify their department head or supervisor at the beginning of their next work shift if they receive any traffic citation or are arrested for any traffic related incident while driving on County business. If an employee is involved in a traffic accident while on County business, the employee shall notify their department head or supervisor immediately. On-the-job traffic offences, accidents, or misconduct may result in loss of the employee's driving privileges while on County business.

Employees are responsible for reporting to management any unsafe conditions found or suspected in County vehicles. Employees are not allowed to smoke in County vehicles.

Employees using motor pool vehicles shall return them promptly to the motor pool with a full tank of gas. Debris should be removed from a County-owned vehicle prior to returning it to the motor pool. Any maintenance concerns should be reported when the vehicle is returned. In the absence of prior approval, County vehicles are not to be taken home at night or over

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holidays. The County may grant overnight use of County vehicles when the employee's assigned, normal duties require frequent travel to urgent and unscheduled field work after hours. The employee shall operate the vehicle within local vicinity of the direct travel route. In working situations, the County will allow for the employee's daily necessities. These necessities include;

- (a) Restaurants, stores, and the like for meals, breaks, and personal needs;
- (b) Medical facilities for emergency need;
- (c) Lodging, to include a friend/relative with whom the employee is staying with; or
- (d) Required meetings as it relates to County business.

County vehicles are not to be used to:

- (a) Transport relatives for non-County business;
- (b) Picking up or dropping off children at school or extracurricular events;
- (c) Any non-work related activities.

The employee shall be liable to the County for the costs associated with the use of the vehicle and for any damage to the vehicle arising out of any misuse of the vehicle. Any misuse of County vehicles will be considered to be operating on personal business, and not County business.

In addition to following all traffic regulations, all employees and their passengers are required to use a seat belt when traveling in any vehicle while in the course of conducting County business. This requirement applies to traveling in a County owned vehicle, in a rental vehicle and in a vehicle owned by an employee, regardless of whether the employee is compensated for the use of his/her vehicle.

The use of seat belts is to be considered a condition of employment with Crook County. Failure to abide by this stated policy will be considered a breach of that condition of employment, regardless of whether or not the person in violation was cited by law enforcement officials. In accordance with County disciplinary procedure, violation of this policy will result in:

First Violation: five (5) days unpaid suspension from work

Second Violation: termination of employment.

Crook County's progressive discipline policy does not alter the "at-will" employment status of County employees.

Use of any tobacco products in a County vehicle at any time is prohibited.

Required meetings as it relates to County business. Passengers are not allowed in County vehicles except for business-related purposes. "Business-related purposes" include travel to and from County-sanctioned activities by volunteers and individuals being transported to and from services such as disabled veterans traveling to a VA clinic. Generally, passengers, other than County employees, may not ride in County vehicles in excess of 10,000 lbs. GVW except that volunteers serving the County may travel as passengers only (not as operators) in the bookmobile or mobile health van.

Volunteers who meet requirements set forth in this paragraph are allowed to drive vehicles under 10,000 GVW for the purpose of performing County business. Additionally, veterans are allowed as passengers in County vehicles with an eligible volunteer who is transporting eligible veterans to and from Veterans' organizations, health-related appointments and other excursions approved by the Veterans' Services Officer. Transporting veterans for the County in a personal vehicle is strictly prohibited.

In order to qualify as a driver, a volunteer must:

1. Obtain written approval from their applicable department head;
2. Provide and maintain a valid Oregon driver's license;
3. Pass a usual and customary DMV check, showing fewer than two (2) moving traffic violations<sup>1</sup> in the last three (3) years; no convictions in any state for traffic felonies, misdemeanors, or drug and alcohol related violations; and no infractions in any state for driving on a suspended license or driving uninsured;
4. In the interest of protecting the citizens of Crook County and because of the recognized danger involved in a driving a motor vehicle under the influence of alcohol or drugs, a volunteer must submit to pre-employment drug screening, having a verified negative controlled substance test result and no detectable level of alcohol;
5. Remain subject to County drug testing policy for employees;
6. Follow all other provisions in the Crook County policy on Travel and the Use of Vehicles.

- ***Commissioners' Expense Allowance Stipend***

Each of the three commissioners will receive an expense allowance stipend to compensate the commissioners for expenses each incurs related to County business. The total amount of each account is \$6,000.00 per fiscal year, to be paid in equal monthly installments.

The commissioners' Expense Allowance Stipend is part of each commissioner's official compensation. Stipends are subject to state and federal income tax laws and will be reported by the County to the IRS and the Oregon Department of Revenue on the W-2 form as taxable income. This Stipend shall be considered full payment (including depreciation, mileage, insurance, maintenance, fuel, and other operating costs) for personal vehicle and other items used in lieu of County property.

The expenses incurred must be related to bona fide County business. Examples of bona fide County business-related expenses include, but are not limited to, mileage, business meals

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<sup>1</sup> Violations as defined by ORS 153.008 or any such offense described in a state statute.

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when the County is hosting, meals when the Commissioner is 30 miles or more away from the City of Prineville, and incidentals such as tips.

To be eligible to receive the Stipend, the recipient must carry adequate personal vehicle liability insurance as required under Oregon law.

This Stipend supersedes any policy or privilege for reimbursement for business-related expenses, but does not contradict those policies (such as the Credit Card Usage Policy) that apply where the County, rather than the commissioner, pays for the expense.

- ***Per Diem Policy***

This policy describes how Crook County employees may receive either pre-payment or reimbursement for meals and related incidental expenses while they are traveling on County business. Employees who are on travel status in performance of their County duties are eligible to draw upon per diem allowances and cost reimbursement as described herein. Per diem allowances are not available when reimbursement has been or will be received from non-County sources. The per diem rates are based upon departure and return times over an entire 24-hour day, and are prorated as proscribed by this policy.

This policy is intended to accomplish the following:

- To establish procedures to account for and monitor travel expenses and mileage reimbursements.
- To ensure compliance with Internal Revenue Service (IRS) travel reimbursement regulations and guidelines.
- To prevent abuse and inappropriate use and to uphold the public trust.

Pursuant to this policy, employees are eligible for per diem allowances when they are on "travel status," defined as per the policy on travel and use of County vehicles.

Receipts are not required for per diem allowances.

If business-related expenses are paid by the County, employees are not eligible for per diem allowances. These purchases must be in accordance with the appropriate policy, such as the Credit Card Usage Policy.

- ***Meal Reimbursement / Meal Per Diem***

The per diem meal allowance is a fixed amount of reimbursement for a meal. It is not reimbursement for the actual costs incurred. Employees are not separately reimbursed for gratuities or tips of any kind unless included in their per diem allowance. Receipts are not required for meals if claiming per diem.

County meal per diem rates are those specified in the **Crook County Transit Expense Schedule**. In addition to meals, these rates include incidental expenses such as laundry, dry cleaning, and service tips (e.g., housekeeping or porter tips).

Even when a traveler is eligible for reimbursement of actual meal costs, no purchase of alcohol or other intoxicating substances will be reimbursed.

- Meals Included in Registration Fees – Meals included as part of the registration fee(s) for a conference, seminar, etc., must be subtracted from the employee's daily meal per diem.
- Complimentary Meals – Complimentary meals provided by a hotel/motel do not affect the per diem meal allowance. No adjustment is required.
- Meal Per Diem Overnight Travel – Meals per diem for the initial and final day of overnight travel are as follows:
  - a) Breakfast: Personnel must be on travel status for one hour before the beginning of their scheduled work shift to receive a breakfast allowance.
  - b) Lunch: Personnel must be on travel status for one hour or more before their scheduled lunch break to receive a lunch allowance.
  - c) Dinner: Personnel must be on travel status for one hour or more beyond the end of their scheduled work shift to receive a dinner allowance.
- Meal Per Diem Non-overnight Travel: A meal per diem is permitted under the following conditions during non-overnight travel:
  - a) Breakfast: Personnel must be on travel status for one hour or more before the beginning of their schedule work shift to receive a breakfast allowance.
  - b) Lunch: No allowance is provided for lunch during non-overnight travel unless the employee is attending an official business meeting and the meal is an agenda item, that was not included in the fee, and the cost and choice of having the meal were beyond the control of the employee. A receipt is required. Other circumstances may warrant an exception to the provisions that no allowance is provided for lunch. The Department Head may authorize such an exception when such payment provided a clear and distinct economic advantage to the County and is important to the mission of the agency.
  - c) Dinner: Personnel must be on travel status for one hour or more beyond the end of their scheduled work shift to receive a dinner allowance.

To be eligible to receive any per diem or travel reimbursement, the following procedures must be followed:

- The employee must complete a Crook County Travel Request Form and submit it to his or her department head prior to scheduling any business travel.
- The department head will review the Form and either approve or deny the requested travel.
- If approved, the employee may take the signed Form to the Finance office to request a pre-payment of any eligible lodging, per diem, or travel rates.
  - The Finance office will issue pre-payments if time permits, in the discretion of the Finance Director.
- Upon return to the County, the employee will promptly provide any receipts or documentation required by this policy to his or her Department head.

- ***Business Expenses***

Business expenses, including but not limited to faxes, photocopies, Internet charges, data ports and business telephone calls incurred while on travel status, can be reimbursed. These expenses are not considered incidentals. Original itemized receipts are required.

Provision for Authorized Non-County Individuals Including Volunteers: Departments may authorize payment, either directly or indirectly, for costs of meals, lodging and transportation for authorized non-County individuals, including volunteers, even when there is no overnight stay. Payments for travel expenses must be authorized in advance in writing, unless the non-County individual has previously been approved to travel by virtue of an approved description of job duties that include travel. Examples of non-County individuals are a member of a County advisory committee, an intern, or a County volunteer.

Authorized non-County individuals are usually paid based on per diem rates, but in unusual circumstances, the County may reimburse actual and necessary expenses. All reimbursements for actual and necessary expenses will require receipts. In the case of volunteers, the cost of meals where there is no overnight stay and no official County business meeting is reportable as income.

- ***Credit Card Usage Policy***

Crook County will issue company credit cards to certain employees for use in their jobs. This policy sets out the acceptable and unacceptable uses of such credit cards.

Use of County-issued credit cards is a privilege that the County may withdraw at any time, with or without cause. Upon an employee's termination of employment with the County, all cards must be returned to the County's Human Resources department.

The employee in possession of the credit card is solely responsible for all purchases on the card and for ensuring that the card is not used by unauthorized personnel. Card numbers may not be distributed and should not be saved in online accounts.

Crook County credit cards may not be used to pay for personal food or beverages – any such purchases must be made according to the County's per diem reimbursement policy. However, business-related meals may be paid for by the County credit cards.

Any credit card issued to an employee must be used for business purposes only, and for purposes in conjunction with the employee's job duties. Employees with such credit cards shall not use them for any non-business purpose. Non-business purchases are considered any purchases that are not initiated in the good faith belief that the purchase would benefit of the County.

Business-related expenses, such as food and lodging while on County-approved *out of state* business travel, may be purchased on the credit card as long as these purchases are consistent with the County's travel and expense reimbursement practices. Purchases are limited to the amount of credit approved for each County credit card. Most cards have a limit of



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\$1,500. Except for approved travel out of the State of Oregon, County credit cards may not be used to purchase food or meals.

When a department uses a County general credit card, the credit card number is not to be retained for any future credit card purchases without being checked out through the Finance department. The employee in possession of the credit card is responsible for receiving, printing and retaining all receipts related to purchases made on the County credit card. If a receipt is lost, a good faith effort must be performed to obtain a duplicate receipt.

Claim forms with receipts attached are due by the 10th day of each month to the Finance department. All receipts should be labeled with a description of what the purchase was for, the date of the transaction and the name(s) of the employee(s) attending the meal or meeting and the purpose of the event.

If any employee uses a County credit card for a personal purchase in violation of this policy, the cost of such purchase will be immediately reimbursed to the County or deducted from the employee's wages to be paid in full. This violation may result in the cancellation of the County credit card, and all privileges afforded to that employee for use of any County credit card.

In addition to financial responsibility and liability for wage deductions, any purchases an employee makes with a County credit card in violation of this policy may result in disciplinary action, up to and possibly including termination of employment.

This policy will remain in effect as long as an employee has a County credit card or until a new policy has been issued and which clearly indicates that it is intended to be a replacement of this policy.

EACH EMPLOYEE WITH PRIVILEGES TO USE A COUNTY CREDIT CARD WILL SIGN THE ATTACHED FORM ACKNOWLEDGING THAT THEY HAVE READ AND UNDERSTAND THE POLICY AS WRITTEN. IF THERE IS NO FORM ON RECORD SIGNED BY AN EMPLOYEE, THEY WILL NOT BE ALLOWED TO MAKE PURCHASES WITH A COUNTY CREDIT CARD.

- ***Travel and Use of County Vehicles***

Travel on official County business shall be by public carrier, County-owned vehicle, County-approved rental vehicle, or private vehicle. For the purposes of this section, operating a vehicle while on "County business" shall include employees operating County-owned or approved vehicles and employees driving their own private vehicle while performing services for the County. Employees who fail to comply with this policy may not operate a vehicle while on County business. Violations of this section may result in discipline up to and including termination.

An employee must have the approval of his or her department head before operating a vehicle while on County business. An employee must disclose all traffic infractions, offenses, and accidents in their driving history before approval is granted.

Travel shall be by automobile unless otherwise authorized. Employees are encouraged to use County-owned vehicles whenever such vehicles are available. Employees shall not use County-owned vehicles for personal purposes. However, a personal stop that does not result in a deviation from the business purposes shall not constitute a violation of this policy. Notwithstanding this exception, employees should be aware that the personal use of County vehicles is an extremely sensitive issue with the public. Employees are expected to use good judgment in the use of County vehicles and to not call into question with the public the manner in which the vehicles are used.

Employees operating a vehicle while on County business are expected to drive in a safe and careful manner and in accordance with all applicable laws and regulations. An employee who does not possess a valid driver's license is prohibited from operating a vehicle while on County business. If an employee's driver's license is suspended or revoked, the employee shall immediately notify his or her department head or supervisor.

Citations received by an employee operating a vehicle on County business are the employee's responsibility. These citations include parking tickets, but do not include citations related to defective equipment on County-owned vehicles, or citations related to the County's ownership of the vehicle, such as title or registration issues. Failure to pay fines or make court appearances related to citations issued in conjunction with operation of vehicles on County business may lead to discipline up to and including termination. Employees shall notify their department head or supervisor at the beginning of their next work shift if they receive any traffic citation or are arrested for any traffic related incident while driving on County business. If an employee is involved in a traffic accident while on County business, the employee shall notify their department head or supervisor immediately.

On-the-job traffic offences, accidents, or misconduct may result in loss of the employee's driving privileges while on County business. Employees are responsible for reporting to management any unsafe conditions found or suspected in County vehicles.

Employees using motor pool vehicles shall return them promptly to the motor pool with a full tank of gas. Debris should be removed from a County-owned vehicle prior to returning it to the motor pool. Any maintenance concerns should be reported when the vehicle is returned.

In the absence of prior approval, County vehicles are not to be taken home at night or over holidays. The County may grant overnight use of County vehicles when the employee's assigned normal duties require frequent travel to urgent and unscheduled field work after hours. The employee shall operate the vehicle within local vicinity of the direct travel route. While traveling on County business, the County will allow for the employee's daily necessities. These necessities include;

- (a) Restaurants, stores, and the like for meals, breaks, and personal needs;
- (b) Medical facilities for emergency need;
- (c) Lodging, to include a friend/relative with whom the employee is staying with; or
- (d) Required meetings as it relates to County business.

County vehicles are not to be used to:

- (a) Transport relatives for non-County business;

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- (b) Picking up or dropping off children at school or extracurricular events;
- (c) Any non-work related activities.

The employee shall be liable to the County for the costs associated with the use of the vehicle and for any damage to the vehicle arising out of any misuse of the vehicle. Any misuse of County vehicles will be considered to be operating on personal business, and not County business.

In addition to following all traffic regulations, all employees and their passengers are required to use a seat belt when traveling in any vehicle while in the course of conducting County business. This requirement applies to traveling in a County owned vehicle, in a rental vehicle and in a vehicle owned by an employee, regardless of whether the employee is compensated for the use of his/her vehicle.

The use of seat belts is to be considered a condition of employment with Crook County. Failure to abide by this stated policy will be considered a breach of that condition of employment, regardless of whether or not the person in violation was cited by law enforcement officials. In accordance with County disciplinary procedure, violation of this policy will result in:

- First Violation: five (5) days unpaid suspension from work
- Second Violation: termination of employment.

Crook County's progressive discipline policy does not alter the "at-will" employment status of County employees.

Use of any tobacco products in a County vehicle at any time is prohibited.

Required meetings as it relates to County business. Passengers are not allowed in County vehicles except for business-related purposes. "Business-related purposes" include travel to and from County-sanctioned activities by volunteers and individuals being transported to and from services such as disabled veterans traveling to a VA clinic. Generally, passengers, other than County employees, may not ride in County vehicles in excess of 10,000 lbs. GVW except that volunteers serving the County may travel as passengers only (not as operators) in the bookmobile or mobile health van.

Volunteers who meet requirements set forth in this paragraph are allowed to drive vehicles under 10,000 GVW for the purpose of performing County business. Additionally, veterans are allowed as passengers in County vehicles with an eligible volunteer who is transporting eligible veterans to and from Veterans' organizations, health-related appointments and other excursions approved by the Veterans' Services Officer. Transporting veterans for the County in a personal vehicle is strictly prohibited.

In order to qualify as a driver, a volunteer must:

1. Obtain written approval from their applicable department head;
2. Provide and maintain a valid Oregon driver's license;
3. Pass a usual and customary DMV check, showing fewer than two (2) moving traffic violations in the last three (3) years; no convictions in any state for traffic felonies, misdemeanors, or drug and alcohol related violations; and no infractions in any state for driving on a suspended license or driving uninsured;

4. In the interest of protecting the citizens of Crook County and because of the recognized danger involved in a driving a motor vehicle under the influence of alcohol or drugs, a volunteer must submit to pre-employment drug screening, having a verified negative controlled substance test result and no detectable level of alcohol;
5. Remain subject to County drug testing policy for employees;
6. Follow all other provisions in the Crook County policy on Travel and the Use of Vehicles.

Employees who use their own private automobiles for travel on authorized County business are responsible for ensuring that their vehicle is in safe mechanical condition and is adequate to safely transport the employee to their destination. Employees must carry, at their own expense, at least the minimum amounts of insurance coverages provided by Oregon law.

In the event that an employee causes damage to persons or property while driving their personal vehicle on County business, their personal insurance coverage shall be used to cover such liability. County insurance will not be used in such a situation unless the amount of an employee's liability exceeds their personal insurance limits. Employees shall be individually responsible for any damage caused to their personal vehicle and property while driving on County business.

- ***Mileage / Travel-Reimbursement Provisions***

Travel and business expenses must be reasonable and necessary in the course of conducting official County business. Persons traveling on County business are expected to be prudent and only incur costs that will maintain the public trust. Expenses that do not have a legitimate County business purpose, and are solely for the benefit of an individual, are not reimbursable.

Officials and employees shall make decisions regarding travel arrangements and expenses in the best interest of the County rather than to maximize accrual of a personal benefit(s), including but not limited to influencing travel arrangements so as to maximize accrual of awards to the detriment of the County or public.

If a circumstance arises that is not specifically covered in this policy, then the most conservative course of action should be taken such as will maintain the public trust. Any emergency, unusual, or exigent circumstances will be reviewed by a department head as soon as possible after the fact to determine whether the circumstances justified a deviation from this policy, which determination will be documented by the department head.

To be eligible to receive any per diem or travel reimbursement, the following procedures must be followed:

- The employee must complete a Crook County Travel Request Form and submit it to his or her department head prior to scheduling any business travel.
- The department head will review the Form and either approve or deny the requested travel.
- If approved, the employee may take the signed Form to the Finance office to request a pre-payment of any eligible lodging, per diem, or travel rates.

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- The Finance office will issue pre-payments if time permits, in the discretion of the Finance Director.
- Upon return to the County, the employee will promptly provide any receipts or documentation required by this policy to his or her Department head.

Mileage reimbursement may be claimed for the full distance of business travel that occurs after a normal work shift on the same day; e.g., a maintenance employee is called back to perform emergency repairs.

When vehicle rentals are necessary, Crook County encourages travelers to purchase collision damage waiver (CDW) and loss damage waiver (LDW) coverage. Crook County will reimburse the cost of CDW and LDW coverage; all other insurance reimbursements will be not be reimbursed. Drivers should be aware of the extent of a coverage (if any) provided by his or her automobile insurance company for travel that is business or not personal in nature.

Travelers are strongly encouraged to fill the gas tank before returning the vehicle to the rental agency to avoid service fees and more expensive fuel rates.

An employee who regularly works at a fixed official work station, if given an assignment to work in another city outside of a 30 mile radius of the official work station where normally employed, and not required to stay overnight, is on travel status if the additional travel time is in excess of the regular work schedule. This time is considered an integral part of a job-related activity.

Example: Employee is sent from Prineville to Bend for training. Travel time is paid because it is over the 30-mile radius.

Travel that keeps an employee away from home overnight is work time when it cuts across the employee's workday. The employee is substituting travel for other duties. The time is not only hours worked on regular working days during normal working hours but also during the corresponding hours on non-working days.

Time spent by an employee in travel as part of the employee's job duties is counted as hours worked. Work performed while traveling includes any work which an employee is required to perform while traveling and must be counted as hours worked if performed outside of the employee's regular work schedule.

### **PETTY CASH FUNDS, CASH DRAWERS AND ANY FUNDS HELD BY THE COUNTY:**

A petty cash fund is defined as a fund from which monies are expended for departmental purposes. A cash drawer used solely for the purpose of making change or for temporary placement of fees and other charges collected by the department shall not be defined as a petty cash fund. A cash drawer shall not be used in conjunction with (i.e. at the same location) or in place of a petty cash fund. The Court shall specify in its order the beginning balance of petty cash funds for each department and the custodial official of such fund. No County funds shall be used for personal benefit or for the benefit of any family member, relative or other individual, which includes the borrowing of funds.

Petty cash funds shall be expended as authorized by the custodial official. The custodial official shall submit to the County Treasurer on the last business day of each month a reconciliation showing the starting balance of the fund, expenditures from the fund, and the County-related purpose of those expenditures, payments and reimbursements to the fund and the ending balance of the fund. For each expenditure, appropriate detailed receipts shall be submitted indicating the County-related purpose of the expenditure and the person making such expenditure. A detailed receipt is defined as a receipt showing exactly what was purchased (broken down by item), date, and place of purchase. If the receipt is not detailed, an effort will be made by the purchaser to acquire one. In the rare event that a detailed receipt cannot be obtained, a signed statement detailing the purchase will be required. If in the Treasurer's opinion, that the detailed receipt exception is being abused, the Court will be notified. If a receipt is not attached with the submission, and not brought forth within ten (10) days of notification from the Treasurer's Office, the custodial official will be personally liable for those amounts. The County Treasurer shall provide forms for use in reconciling petty cash funds.

Within the first five (5) business days of each month, the County Treasurer shall issue to custodial officials a check for the amount of expenditures. For cash drawer funds, a deposit of funds in excess of the authorized amount to be retained for making change is to be made daily to the Treasurer. A reconciliation of funds will be accompanied with each deposit.

In the event that a petty cash fund or cash drawer is over-expended, the custodial official shall be liable for personal restitution to the fund (or restitution from the departmental funds). Any discrepancy in fund balance in the County's favor shall be submitted to the Treasurer and identified as "fund overage."

If, in the judgment of the County Treasurer, a fund is being mismanaged as evidenced by consistent overage or underage or as a result of improper expenditure of funds or for any other reason, the County Treasurer may at his or her sole option terminate the department's petty cash fund, cash drawer or any other funds. Alternatively, the Treasurer may revoke the privileges of the fund custodian and request that the County Court designate a replacement custodian.

The County Treasurer shall from time to time randomly audit County funds without notice to the custodial official. The custodial official shall cooperate fully with the County Treasurer in permitting examination of the fund and providing requested documentation.

### **EXPENSES RELATED TO BIRTHDAYS, ANNIVERSARIES, RETIREMENTS, AND HOLIDAY EVENTS:**

Public funds may not be used for parties, receptions and other functions commemorating special occasions such as birthdays, anniversaries, retirements, staff departures and holiday events, except as authorized by the County Court. Public funds may be used to provide food and beverage as part of an official meeting of a public body, for a staff meeting, for a County-sanctioned public celebration or event or for other purposes approved by the County Court.

### **PERSONNEL FILES:**

A personnel file is maintained for each employee and retained up to seven years following the employee's termination date. Personnel files are generally exempt from disclosure under the

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Oregon Public Records Law and other relevant statutory exceptions. Public requests to disclose information in an employee's personnel file will be reviewed by County legal counsel to determine whether the information requested is exempt under the Public Records Law. If it is determined that information contained in the employee's personnel file is not exempt from disclosure, the information that is not exempt will be disclosed in accordance with the provisions of law. Personal information of employees such as home addresses, telephone numbers, social security numbers and payroll deductions will not be released without the express permission of the employee and will be redacted from any disclosed records.

All employees have access to their own personnel file to the extent allowed by law. Personnel files shall be kept in locked cabinets and only authorized personnel shall have access to the files.

An employee may view his or her personnel file in the County administration office during regular office hours at a mutually convenient time in the presence of a County representative appointed by County administration during his or her employment or so long as the file is retained by the County. No one will be allowed to view his or her personnel file outside the presence of a County administration representative or to remove the file from County administration. Upon request, an employee will be provided with a copy of his or her personnel file, or any requested portion of the file. Employees shall pay applicable copying charges. Copies will be provided as soon as reasonably possible and in accordance with the requirements of Oregon law.

An employee's medical information and any workers' compensation files shall be kept separately from the employee's personnel file and shall be maintained by the County in locked storage with access limited to authorized personnel.

It is important that personnel files be kept current. Employees shall inform County administration as soon as possible of any changes in address, telephone number or other contact information, of any change in the marital or domestic partnership status of the employee or any change in the status of any dependent of the employee, the employee's spouse or the employee's qualified domestic partner.

#### **REFERENCES:**

At the time an employee is hired by Crook County every effort is made to gain information about the employee's previous work history. After an employee leaves the County's employment it is the policy of Crook County to provide prospective employers with the employee's dates of employment, position or positions held and salary history. The County will request a written authorization and release in a form acceptable to the County which fully releases the County from any and all liability for providing information and which authorizes the County to provide a full and complete disclosure of information before providing other information.

Without the prior approval of the designated human resources officer, no department head, supervisor, manager, or other employee is authorized to provide employee references.

## **DISCIPLINARY PROCEDURE:**

At times workplace issues, misunderstandings or deficiencies in work performance can arise. The County encourages employees and supervisors to communicate directly about issues, differences and performance deficiencies to attempt to resolve them informally. However, at times, issues, differences or work performance deficiencies may arise which cannot be resolved informally and disciplinary action must be taken.

Crook County advocates a “progressive discipline” policy, but reserves the right, at all times, to take appropriate disciplinary or corrective action depending on the nature and seriousness of the conduct involved and all relevant circumstances and to implement discipline, up to and including termination, at any level deemed appropriate by the County under the circumstances. Crook County’s progressive discipline policy does not alter the “at-will” employment status of County employees.

The following disciplinary steps may be implemented:

- Verbal warning (A date and brief description of the nature of the conduct must be documented in the personnel file.)
- Written warning (Copy to be provided to employee. It is desirable but not necessary that the employee sign the warning.)
- Discharge

The sequence of verbal warning, written warning, and discharge is not necessarily related to workplace misconduct of the same nature. However, the sequence should be related to conduct which occurs within a reasonable time frame, typically 24 months. The verbal-written-discharge sequence is in addition to the management option of suspension without pay, demotion and any other remedies. Any suspension without pay, demotion or discharge of an employee by a supervisor requires the authorization of the County Judge or the County Court.

Deputy district attorneys serve at the pleasure of the elected District Attorney and are subject to appointment, promotion, demotion, re-assignment within the office of the elected District Attorney, and to discipline or discharge at the sole discretion of the elected District Attorney. Only steps I and II of the County Grievance Procedure as described in this Employee Policy Handbook are available to deputy district attorneys.

## **GRIEVANCE PROCESS:**

Crook County will promptly consider and equitably administer employee grievances relating to employment conditions and relationships. The County encourages the resolution of grievances informally between employee(s) and their managers and supervisors. Employee(s) shall initially communicate with their immediate managers and supervisors and attempt to resolve issues short of filing a grievance. If that is not possible, however, employee(s) shall utilize the following procedure.

Step 1 – With the exception of harassment complaints, the aggrieved employee or group of employees shall orally present the grievance to the immediate manager or supervisor within five (5) working days from the occurrence giving rise to the grievance. The manager or



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supervisor will give his or her written reply within five (5) working days following the date of grievance presentation. If the manager or supervisor is the subject of the grievance, this step shall not be required and the grievance shall proceed to Step 2.

Step 2 – If the grievance is not resolved at Step 1 and the employee(s) wish to take the matter further, the grievance shall be detailed, in writing, dated, and signed by the aggrieved employee(s) and presented to the department head within five (5) working days after the manager or supervisors written reply is received. The department head will respond in writing within five (5) working days after receiving the grievance.

Step 3 – If the grievance is not resolved at Step 2 and the employee(s) wish to take the matter further, the grievance shall be detailed, in writing, dated, and signed by the aggrieved employee(s) and presented to the County Administration Office within five (5) working days after the department head's written response. All pertinent correspondence, records, and information accumulated to date shall be attached to the grievance. The County Judge, a County Commissioner, County Counsel, or other designated representative will investigate the grievance and render a decision, in writing, within ten (10) working days after receiving the grievance.

Step 4 – The written decision issued in Step 3 shall be forwarded to the County Court. Any aggrieved party may request a hearing by the County Court. Said request must be in writing and received within ten (10) days after receiving the decision rendered in Step 3. The County Court at its discretion may agree to hear the grievance or let the final decision rendered in Step 3 stand as the final decision.

The response time of the County at any stage of the grievance process may be extended by the County to accommodate vacation, illness, or other absence or for any other reason deemed appropriate by County. If the grievance steps are not initiated by the employee(s) within the time limits noticed within this policy, the grievance will not be accepted and will be considered withdrawn or not to have existed. The time limits noted within this policy for the initiation and completion of the grievance steps can be extended by mutual consent of the parties involved. Mutual consent must be indicated in writing and signed by all parties.

No employee will be retaliated against in any way because of initiating or participating in the grievance process.

In a situation involving elected officials, an employee must follow the grievance procedure and the County Court will attempt to achieve the cooperation of the official to reach resolution, but the final decision will rest with the elected official. An elected official who does not cooperate with the County Court in a good faith effort to resolve a grievance may not be protected by the County's employment practices liability insurance or any other County insurance coverage.

Those employees covered under a collective bargaining agreement are required to follow the steps as outlined in their agreement, if any.

## **LAYOFFS AND TERMINATION OF EMPLOYMENT:**

- ***Layoffs***

A department manager or supervisor, after consulting with the County Judge, may lay off employees for reasons including, but not limited to, change in duties or responsibilities of a department, shortage of funds, a change in legislation or other reasons deemed necessary or appropriate by the County Judge in his or her sole discretion.

If a layoff is necessary, positions funded as extra help or temporary will generally be laid off first. If further layoffs are necessary, employees who have not completed their probationary period will be laid off. Layoff shall be made by taking into consideration job performance, experience and training, the cost / benefit of the employee to the County, and other relevant factors. An employee's seniority, either with the County or with an individual department, will not be a factor in determining layoffs. The ultimate decision regarding layoff is reserved to the County Court.

For a period of six months following a layoff, employees shall be recalled in the inverse order of the layoff. An employee who has been laid off for more than five days who fails to respond to a recall notice within five days of being sent or provided with a recall notice or an employee who has been laid off for five days or less who does not respond to a recall notice within two days after being provided with a recall notice be conclusively considered to have waived the employee's recall rights.

For the purposes of recalling employees from layoff, notice of recall from a layoff exceeding five days will be by certified mail, return receipt requested, sent to the employee at his or her last known address. For layoff periods of less than five days, a personal visit or a personal telephone call from the County will suffice as recall notice.

- ***Temporary Interruption of Employment***

A temporary interruption of employment due to adverse weather conditions, shortage of supplies or for other unexpected or unusual reasons, which does not exceed ten days, shall not be considered a layoff and, at the termination of the condition, employees are expected to return to work. Such interruptions of employment may be charged to accrued vacation time or may be taken as leave without pay.

- ***Resignation***

In order to resign in good standing, an employee shall provide his or her manager or supervisor at least 14 calendar days' notice. However, the manager or supervisor may agree or require, because of extenuating circumstances, to less notice. The manager or supervisor must submit a Notice of Resignation to the payroll office so that a final check can be prepared in a timely manner.

In keeping with the "at-will" employment relationship, an employee may voluntarily resign at any time and for any reason. An employee will be considered to have voluntarily resigned if:

- The employee fails to return from an approved leave of absence on the specified date;  
or

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- The employee fails to report to work without notice for two or more working days.

- ***Separation of Employment***

An employee's physical last day worked will be the termination date, unless otherwise provided by law. Use of paid leave will be allowed as it pertains to the Family and Medical Leave Act, Oregon Family Leave Act, or any other applicable law. Use of vacation upon "retiring" will not be allowed as it poses a hiring hardship on the County. When retiring, vacation and any other paid time will be paid out in the final paycheck.

- ***Terms of Employee Severance Policy***

Non-probationary employees who are involuntarily terminated from employment by the County due to budget reductions may be eligible for the following benefits:

- Two weeks' pay for the period following the final day of actual work.
- Lump sum payout for accrued vacation time.
- Up to 18 months of COBRA health insurance coverage on the County health plan for employee, spouse, and dependent children. Employees will be responsible for making premium payments to the County; however, the employee will be eligible for a 65% reduction in premium payment for up to 9 months under the Federal stimulus package.

Note: Employees who are terminated due to gross misconduct or who leave employment voluntarily may not be eligible for the above benefits. The County may negotiate benefits on a case by case basis with individuals considering early retirement.

- ***Dismissal / Termination***

A department head, manager or supervisor may dismiss a subordinate employee from County service after consulting with the Human Resources office and receiving the permission of the County Court.

Like all at-will employees, an employee may be discharged for any lawful reason during the employee's probationary review period, and the progressive discipline policies will not apply during the probationary period. The County Court, in order to preserve the welfare of the County, may discharge any employee at any time, with or without notice, with or without cause.

### **ADA ACCOMMODATION:**

It is the policy of Crook County to comply with the Americans with Disabilities Act (ADA) and with all applicable state and local laws that forbid discrimination in employment against qualified individuals with disabilities. A qualified person with a disability is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job the individual holds or desires. To this end, County will do the following:

- Ensure that individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and in all terms, conditions, and privileges of employment.

- Administer medical examinations to applicants only after conditional offers of employment have been extended, and to employees only when justified by business necessity or as part of the company's voluntary annual physical examination program.
- Maintain all medical-related information in a confidential manner in separate, confidential files.
- Give applicants and employees with qualifying disabilities reasonable accommodations, except where making an accommodation would create an undue hardship on the County, would result in the elimination of the performance by the employee of essential functions of the employee's position or would be unsafe for the employee, co-workers or members of the public.
- Provide notice that County ensures reasonable accommodation to qualified individuals with disabilities by posting conspicuously in County's facilities the Equal Employment Opportunity Commission's poster regarding nondiscrimination against the disabled and other protected groups.

All requests for reasonable accommodation from qualified applicants and employees with disabilities shall be referred to the Human Resources Director. In considering a request for reasonable accommodation, the following procedure shall be followed:

The Human Resources Director will meet with the applicant or employee requesting the accommodation to discuss and identify:

1. The purpose and essential functions of the job;
  2. The precise limitations resulting from the disability; and
  3. Potential accommodations that could overcome those limitations.
- Where necessary, the Human Resources Director will discuss potential accommodations with the individual's supervisor. Additionally, the Human Resources Director may contact outside agencies specializing in providing technical assistance for individuals with disabilities or consult with medical experts about potential accommodations.
  - In evaluating potential accommodations, the Human Resources Director may do the following:
    1. Request a written statement from the disabled individual's physician to verify the disability and legitimate need for an accommodation;
    2. Require the individual to be examined by a medical expert selected by the County to help identify effective accommodations; or
    3. Require the individual to be evaluated by a psychologist, psychiatrist, rehabilitation counselor, occupational or physical therapist, or any other professional with knowledge of the person's disability and limitation; and
    4. Require access to the individual's medical records.
  - The Human Resources Director, in consultation with the employee's department head or supervisor will determine the feasibility of the requested accommodation. Various factors will be considered, including, but not limited to, the following:
    1. The nature and cost of the accommodation needed;

2. Outside funding;
  3. The overall financial resources of the County and the overall business needs of the County; and
  4. The impact of the accommodation on the operations of the County, including the impact on the ability of other employees to perform their duties and on the County's ability to conduct its business.
- In determining the feasibility of the requested accommodation, the County will consider the preference of the individual to be accommodated. However, the County will not necessarily grant the specific accommodation requested by the individual. The County may choose another effective accommodation that is less costly or will better serve the operating needs of the County and provide equal opportunity for the applicant or employee.
  - Once a decision is made about an accommodation, the Human Resources Director will inform the applicant or employee of the County's decision regarding an accommodation.

Although a duty to consider a reasonable accommodation is legally triggered by a request from an applicant or employee, situations may arise when an employee who is known to have a disability may be having difficulty performing the essential functions of his or her job. In these circumstances, the employee's supervisor should discuss the matter with the Human Resources Director and determine if the employee should be approached about the possibility of the County providing a reasonable accommodation.

### **PREGNANCY ACCOMMODATION:**

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact the Human Resources Director to discuss their options for continuing to work and, if necessary, leave of absence options. The County will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the County's operations.

Although this policy refers to "employees," the County will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

- ***Requesting a Pregnancy-Related Accommodation***

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with the Human Resources Director and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the County and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the County and employee must monitor the employee's accommodation situation and make adjustments as needed.

- ***No Discrimination, No Retaliation***

The County prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the County; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable Oregon law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer can't require an employee to use FMLA if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of the County. Also, no employee will be denied employment opportunities if the denial is based on the need of the County to make reasonable accommodations under this policy.

- ***Leave of Absence Options for Pregnant Employees***

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under the Oregon Family Leave Act and the Family Medical Leave Act. See policies on page 55, or speak with the Human Resources Director.

**RELIGIOUS ACCOMMODATION:**

Crook County will provide reasonable accommodation for religious observances or practices of employees, unless providing the accommodation would impose an undue hardship on Crook County; this may also include accommodating the wearing of religious clothing. With management approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave.

**WELLNESS STATEMENT:**

Crook County encourages its employees to live healthy and active lifestyles. Exercising and eating a healthy diet leads to individual fulfillment and increased employee productivity, and it also helps lessen the ever-increasing healthcare costs being borne by County employees and County taxpayers. The Wellness Committee is also responsible for promoting "wellness" within the ranks of County employees in order to reduce utilization and cost of insurance benefits. As part of this responsibility, and in accordance with directives from the County Court, the Wellness Committee may adopt incentive programs to reward employees for reaching certain health or wellness milestones. These incentive programs will constitute a portion of the eligible employees' official compensation. The Wellness Committee will collaborate with the Finance Department to properly document any such compensation.

### **III. BENEFITS**

The employee benefits summarized herein are maintained for the benefit of Crook County employees. The benefits are established with the intent that they will be maintained for an indefinite period of time. However, Crook County reserves the right to change premium values, change employee costs and to otherwise amend or discontinue such plans at any time, for any reason, financial or otherwise.

Any dispute relating to any term, condition or provision of any employee benefit plan will be subject to review by the plan administrator. The decision of the plan administrator will be final and binding. Crook County will have no liability and does not assume responsibility for the failure or refusal of an insurance carrier to honor an employee's claim or to pay benefits.

#### **STATUTORY BENEFITS:**

Crook County provides workers' compensation insurance, unemployment compensation insurance and contributes to the federal social security program (FICA). These statutory benefits are provided to all employees in accordance with the requirements of applicable laws.

#### **DOMESTIC PARTNERSHIPS:**

The Oregon Family Fairness Act establishes a domestic partnership system that provides legal recognition to same-sex domestic partner relationships. To qualify as a domestic partner for purposes of this Handbook and Crook County personnel rules, the individual must be joined in a same-sex domestic partnership for which a Declaration of Domestic Partnership has been filed and a Certificate of Registered Domestic Partnership had been issued by a County Clerk in accordance with Oregon law.

Employees in a qualifying same-sex domestic partnership and the children or dependents of partners in a qualifying same-sex domestic partnership are entitled to qualifying benefits under Oregon law on the same terms and conditions as married employees and the children or dependents of married employees. Qualifying benefits are only those benefits controlled by Oregon law since domestic partnerships are not recognized under federal law. Therefore, benefits extended to married employees or to children or dependents of married employees by reason of marriage under federal law, including any benefit under any employee benefit plan subject to federal regulation or under any retirement, deferred compensation or other employee benefit plan, if the plan administrator reasonably concludes that the extension of benefits would conflict with a condition for tax qualification of the plan, or a condition for other favorable tax treatment of the plan under federal law, will not be extended to same-sex domestic partners or to the children or dependents of same-sex domestic partners.

#### **MEDICAL, DENTAL AND VISION INSURANCE:**

Regular full-time and regular part-time employees (working a minimum of 128 hours per month) shall be eligible for medical, dental and vision insurance unless the employee elects not to take it. Employees are eligible the first day of the month following the month of their first employment. In some instances medical and dental insurance may not be separated for purposes of election.

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Please refer to the insurance booklet provided at the time of your hire for details on coverage, types of plans, etc. It is the responsibility of each employee and elected County official receiving coverage to notify Crook County Human Resources Department of any additions or deletions to dependent insurance coverage. For the purposes of this policy notification means submitting a completed health, dental and/or vision insurance change form with signature in a timely manner to the Human Resources Department.

When an employee is on an approved leave of absence, the employee may continue insurance benefits coverage for the employee and the employee's eligible dependents during the employee's leave of absence. However, the County is only obligated to pay premiums to maintain insurance benefits coverage for the employee and the employee's eligible dependents if the employee has worked or is on a paid leave status for at least 128 hours during the pay period or pay periods for which the employee is on a leave of absence. It is the employee's obligation to make arrangements with the County for the employee to make medical, dental and vision insurance premium payments during any leave of absence. In order for an employee to maintain insurance benefits coverage while on unpaid leave, the employee will be required to pay to the County the portion of the employee's insurance premium that is generally deducted from their paycheck.

Insurance premium payments for employees on leave under the Federal Family and Medical Leave Act or the Oregon Family Leave Act will be governed by the provisions of those laws.

Insurance coverage is an employee benefit. There is no right to coverage for employees or their families. Nothing herein shall bind the County to provide insurance or to provide any particular type or level of insurance coverage to employees or their families. The decision to provide insurance coverage and, if provided, the level at which insurance coverage benefits will be provided, shall be made by the County Court, based on the availability of County resources.

Spouses and same-sex domestic partners will be insured in the manner which is most financially advantageous to Crook County. Any additional premium cost to the employee resulting from this change will be borne by the County. Thus, if two married employees apply for full family benefits, the County may assign one employee to the employee-only category for coverage purposes. Any change in marital status or dissolution of domestic partnership will be treated as a qualifying event.

### **COBRA (INSURANCE CONTINUATION) BENEFITS:**

Upon termination, employees covered under a health insurance plan have legal rights to remain on the insurance plan at their own expense for at least 18 months following termination (length of time can be extended under certain circumstances) through Consolidated Omnibus Budget Reconciliation Act (COBRA) benefits. COBRA information regarding insurance continuation, coverage, costs and administrative procedures is available from the Human Resources Department at the time of employment termination or whenever an employee has a question about other qualifying events.

Employees who no longer qualify for medical, dental and vision insurance, or are terminated from employment, will lose insurance coverage at the end of the month in which the loss of eligibility or termination occurs and will become COBRA eligible. Crook County pays for



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insurance one month in advance. Any premiums collected for the following month's insurance will be returned. COBRA coverage will be offered the first of the month following the month in which insurance ended.

COBRA coverage will not be offered to participants over the age of 65 because of the Medicare option. Participants may remain on COBRA insurance up to 18 months (or as designated by the COBRA plan) or up to age 65, whichever occurs first. COBRA coverage will end at the end of the month in which the participant turns 65 years of age.

### **LIFE INSURANCE:**

All regular full-time and regular part-time employees (working a minimum of 128 hours per month) and elected officials are provided life insurance coverage as a means of giving a measure of protection and assistance in the event of the employee's death. At the County's expense, employees and elected officials will be covered with a \$10,000 life insurance policy. This amount can be increased at the expense of the employee or the elected official through a supplemental insurance option. It is the responsibility of each employee and elected official to inform the designated human resources administrator of any change in beneficiaries. Notification means submitting a completed and signed change of beneficiary form to the designated human resources administrator in a timely manner.

When an employee is on an approved leave of absence, the employee may continue insurance benefits coverage during the employee's leave of absence. However, the County is only obligated to pay premiums to maintain insurance benefits coverage for the employee and the employee's eligible dependents if the employee has worked or is on a paid leave status for at least 128 hours during the pay period or pay periods for which the employee is on a leave of absence.

Upon termination of employment, an employee may continue coverage for life insurance for any remaining portion of the month in which the employee's employment with County ends by paying all applicable premiums.

It is the employee's responsibility to make arrangements with the County to make payments to maintain insurance benefits coverage during any leave of absence or upon termination of employment.

### **VOLUNTARY LIFE INSURANCE:**

All regular full-time and regular part-time employees (working a minimum of 128 hours per month) can enroll in the Voluntary Life Insurance Plan. The amount of coverage is based on one's age and can be continued after termination as allowed by the Voluntary Life Insurance Plan. The benefit is available to County employees, their spouses or qualifying same-sex domestic partners (at ½ the coverage amount available to employees) and dependents at the employee's expense. Additional information is available upon request from the Human Resources Office and deductions will be taken out of the employee's paycheck.

### **FLEXIBLE SPENDING ACCOUNT:**

Regular full-time and regular part-time employees (128) hours are eligible for Crook County's Flexible Spending Account (FSA). An FSA allows employees to pay for certain health related expenses and/or dependent care expenses through pre-tax payroll deductions. Eligible expenses include payroll-deducted medical, dental and vision insurance premiums; non-reimbursed health related expenses; dependent care expenses; and other health-related premiums.

### **WORKERS' COMPENSATION INSURANCE:**

All employees are protected by workers' compensation insurance. The policy covers all compensable injuries or illnesses resulting from legitimate work activities as determined under Oregon Workers' Compensation law. Any employee who is involved in an on-the-job accident or who sustains an on-the-job injury or illness shall report the accident, injury or illness to the employee's supervisor immediately, or as soon as reasonably possible if the employee is prevented from doing so by the accident, injury or illness or other circumstances which reasonably prevent the employee from reporting the accident, injury or illness. An accident/injury report will be completed and submitted to the designated human resources administrator. If medical treatment is necessary or time off work results, a Form 801 will be completed and submitted to the designated human resources administrator.

### **EARLY RETURN TO WORK FOR WORK-RELATED INJURIES / ILLNESSES:**

It is the policy of Crook County to return employees to work as early as possible following a work-related injury or illness. This policy is not intended as a substitute for reasonable accommodation when an individual also qualifies as an individual with a disability, nor is it intended to deny time off rights under the County's Family and Medical Leave Policy. For the Sheriff's Office, please refer to the Oregon Association of Chiefs Model Directive for Temporary Transitional Work.

- ***Definition of Transitional Work***

To minimize serious disability due to on-the-job injuries, as well as to reduce workers' compensation costs, Crook County has developed the following procedures to handle time loss claims in which an injured worker may be offered temporary transitional work. Transitional work will be identified after the injured employee provides his/her supervisor with physical limitations or restrictions as outlined by the employees' physician. Transitional work may be any of the following:

- The worker's regular job, changed temporarily by removing or modifying work tasks to comply with limitations or restrictions documented by the employee's physician; or
- Responsibilities associated with another regular position currently existing at the workplace; or
- Newly developed transitional work that is specifically designed around the worker's restrictions as documented by the employee's physician.

- ***Offer of Transitional Work***

Temporary transitional work, if offered, will end on the date the worker is released by his or her physician to resume his or her work duties and may be ended at any time if there is no longer a need for the temporary assignment. Each case will be assessed individually based on need. Transitional work may last up to 90 days and is not intended as a permanent modified position. The transitional work will be reviewed and may be extended with management approval as long as the work is available and is beneficial to the County.

Transitional work may not be implemented in every time loss claim. The employee's wage rate for the transitional work assignment will not necessarily be the same as the employee's regular rate of pay for his or her regular job, but in most cases, will be comparable depending upon the extent of the employee's work restrictions. Acceptance of transitional work shall be on a voluntary basis at the option of the employee. However, refusal to accept suitable transitional work may affect time loss compensation under the workers' compensation law. Failure to accept temporary transitional work following non-work related injuries or illnesses may result in termination if the employee is not eligible for leave under the County's Family and Medical Leave Policy or under other applicable law.

Please contact County Administration for further information regarding workers' compensation claims or the County's early return to work policy.

#### **401(k) RETIREMENT PLAN:**

All regular full-time and regular part-time employees (working 128 hours per month) are covered by the County Retirement Plan (401-K) and are eligible for enrollment the first of the month after completing their six-month probationary period.

Employee and County contributions under the 401-K plan are prescribed by the County Court.

When an employee is granted a leave of absence as set out in this handbook, the employee can continue his 401-K contributions during his absence if the employee is on paid leave for 128 hours or has worked 128 hours during the pay period. If an employee is not on paid leave or has not worked the requisite hours, the County will not contribute to the 401-K plan for that pay period.

The fact that a potential employee is receiving a retirement or disability payment from another unit of government or private employer does not prohibit him or her from working for Crook County under the same terms and conditions as any other employee who is not receiving such a benefit, except to the degree prohibited by law. Thus an employee who is receiving a military retirement may qualify for full-time employment with Crook County and expect to receive the same retirement contribution as all other employees.

### **INSURANCE AND WELLNESS COMMITTEES:**

Crook County maintains an insurance committee for the purpose of advising the County Court in the process of annually selecting insurance coverage to be extended to employees. The committee may also be asked to advise the Court regarding other issues such as additional benefits, selection of agent of record and employee concerns with the effectiveness of the insurance program. The committee shall consist of the Human Resources Manager, one representative of the County Court, one representative from the Treasurer's office, one representative of each bargaining unit, and up to two additional members selected at the discretion of the County Court representative and HR Manager. The bargaining units will designate their representative. The HR Manager will serve as the Chair of the committee. The committee will meet at least once annually before the selection of an insurance plan in the year upcoming, and may meet more often as needed. Members of the committee will work together to educate all County staff on insurance selection options available.

Crook County also maintains a wellness committee for the purpose of promoting wellness within the ranks of County employees in order to reduce absenteeism and employee healthcare costs. The committee shall provide wellness information and activities for County employees as well as advise the County Court and County Administration on best practices to adopt related to employee wellness. The Court may support the wellness committee through wellness promotion funding, court representation and in encouraging participation in the committee by representatives of all departments. The committee will meet a minimum of four times per year, and may meet more often as needed. The County Health Department and Human Resources Department will serve on the wellness committee, in addition to others as may be appointed. The committee will report to the County Court at least semi-annually regarding its efforts and evidence-based strategies.

### **401(k) DIVESTMENT COMMITTEE:**

A 401(k) divestment committee shall meet annually to review the portfolio of 401(k) fund options and recommend to the County Court changes based on optimizing performance and maximizing the range of investment choices in the 401(k) plan. The committee may also work with the 401(k) advisor to provide investment education to County employees. The 401(k) committee shall consist of employee volunteers appointed by the administrative officer and shall be broadly representative of management and employees.

### **BAR COMPLAINT LEGAL REPRESENTATION REIMBURSEMENT POLICY:**

Statement of Policy: Crook County may consider, on a case-by-case basis, whether to provide employees with reimbursement for representation costs associated with complaints, investigations or other actions involving the Oregon State Bar Association. For a request for reimbursement to be considered by Crook County, the complaint, investigation or other action must arise out of activities/conduct undertaken by the employee while acting in the course and scope of employment and in a manner consistent with County procedures and policies.

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**Applicability:** This policy applies to employees of Crook County who operate pursuant to professional licensure/certification standards of the Oregon State Bar. This policy only applies to Bar complaints that are not covered by Crook County Bar complaint insurance policy, if any.

**General:** Crook County is not legally obligated to defend employees with regard to professional licensure or certification complaints, investigations or other actions. However, in certain instances, the Crook County will consider providing on-going reimbursement of costs incurred by employees with regard to complaints, investigations or other actions involving the Oregon State Bar Association where the subject activities/conduct was undertaken by the employee while acting in the course and scope of his/her employment with Crook County.

**Process:** If an employee plans to request reimbursement from Crook County regarding a complaint, investigation, or other action involving boards or other entities regulating the employee's professional licensure or certification, the employee will, at the earliest opportunity, but no later than three (3) business days after receiving notice of the underlying complaint, investigation, or other action, notify his/her immediate supervisor. Thereafter, the employee will cooperate fully with the supervisor such that the supervisor and the employee may jointly prepare a formal written request for reimbursement. The written request will summarize the relevant information and will include an assessment by the supervisor as to the merits, if any, of the complaint, investigation or other action. The written request will be sent to the employee's Department Head for review and decision. The Department Head will then make a written decision on whether or not to approve the request for reimbursement, and identify applicable conditions/limitations. The decision of the Department Head will be final.'

**Documentation:** The employee will provide his/her supervisor with such documentation showing the amount sought for reimbursement as the supervisor may request, and as may be required by the County Finance office.

**Reimbursement Cap:** If the Department Head approves the request for reimbursement, the maximum amount that will be reimbursed is \$15,000.00.

## V. LEAVE

### VACATION PAY AND VACATION SELL-BACK:

Except for elected officials, to whom this section does not apply, and for Sheriff's Office employees, who receive PTO, regular full-time and regular part-time employees begin to accrue vacation leave on the employee's hire date but may not take accrued vacation leave until the employee has completed at least six months of employment with the County and has received authorization from their supervisor or manager. Vacation time is accrued based on seniority and hours worked as follows:

- Regular employees routinely scheduled to work at least 128 hours per month but less than 140 hours per month earn vacation leave at the rate of 80% of what a full-time person in their same class and seniority earns;
- Regular employees routinely scheduled to work over 140 hours per month earn full-time vacation leave benefits;
- Employees who work less than 128 hours per month do not receive accrued vacation benefits;
- In order to change a person's vacation leave accrual, the department manager or supervisor must submit a personnel change notice to the payroll administrator.

The maximum accrual for vacation leave shall be equal to a total of two years vacation leave credit. Vacation leave accumulated in excess of two years vacation leave credit will be forfeited and the employee shall not be entitled to compensation for any forfeited vacation leave.

Vacation leave for regular full-time employees will accrue according to the schedule below. However, the accrual will not be earned nor appear on the employee's pay stub until the successful completion of the review period when the employee becomes a "regular" employee.

<b>Years of Continuous Service</b>	<b>Vacation Accrual (hours per month)</b>
0-3	6.67 Hours
4-10	10.00 Hours
11-16	13.33 Hours
17+	16.67 Hours

Department managers and supervisors will establish appropriate vacation schedules annually and employees will take vacation time as scheduled. Vacation schedules may be amended to meet work emergencies or to grant individual employee requests. Compensatory

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Time Off (CTO) cannot be taken in conjunction with vacation leave without the prior approval of the department manager or supervisor. The County Judge approves vacations for all department managers and supervisors. Whenever possible, seniority shall prevail where there is a conflict in vacation requests except in conjunction with holidays, when department managers and supervisors shall attempt to rotate consideration for approval of vacation leave among employees.

At least once each calendar year, each employee is required to take five consecutive vacation days, if accrued.

Employees are entitled to "sell" back to the County up to 40 hours of their accrued vacation time once during any fiscal year at the rate of the employee's base pay in effect at the time the leave is sold back. For example an employee whose base pay is \$10.00 an hour can sell his vacation time back to the County for \$10.00 an hour (\$400.00 for 40 hours). An employee may not "sell back" time unless the employee has taken at least five consecutive vacation days during the preceding 365 day period.

Vacation time does not accrue when an employee is on an unpaid leave. No employee will be granted any time off without pay, no matter how small the increment, until the employee has exhausted all of the employee's accrued and unused paid leave, including holiday pay, vacation leave, CTO and, if applicable, sick time.

Employees who transfer to or are appointed to another department take their accrued vacation time with them and the accrued time is assumed by the new department. When an employee is elected to or is appointed to fill an elected County office, the employee will be paid for his or her accrued vacation time prior to assuming office.

Terminated employees will be paid for their accrued and unused vacation time at the time of separation. Because an employee is not eligible for vacation during the first six months of employment, an employee who terminates employment during the first six months will not be paid for any vacation time.

## **HOLIDAYS:**

The following days are paid holidays for all regular full-time and part-time employees, with the exception of Sheriff's Office employees, who receive PTO.

- New Year's Day (January 1)
- Martin Luther King Day (Third Monday in January)
- Presidents' Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)

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- Veterans' Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Day after Thanksgiving Day (Fourth Friday in November)
- Christmas Day (December 25)
- Floating Holiday (at management's discretion, available to those who have completed at least six months of employment and work 128 or more hours per month) to be used during the fiscal year payroll period (July 1 through June 30). Floating holiday does not accrue – if it is not taken during the fiscal payroll year it is forfeited. Employees are not entitled to compensation for any unused Floating Holiday.
- Additional holidays as may be determined by the Court

For pay purposes, when a holiday falls on Sunday, the following Monday is considered the holiday. If a holiday falls on Saturday, the preceding Friday is considered the holiday.

With a minimum of 21-days advanced notice, employees who served on active duty in the Armed Forces for at least six months and received an honorable discharge, may take Veterans Day off. If granting the day off would cause either undue hardship or significant economic or operational disruption to the County, the request for Veterans Day off may be denied. Should either of these two circumstances be the case, qualified employees may take an alternative day off; this day off will be granted prior to the following Veterans Day. A minimum of 14 days prior to Veterans Day, the employee will be notified whether the request was granted, and at the discretion of Crook County. Employees serving as reserve National Guard members who have not deployed, or otherwise served on active duty for at least six months, are not qualified under this policy to take Veterans Day off. Employees may be required to provide eligibility documents proving their veteran status. Pursuant to Crook County's policy on 'UNPAID TIME OFF,' unpaid time off for Veterans Day may only be authorized if the employee has no remaining accrued and unused vacation time, CTO, PTO, personal holiday leave time or other paid leave time available to them.

Full-time employees shall be compensated at the straight-time rate of 8 hours for each recognized holiday. Part-time employees who work 128 hours or more per month will be compensated at the straight-time rate on a pro-rated basis for each recognized holiday that falls on their regularly scheduled workday.

Employees who work less than 128 hours per month, temporary employees and seasonal employees do not receive holiday pay.

Work performed by an employee on a holiday that falls on a regularly scheduled work day of the employee will be considered overtime work. Non-exempt employees who work on such holidays shall be granted Compensatory Time Off or overtime pay for the hours worked in addition to their regular holiday pay.



## **SICK LEAVE:**

Regular full-time employees accrue sick leave at the rate of one day for each full month of service up to a maximum of 1080 hours. Regular and temporary part-time employees shall accrue sick leave at the rate of 1 hour of paid sick time for every 30 hours or 1.3 hours for every 40 hours the employee works. Sick leave accrual for all employees shall begin on the first day of employment. Employees are eligible to begin using accrued sick leave on the 31<sup>st</sup> calendar day of employment and may use sick time as it is accrued.

Sick Leave accrued may be used for the following reasons:

- An employee's mental or physical illness, injury or health condition or need for preventive medical care. If the need for sick leave is foreseeable, the employee must notify his or her manager or supervisor as soon as possible prior to the start of his or her work shift. At the request of department management, an employee may be required to obtain certification from a treating physician for absences in excess of three days;
- To care for a family member with a mental or physical illness, injury or health condition, care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition or care of a family member who needs preventive medical care;
- In the event of a public health emergency – a public health emergency includes, but is not limited to:
  1. Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
  2. A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others; or
  3. The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons;
- Leaves that qualify for protection under the federal Family Medical Leave Act (FMLA) or the Oregon Family Leave Act. (OFLA) These reasons may include:
  1. OFLA and FMLA<sup>2</sup>
    - a. Serious Health Conditions (of an employee or the employee's covered family member)
    - b. Pregnancy (a type of serious health condition)
    - c. Parental leave
  2. OFLA-only<sup>2</sup>
    - a. Sick child Leave (for non-serious health conditions of the employee's child)
    - b. The death of a qualifying family member as defined herein.

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<sup>2</sup> BOLI-Employment Leave Laws: A Handbook for Oregon Employers 2014 Edition: 2-24

3. FMLA-only<sup>2</sup>
  - a. Military Caregiver Leave
  - b. Qualifying Exigency Leave

- Victims of domestic violence, harassment, sexual assault and stalking;
- Any other leave reasons as required by state and federal law;
- Dental visits.

### **USE OF ACCRUED SICK LEAVE FOR WORKERS' COMPENSATION TIME LOSS:**

An employee on workers' compensation leave may elect to use up to 500 hours of accrued and unused sick leave to pay the difference between the employee's regular net pay and the workers' compensation time loss benefit received by the employee for a period of time not to exceed three months. The combination of workers' compensation time loss payments and sick leave payments may not exceed the employee's regular net pay. The employee must bring a copy of the amount received from the workers' compensation carrier to the Finance Department so that a net pay amount can be calculated.

### **USE OF SICK LEAVE TO REPLACE VACATION TIME, HOLIDAY PAY OR OTHER COMPENSATED TIME OFF:**

An employee may not substitute sick leave for vacation, holiday, compensated time off or any other compensated time once time off is scheduled.

### **FAMILY AND MEDICAL LEAVE: FEDERAL (FMLA)/ OREGON (OFLA)**

- ***Applicability***

It is the policy of Crook County to grant leave to eligible employees in accordance with the federal Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). Crook County will count any time taken that is eligible under FMLA/OFLA, as leave taken under those laws, as applicable. In some circumstances, FMLA and OFLA leave will run concurrently.

- ***Eligibility***

The FMLA/OFLA policy allows a leave of absence for a "qualified" employee, and/or his/her family members with a "serious health condition," as defined by law. Leave may also be granted for pregnancy disability, the birth or adoption of a child, the placement of a foster child, the care of a sick child with/without a "serious health condition," bereavement, and in some circumstances leave may be available for military families. For both FMLA and OFLA, "family member" includes an employee's spouse child, or parent, or those who are or were acting "in loco parentis." For OFLA only, family member also includes parents-in-law, grandparents, grandchildren, same-sex domestic partners and the parents and children of a same-sex domestic partner. Please contact Human Resources for questions on eligibility.

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Please see 'BEREAVEMENT LEAVE' for use of family leave for bereavement purposes under OFLA.

Typically, employees experiencing non-work related injuries or illnesses that are short-term in duration (6 months or less), are not allowed to return to work until released by a doctor.

- ***Federal Military Leave***

Qualifying Exigency Leave for Families of National Guard and Reserves:

The National Defense Authorization Act for 2008 (NDAA) amends FMLA to allow military family members (spouse, son, daughter, or parent) of people who are on, or about to go on active duty, leave entitlement to manage their affairs ("qualifying exigency"). For Guard and Reserve members, the term "qualifying exigency" may also mean deployment in a contingency operation.

For purposes of qualifying exigency leave, family members of covered military members called to active duty may take leave for one or more of the following qualifying exigencies: (1) to address any issues which arise from the military member learning of a call or order to duty seven or less calendar days prior to deployment; (2) to attend military events or sponsored family support programs; (3) to arrange for alternative childcare or school attendance, attend childcare or school meetings, or provide childcare on an urgent immediate need basis when necessitated by the call to duty; (4) to make or update financial and legal arrangements to address the military member's absence, or to serve as the military member's Representative in obtaining, arranging or appealing military service benefits; (5) to attend counseling (not provided by a health care provider) for oneself, the military member, or child of the military member; (6) to spend time (up to 5 days of leave for each instance) with a military member on temporary rest and recuperation leave; (7) to attend post-deployment activities including funeral services, (8) to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty, and (9) any other events which employer and employee agree arise out of the military member's call to duty, qualify as an exigency, and agree as to the timing and duration of leave.

Qualifying Exigency Leave is combined with time off for any other reason under FMLA so that the total amount of leave available in a twelve-month period is twelve weeks. However, leave for this purpose may not count against your entitlement under OFLA. The leave may be taken on an intermittent or reduced leave schedule basis. When requesting leave, the employee must provide "sufficient information" to make Crook County aware of the need for FMLA Qualify Exigency Leave.

The amount of time an eligible employee may take for Rest and Recuperation Qualifying Exigency Leave is a maximum of 15 calendar days.

Employees should note that the definition of "serious illness" contained in the NDAA is not the same as FMLA's "serious illness" definition. This means that some illnesses or injuries may qualify for FMLA Military Caregiver Leave even though they do not meet FMLA's definition of serious health condition.

Military Caregiver Leave:

The NDAA FMLA amendments allow an employee to take up to 26 weeks of unpaid FMLA Caregiver Leave during a "single 12-month period" to care for a covered military member who incurs a serious illness or injury in the course of active duty. Covered service members include covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A covered veteran is an individual who was discharged or released under conditions other than dishonorable, at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

The "single 12-month period" begins on the first day the employee takes Military Caregiver Leave and ends twelve months after that date. That means that the 26-weeks of leave may span more than one FMLA leave year. During the 12-month period, if the employee takes leave for any other reason under FMLA, the combined total of Military Caregiver Leave and the other time off will be limited to twenty-six (26) weeks. Military Caregiver Leave may not count against your entitlement under OFLA.

Covered military members include the employee's spouse, child, parent or next of kin (defined as nearest blood relative).

For Military Caregiver Leave only, a "serious injury or illness" is any injury or illness incurred in the line of duty that renders the military member medically unfit to perform the duties of the member's office, grade, rank or rating. In addition, it includes injuries or illnesses that existed before the beginning of the member's active duty and were aggravated by service in the line of duty on active duty in the Armed Forces.

A serious injury or illness for a covered veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:

- (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; OR
- (2) A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for Caregiver Leave; OR
- (3) A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR
- (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

- ***Oregon Military Family Leave (OMFLA)***

Employees who work an average of 20 hours per week, regardless of how long the employee has worked for Crook County, may be eligible for this leave. The OMFLA provides spouses of armed service members with 14 days of unpaid leave each time an employee's spouse is deployed for military service. In order to take this leave, the employee must give notice to the

employer within five days of receiving official notice of the spouse's deployment. The 14 days count against the employee's 12-week OFLA allotment for the year; this means the days are included in, not in addition to, the 12 weeks of family leave available under Oregon's Family Leave Act (OFLA). Benefits and Compensation may be continued during OMFLA leave. Upon completion of OMFLA, an employee is eligible to be restored to employment in the position held at the beginning of the leave. No retaliation or discrimination may occur because an employee has requested OMFLA leave.

- ***Workers' Compensation***

Workers' Comp and OFLA: OFLA automatically begins if an employee, who is on workers compensation time loss, refuses an offer of light-duty employment.

- ***Designation of Leave***

Usually, leave under the federal Family and Medical Leave Act (FMLA) and Oregon Family Leave Act (OFLA), run concurrently. There are some situations where this may not be the case, or instances where additional benefits may be permitted under County policy. If you or your family member's circumstances qualify for FMLA/OFLA protection or leave under County policy, hours missed cannot be cause for discipline or retaliation.

Military family members using leave for any "qualifying exigency," do not receive an additional 12-weeks leave. The leave is subject to the same 12-week limitation as most other FMLA/OFLA situations.

If an employee does not request FMLA/OFLA, Crook County will designate the leave as FMLA/OFLA after 3 days consecutive work days missed, due to a qualifying condition. Please remember the Sick Leave policy for absences of more than 3 days requires a doctor's note.

The time off may be taken in full, intermittent, or reduced time increments, to the extent allowed by law. Full, intermittent, or reduced time will be determined after Crook County reviews your physician's recommendation and the applicability of FMLA/OFLA laws. Due to the complexity of the laws, please contact the Human Resources Representative for information specific to your situation.

- ***Length of Leave***

Crook County uses a "rolling" 12 month period, measured forward from the date an employee uses leave.

Typically, an eligible employee is entitled to as much as 12 weeks of FMLA/OFLA leave in any one-year period. However, there are some circumstances that may entitle an employee to additional leave; for more information, please contact the Human Resources Representative

- ***Request Procedure***

Employees are required to provide the County with at least 30 days written advance notice of the need to take FMLA and/or OFLA leave except when the need for leave is not reasonably foreseeable. If it is not possible for the employee to provide at least 30 days' advance notice of the need to take leave that qualifies as FMLA and/or OFLA leave, the employee must give the

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County as much notice as practicable. In case of leave taken under emergency circumstances, the employee must, if possible, provide the County with notice of the leave within 24 hours of starting the leave.

All employees requesting or providing notice of intent to take leave under this policy shall submit the notice to the employee's supervisor. A copy of the notice shall be provided to the designated human resources officer. The County's designated human resources officer will make the final decision whether leave qualifies as FMLA and/or OFLA leave.

Crook County reserves the right to designate any period of leave taken by an employee as FMLA and/or OFLA leave in accordance with the provisions of FMLA and/or OFLA, as applicable, if the leave qualifies as FMLA and/or OFLA leave. The County reserves this right even if the employee does not request that a period of leave be designated as FMLA and/or OFLA leave or if the employee requests that the period of leave not be designated as FMLA and/or OFLA leave.

If you are taking family and medical leave to care for a family member with a serious health condition or adoption or placement of a foster child, proof of the relationship may be required.

After three sick child days in one leave year, Crook County may require a doctor's note for further absences that year. Three sick child days is "per family," meaning it is not three sick child days per child.

- ***Concurrent Designation of Leave***

When any designated leave qualifies for coverage under both FMLA and OFLA, the leave will be designated as leave under both laws and the amount of leave taken will be counted as leave taken under both laws.

- ***Certification of Serious Health Condition***

The County may require certification from a health care provider for requested medical leave. If an employee has provided written notice of intent to take medical leave at least 30 days prior to taking the leave, the County may require medical certification before the leave begins. If the County is provided less than 30 days' advance notice, the County may require the employee to provide certification from a health care provider that the requested leave qualifies as FMLA and/or OFLA leave within 15 days after the County provides written notice to the employee of the need for certification.

If an employee requests leave to care for a seriously ill family member, the certification must include a statement indicating that the family member requires assistance and that the employee's presence would be beneficial for the care of the family member.

Failure to provide any required certification may result in the denial of leave or denial of continuation of leave.

- ***Status Reports***

The County reserves the right, in accordance with the provisions of FMLA, OFLA, or the County's bereavement leave policy, as applicable, to require periodic status reports from employees on family or medical leave regarding the employee's status and intent to return to work for the County.

- ***Employee Benefits during Leave***

For employees who qualify for leave under FMLA, the County will continue to provide health and insurance benefits during the period of leave at the same level and under the same conditions as if the employee were working. For employees who qualify for a period of leave under OFLA but not FMLA, the County will not continue to pay premiums to maintain health and insurance benefits during the period of OFLA-qualifying leave. In order for an employee to maintain insurance benefits coverage while on unpaid leave, the employee will be required to pay to the County the portion of the employee's insurance premium that is generally deducted from their paycheck.

- ***Intermittent Leave or Reduced Work Schedule***

Generally, intermittent or reduced schedule leave is available for any qualifying FMLA and/or OFLA purpose except for family leave used for the birth or new adoption of a child or the new placement of a foster child. In all cases, the total amount of FMLA/OFLA leave taken may not exceed the total amount of leave to which the employee is entitled during the 12-month leave period under FMLA and/or OFLA, as applicable.

- ***Use of Accrued Paid Leave and Compensatory Time Off***

Employees shall use all accrued and unused paid leave available to the employee, including, but not limited to, vacation leave, sick leave and holiday leave, and all accrued and unused compensatory time off, if any, for any period of FMLA and/or OFLA leave, before the employee may go into an unpaid leave status. For any portion of any period of FMLA and/or OFLA leave for which the employee does not have accrued and unused paid leave available to the employee, the period of leave taken will be unpaid.

- ***Leave Accrual during Family and Medical Leave***

Vacation leave, sick leave and holiday pay will not accrue during any period of unpaid FMLA and/or OFLA leave.

- ***Return to Work after Leave/Failure to Return to Work***

Employees who take leave under this policy will be reinstated to the same position held by the employee when the employee began his or her leave unless the employee's job has been eliminated. If the employee's job has been eliminated while the employee is on qualifying FMLA and/or OFLA leave, the employee will be reinstated to an equivalent position with equivalent pay, benefits and other terms and conditions of employment.

Before an employee who has taken leave FMLA and/or OFLA leave for a serious health condition of the employee is permitted to return to work, the County may require the employee to provide certification from a health care provider that the employee is fit to return to the employee's work duties.

If an employee does not return to work for the County following a period of family or medical leave, the County may terminate the employee in accordance with applicable law.

If an employee does not return to work for the County following a period of family or medical leave or if the employee voluntarily terminates his or her employment with the County during any period of family or medical leave, the County reserves the right to require the employee to repay the County any health insurance premiums paid by the County for or on behalf of the employee during any unpaid portion of the employee's leave.

- ***Filing a Family and Medical Leave Complaint***

Any concern, or filing of a FMLA/OFLA complaint, should be directed to Human Resources.

### **Paid Leave Oregon (PLO)**

Paid Leave Oregon (PLO) is a state-run program, administered by the Oregon Employment Department (OED), that allows eligible employees to take up to 12-weeks of paid time off per benefit year, for the following reasons:

- Family leave – for an employee to care for an eligible family member with a serious illness or injury, to bond with a new child after birth, adoption, or foster care placement, or to effectuate the legal process required for placement of a foster child or the adoption of a child.
- Medical leave – for an employee experiencing their own serious health condition or disability due to pregnancy.
- Safe leave – for an employee or eligible child dependent experiencing issues related to sexual assault, domestic violence, harassment, bias, or stalking.

The Paid Leave program also allows employees to take an additional two (2) weeks of Paid Leave for pregnancy, childbirth, or related medical conditions.

#### **IV. Notification Requirements**

Although the Paid Leave Oregon program is administered by the Oregon Employment Department (OED), employees are required to notify Crook County when they have applied for leave.

**Foreseeable Leave:** If the need for Paid Leave is foreseeable or planned, the employee is required to provide Human Resources with at least 30 days' written notice before paid leave begins.

**Unforeseeable:** If the need for Paid Leave is unforeseeable or unplanned, an employee



is required to provide oral notice to Human Resources within 24 hours of the start of the leave, and the employee must also provide written notice within three (3) days after the start of the leave.

Employees must complete a Crook County request for FMLA/OFLA/OPL form and return to Human Resources. Employees may obtain this form along with FMLA protected leave documents from Crook County's Human Resources.

If the employee's dates of scheduled leave change, are extended by the PLO program, or if the reason for leave becomes known and/or, if circumstances change during the leave and the leave period differs from the employee's original notice, the employee must notify Human Resources within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees are expected to comply with Crook County's normal call-in procedures.

Under Oregon law, an employee who fails to follow these notification requirements may receive reduced PLO benefits; specifically, the first weekly benefit amount will be reduced by 25 percent (the penalty calculated for leaves that are taken in increments of less than a full work week differs). See OAR 471-070-1310(9) and (10).

#### V. Concurrent use of FMLA Leave

If an employee's Paid Leave is also eligible for protected leave under FMLA, FMLA leave must be taken concurrently with Paid Leave.

### **LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING:**

An employee who is the victim of domestic violence, sexual assault or stalking or who is the parent or guardian of a minor child or dependent who is the victim of domestic violence, sexual assault or stalking, is entitled to a reasonable period of leave for any of the following reasons related to an incident or incidents of domestic violence, sexual assault or stalking:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal proceedings;
- To seek medical treatment for or to recover from injuries to the employee or the employee's minor child or dependent;
- To obtain or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional;
- To obtain services from a victim services provider for the employee or the employee's minor child or dependent; or

- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or the employee's minor child or dependent.

Eligible employees are required to give the County reasonable notice of the employee's intention to take leave under this policy, unless the need for leave is unforeseeable. The County reserves the right to require employees to submit certification of the need for leave. Certification may be provided in the form of a police report, a protective order, or documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy or victim services provider. If certification is requested by the County, the employee must provide the certification within a reasonable period of time to be designated by the County.

Employees may be required to provide an estimate of how long the employee is expected to be off from work for leave taken under this policy and to periodically report to the County regarding the status of the employee's leave. The County may limit the amount of leave an employee can take under this policy if the leave creates or will create an undue hardship on the business of the County.

Leave for victims of domestic violence, sexual assault or stalking is unpaid. However, pursuant to Crook County 'SICK LEAVE' and 'UNPAID TIME OFF,' unpaid time off may only be authorized if the employee has no remaining sick time, accrued and unused vacation time, CTO, PTO, personal holiday leave time or other paid leave time available to them. All records and information regarding an employee's leave or request for leave under this policy are confidential and may not be released without the express written permission of the employee except as may otherwise be required by law or pursuant to a valid court order. Any form of discrimination or retaliation against any employee because the employee takes or requests leave under this policy is prohibited.

### **UNPAID TIME OFF:**

Employees are hired with the expectation that they will contribute a certain number of hours per month to a given position in exchange for a wage and certain benefits. It is assumed that the job for which a person has been hired is a needed position and that the hours of work required to fulfill that job are necessary for the successful operation of the County.

All regular, full-time employees of Crook County are provided with a vacation package and sick time. In addition, employees have options under the Federal and Oregon Family Medical Leave Acts (FMLA/OFLA) or other applicable laws and County policies for taking unpaid time to deal with personal and family medical situations. Therefore, there are few circumstances that would warrant taking additional unpaid time off. However, there may be extraordinary circumstances which may warrant a grant of unpaid leave. The following policy will govern requests for unpaid leave for those employees who are not entitled to by law, other County policies, or as part of a collective bargaining agreement to take unpaid leave.

Whenever unpaid leave, not otherwise required by law or County policy, is requested, the employee shall submit a written request in advance to his or her supervisor stating the reason(s) for such leave, when the leave is to be taken and how much leave is requested. The request shall include the total number of hours of leave per pay period requested and how

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many hours the employee plans to work during each pay period when unpaid leave will be taken.

Unpaid leave may only be authorized if an employee has no remaining accrued and unused vacation time, sick time, CTO, personal holiday leave time or other paid leave time available to the employee.

The employee's supervisor shall review requests for unpaid leave, and if he or she approves, shall forward the request to the County Judge for his or her concurrence. A decision by the supervisor or the County Judge to deny unpaid leave is final.

If the request for unpaid leave is approved by the supervisor and County Judge, the approved request shall be forwarded to the payroll office. In accordance with County policies, the payroll office shall make adjustments in benefits as follows:

- If as a result of a grant of unpaid leave, an employee's total hours worked during a given pay period are reduced to less than 128, the employee will not be eligible to receive a 401-K contribution for that pay period.
- If as a result of a grant of unpaid leave, an employee's total hours worked during the pay period are reduced to less than 128 hours, the employee will accrue no sick leave for that pay period.
- If as a result of a grant of unpaid leave, an employee's total hours worked during the pay period fall below 128, he or she will not accrue vacation time for that pay period. If as a result of a grant of unpaid leave his or her total hours will fall below 140 but more than 128, he or she will accrue vacation on the pro-rated basis of what a full time employee would accrue.
- Unless otherwise required by FMLA or other provisions of law, if, as a result of a grant of unpaid leave, an employee's total hours worked during the pay period falls below 128 hours, he or she is not eligible to have his or her medical, dental or vision insurance continued for that pay period at County expense, but he or she may pay to the County in advance of his or her leave the premium cost of such insurance and continue his or her coverage during the pay period involved.

### **LEAVE SHARING PLAN:**

From time to time, an employee may be required to be absent from his or her job for a prolonged period as a result of a serious health condition of the employee or the employee's family member. In order to "buffer" against this possibility, all employees are encouraged to maintain a bank of accumulated sick or other leave time. The County also encourages employees to purchase optional voluntary insurance which can help offset any costs associated with unanticipated leave. Notwithstanding the above programs, employees who have exhausted all accumulated or available leave may still need additional income support—support which can be provided through the County's leave sharing plan.

The leave sharing plan allows other County employees who have accrued leave available to donate a limited amount of their accrued leave to a specific employee who has completed a request for donations and waived their HIPAA rights, and is in need of additional leave hours.

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County employees may donate up to a total of 40 hours of sick and/or vacation leave in a fiscal year (July 1 to June 30). Time must be donated in blocks of two (2) hours.

An employee seeking assistance through the leave sharing program must complete a leave sharing Request for Donations form and submit it to the Human Resources Department, informing HR that the employee anticipates exhausting all of his or her paid leave as a result of a serious health condition of the employee or a family member of the employee. Human Resources may require medical certification from the employee requesting donated leave.

Donated leave will be deducted from the employee's accrued leave and will not be reinstated. Donations of leave shall be on forms authorized by and available in the Human Resources Office. The donated leave will be on an hour-for-hour basis. Once donated, leave will be paid to recipients at the rate of pay applicable to the recipient at the time of distribution.

Eligible employees may access up to 80 hours of donated leave, above their own benefited hours, during a 12 month rolling backward period. Once those employees have exhausted their own existing leave, based on availability, sufficient time will be paid out to the eligible employee from the leave sharing plan each pay period in an amount not greater than the eligible employee's average monthly net pay during the preceding six months (or the eligible employee's average monthly salary). If the eligible employee is still earning wages at a reduced rate during his or her absence, then the combined total of wages earned and leave sharing plan donations may not be greater than the eligible employee's average monthly net pay during the preceding six months (or the eligible employee's average monthly salary). Eligible employees who use hours from the leave sharing plan may not accrue additional leave time as a result of hours obtained from the leave sharing plan.

For purposes of determining tax consequences, donations of leave time are not taxable to the employee who makes the donation. Shared leave is taxable to the employee who receives the donation, but only in the amount actually drawn by the employee.

The solicitation for donation of hours by department heads, supervisors, or co-workers, on behalf of their employee/co-worker, is not permitted. Employees requesting leave donations should be directed to the Human Resources office to obtain the Request for Donations form. Human Resources and the Treasurers' Office will monitor the Leave Sharing plan. Human Resources staff will send out a notice to County employees requesting the donation of leave when hours are needed.

Employees who return to work after their qualifying event may utilize the donated hours for up to an additional 6 months, for any other related health condition as outlined in the Sick Leave or Family and Medical Leave policies.

Employees should be aware that use of the leave sharing plan does not extend the total amount of leave to which the employee is entitled. For example, employees have 12 weeks of protected leave available under the FMLA/OFLA. The leave sharing plan has no effect on this time period – it can only increase the amount of paid time off for an employee.

The leave sharing plan is available to all County employees. Obtaining leave under false pretenses may subject the user to disciplinary action up to and including termination of

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employment. Those employees covered under a Collective Bargaining Agreement (CBA) should refer to their respective CBA for contract language regarding leave sharing.

### **BEREAVEMENT LEAVE:**

In the unfortunate event that a "family member" of an employee passes away, Crook County will grant bereavement leave. Bereavement Leave falls under two types: (1) Use of Family Leave for Bereavement Purposes under the Oregon Family Leave Act (OFLA); and (2) Bereavement Leave as provided by Crook County policy. Bereavement Leave as provided by Crook County will only apply when the employee does not qualify or chooses not to take for Bereavement Leave under OFLA. Bereavement leave may be taken only upon the death of a family member, defined as the spouse of an employee, the biological, adoptive, or foster parent or child of the employee, the grandparent or grandchild of the employee, a sibling of the employee, a parent-in-law of the employee, a person with whom the employee was or is in a relationship of in loco parentis, a same-sex domestic partner, or the parents or children of a same-sex domestic partner.

Whether the bereavement leave is taken pursuant to either OFLA or the County's policy, up to three (3) days will be paid. The days worked will correspond to the regular schedule for the employee, so that the hours and days taken for bereavement leave will correspond to the hours and days normally worked by that employee. By way of illustration, an employee who normally works M-F, 8 am to 5 pm, will be paid for an 8-hour day, but one of the paid days may not be Saturday or Sunday; an employee who normally works M-Th, 6 am to 5 pm, will be paid for an 10-hour day but one of the paid days may not be Friday, Saturday, or Sunday. This paid leave is in addition to any other type of paid leave that an employee is eligible to receive.

If eligible, an employee may use family leave for bereavement purposes for up to two weeks, for one or more of the following reasons:

- (a) Attending a funeral (or alternative) of the family member;
- (b) Making arrangements necessitated by the death of a family member;
- (c) Grieving the death of a family member; OR
- (d) Receiving counseling or other medical treatment to cope with the death of the family member.

Employees are not required to take concurrent leave for multiple deaths. Eligible employees of the same family member may take concurrent leave. Bereavement Leave should be completed with 90 days after the date on which the employee receives notice of the family member's death. An employee who wishes to use bereavement leave must submit to the Human Resources office some evidence satisfactory to the County of the family member's death within three day of returning from bereavement leave. Evidence may include a newspaper obituary, funeral or memorial program, copy of the death certificate or other similar printed record. Bereavement leave may be unpaid, but unpaid leave may only be authorized if an employee has no remaining sick leave, accrued and unused vacation time, CTO, personal holiday leave time or other paid leave time available to the employee.

(1) Use of Family Leave for Bereavement purposes (OFLA): If eligible, an employee may use family leave for bereavement purposes for up to two weeks, of which three (3) days will be paid without the use of sick leave, vacation time, CTP, or other accrued leave time. The employee must give notice in the manner described above for taking protected OFLA leave.

(2) Bereavement Leave as provided by Crook County policy: In the event that an employee does not qualify for bereavement leave under OFLA, up to five (5) working days per occurrence may be used for this purpose, of which three (3) will be paid without the use of sick leave, vacation time, CTO, or other accrued leave time. The remaining period of bereavement leave will be charged against an employee's sick leave, accrued and unused vacation time, CTO, personal holiday leave time or other paid leave time available to the employee, unless there are no available paid hours. Additional sick and vacation days beyond the five working days may be taken in conjunction with bereavement leave upon approval of the employee's supervisor.

An employee who wishes to use Bereavement Leave must submit to the Human Resources Office some evidence satisfactory to the County of the family member's death within three days of returning from Bereavement Leave. Evidence may include a newspaper obituary, funeral or memorial program, copy of the death certificate or other similar printed record.

#### **JURY DUTY AND APPEARANCE AS A WITNESS:**

- ***Jury Duty***

Regular full-time and regular part-time employees who are called to serve on a jury will receive regular pay during jury service. Employees must sign over to the County any compensation (excluding mileage) received as a result of such service.

Temporary and seasonal employees will be granted an unpaid leave of absence for the period of their jury duty and are not required to sign over to the County any compensation (including mileage) received as a result of such service.

If an employee is not required to report for jury duty or is released early from jury duty, the employee must report to work unless other arrangements have been made with the employee's supervisor.

- ***Appearance as a Witness***

Employees will receive regular pay for appearance before a court, legislative committee, judicial or quasi-judicial agency as a witness in response to a subpoena or other proper directive if the employee's appearance is related to Crook County business. Employees must sign over to the County any witness fee (excluding mileage) received if the appearance is related to Crook County business.

If an employee is called to appear as a witness in a civil or criminal case or in any other proceeding on matters not related to County business, the time away from work shall be unpaid. The employee may elect, however, to use accrued and unused vacation time available to the employee or take leave without pay and may keep any compensation received as a result of appearing as a witness.

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Crook County employees are not authorized to be retained as or appear as expert witnesses in any matter or proceeding except on behalf of Crook County in matters related to Crook County business.

- ***Notice of Jury Duty or Appearance as a Witness***

Employees must present a Notice of Jury Duty or a subpoena to appear as a witness to the employee's supervisor as soon as possible so arrangements can be made for the employee's absence from work.

### **MILITARY LEAVE:**

In accordance with applicable law, an employee (not temporary or seasonal) who is a member of the National Guard or any reserve components of the armed forces of the United States is entitled under Oregon law to a paid leave of absence from his duties for military purposes for a period of time not to exceed twenty-one calendar days in each Federal fiscal year (October 1 through September 30). The leave is granted without loss of time, pay or other benefits to which the employee is entitled. Military leave is granted only when an employee receives bona fide orders to active or training duty for a temporary period and will not be paid if the employee does not return to his position immediately following the expiration of the period for which the employee was ordered. Leave with pay will not be granted to employees entering military service for extended or indefinite periods of time.

Employees who are called to active military duty with any of the armed forces of the United States are also entitled to leave for military service pursuant to the provisions of Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are called to active military duty shall be required to provide County Human Resources with a copy of orders activating the employee to duty. Employees who are activated to duty subject to the provisions of USERRA are entitled to leave as provided by and in accordance with the provisions of USERRA. Employee benefits during military leave and employee reinstatement rights will be determined in accordance with the provisions of USERRA. Employees called to military duty should contact the Human Resources Office to determine the employee's rights under USERRA.

### **TIME OFF FOR SCHOOL-RELATED EVENTS AND FUNCTIONS:**

Crook County encourages the active engagement of parents with children and promotes a family-friendly work environment. Employees who are parents of school-age children (pre-school through high school) may take up to two hours of unpaid leave each year (per child) to attend school-related events and functions such as parent-teacher conferences. For the purposes of this policy, "parent" means a primary caregiver.

### **PARTICIPATION IN PROFESSIONAL ASSOCIATIONS AND WITH OTHER GOVERNMENT AGENCIES:**

Employees are encouraged to participate as members and officers of professional associations which advance the interests of their professions. Employees are encourage to represent Crook County on boards, commissions and committees which advance the legislative agenda of, efficient administration of, recognition of, and standing of Crook County statewide and

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nationally. Employees are encouraged to share their knowledge and insight gained as a result of employment with Crook County and as a result of experience in their professions with peers and the public through accepting opportunities to speak and write in public and professional venues.

Participation in professional associations, with other government agencies, and in a professional capacity is subject to the availability of budgeted resources. Any commitment to serve should only be undertaken in coordination with one's supervisor, who must deem that resources are available to support such participation. In addition, any participation by employees in professional association, other agencies of government or other professional capacities is expected not to interfere with the delivery of services to Crook County residents and taxpayers. If a supervisor or the County Court deems that such participation is interfering with service delivery, the supervisor or Court may require that such participation cease.

In the case of elected officials, the County Court may deny any reimbursement of expenses for such participation which might be claimed.

### **PARTICIPATION IN SERVICE CLUBS:**

Service clubs such as Rotary, Kiwanis, Soroptimist, Lions, Mason, and the Chamber of Commerce perform important services to the community. Employee participation is encouraged, but employees shall pay their own dues, and shall not use County time to participate. Employees may use comp time, break time, meal time, and vacation.

### **CRIMINAL PROCEEDINGS LEAVE:**

A Crook County employee who is a crime victim may take unpaid leave to attend a criminal proceeding involving the employee (or his or her spouse, qualifying same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent, who is a crime victim), provided that the employee has worked for Crook County an average of more than 25 hours per week for at least 180 days prior to taking such leave.

An employee who requests criminal proceedings leave must notify his or her supervisor at least five days in advance of taking such leave and shall include with the request for leave copies of any notices of scheduled proceedings received from the court, the district attorney or other prosecutor's office or law enforcement agency. The supervisor shall mark such documents as "confidential" and forward them to the Human Resources Office for inclusion in the employee's permanent personnel record.

An employee who claims criminal proceedings leave may use accrued and unused vacation or holiday leave or accrued compensatory time off available to the employee while on leave to attend a criminal proceeding. An employee may not claim sick time or bereavement leave to attend criminal proceedings.

### **EDUCATION AND TRAINING:**

Some education and training is mandatory for all employees. The County offers the following trainings in March and September of each year.



- HIPAA compliance: All County employees are required to attend during the probationary period. Failure to attend will result in dismissal. An online course or other professional training may be substituted, if approved by the County Court or its designee.
- Ethics: All County employees are required to attend during the probationary period. Failure to attend will result in dismissal. Alternative training may be substituted for County provided education if approved by the County Court or its designee. All employees are encouraged to attend annually as a "refresher."
- Public contracting: All employees with responsibility for purchasing are encouraged to attend.
- NIMS: Employees designated by the Emergency Manager are required to attend National Incident Management System trainings as required and as available. Some courses are available on-line. Failure to become NIMS compliant within one year of employment will result in denial of future step increases and may result in termination if not achieved within 24 months of employment.
- Software courses: The County Information Technology Department offers regular training in the use of generally available software. All employees are encouraged to maintain their skills through attending these courses.

The County encourages employees to seek continued education and training to maintain existing skills and to enhance value to the County and to their personal marketability. On a case-by-case basis, the County Court will consider participating with employees in educational reimbursement. The following policy will govern consideration of these requests:

1. Employees must secure the County Court's approval before the course begins. The County Court will award educational assistance by evaluating the benefit of the course to the County and the availability of adequate funding. A Memorandum of Agreement must be signed by the employee and the County Court to evidence approval and to specify the amount of reimbursement that will be provided.
2. The employee must successfully complete the course to receive reimbursement. Successful completion requires that the employee must earn a grade of "C" or above or a "pass" if the class is graded "pass-fail". The employee must provide a statement of course credit and a tuition receipt to the County. If the employee fails to successfully complete the course, the County will not provide reimbursement to the employee.
3. If the employee leaves County employment while attending the course or within one calendar year of successfully completing the course, the employee shall be required to repay the County for any amount the County has expended under this policy.
4. The County Court may, in special circumstances, choose to pay for all or part of an employee's costs before the start of the course. In such circumstances, the employee will be required to reimburse the County for any funds expended if the employee fails to successfully complete a course as described in Section 2, or if the employee leaves County employment as described in Section 3.
5. If the employee is receiving financial assistance for education from sources other than the County, the employee will provide the County with an accounting of these funds.

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6. If the County pays for any textbooks, other publications, or supplies associated with the employee's course, those items shall, in the discretion of the County, become the property of the County.

## **VI. EMPLOYEE CONDUCT**

### **EMPLOYEE RESPECT:**

Crook County relies on the abilities and skills of all its employees to assist with the delivery of quality services. All employees bring specific talents and skills to their work that is beneficial to the County's operations. These talents and skills are best fostered and encouraged in an atmosphere that is respectful, courteous and professional.

Behavior that is embarrassing, discourteous, unprofessional or disrespectful is unacceptable. Any employee who believes he or she has been subjected to such conduct is encouraged to report the behavior to the employee's supervisor, any member of management or to the Human Resources Director. The matter will be investigated and appropriate action will be taken.

### **WORKPLACE CONDUCT:**

Employee conduct is expected to be professional and responsible. This not only means respect for the rights of fellow employees and management but refraining from behavior that may be harmful to the employee, the employee's co-workers and members of the public.

The following is a list of conduct that is not acceptable and which will result in disciplinary action up to and including termination. This list is not all-inclusive, but examples of actions that are considered unacceptable:

- Falsifying County, legal or employment records and documents;
- Repeatedly failing to perform work duties while on the job;
- Disrupting the workplace in a manner that hinders effective County performance;
- Violating the County's non-harassment and nondiscrimination policy;
- Soliciting or accepting gratuities from the public;
- Establishing a pattern of excessive absenteeism or tardiness as defined in the County's Attendance and Punctuality policy below;
- Reporting to work intoxicated or under the influence of non-prescribed drugs;
- Illegally making, possessing, using, selling or distributing or transporting drugs;
- Bringing onto or using alcoholic beverages on County property or using alcoholic beverages while performing County business either on or off County premises unless authorized;
- Fighting or using foul language, abusive or threatening behavior toward co-workers, management or the public;

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- Theft of private or public property;
- Bringing firearms into County buildings unless authorized to do so;
- Disregard for County safety or security rules;
- Failure to maintain accreditation, licensing, or other professional credentials required to perform an essential job function.
- Insubordination – refusing to obey a direct supervisory order; and
- Failure to maintain a valid driver's license, if possession of license is an essential job function.

### **ATTENDANCE AND PUNCTUALITY:**

Each employee is expected to be at work and ready to perform his or her work duties at the beginning of the employee's scheduled work shift. If an employee is not able to report to work at the beginning of the employee's scheduled work shift or will be absent from work, unless prevented from doing so by an emergency or other circumstances beyond the employee's reasonable control, the employee shall contact the employee's supervisor or, if the supervisor is not available, another designated person in the employee's department, at least 30 minutes before the start of the employee's scheduled work shift to advise the supervisor or manager that the employee will be late or will not report to work.

An employee who is absent or tardy without his or her supervisor's permission twice during a single pay period will be given a verbal warning and the supervisor will write a report about the verbal warning that will be forwarded to the designated human resources officer and place in the employee's personnel file.

An employee who is absent or tardy without his or her supervisor's permission within a 15 day period after the verbal warning will receive a written warning and the supervisor will forward a copy of the written warning to the designated human resources officer and placed in the employee's personnel file.

An employee who is absent or tardy without his or her supervisor's permission within a 15 day period after the written warning will be suspended without pay for 3 to 5 days. The supervisor will consult with County Judge to determine the length of the suspension, and whether the employee should be returned to probationary status or terminated after the suspension.

The supervisor of any employee who is absent or tardy without his or her supervisor's permission within a 30 day period after suspension will give County Judge a notice of the absence or tardiness. The County Court will be responsible for decisions on all terminations.

If an employee fails to report to work for a period of two days or more without notifying the County that the employee will not be able to report to work, unless the employee's failure to notify the County is the result of emergency circumstances beyond the employee's

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reasonable control, the employee's failure to report to work will be considered a voluntary resignation and the employee's employment with Crook County will be terminated.

### **PERSONAL APPEARANCE:**

Employees must display professionalism in their personal dress and hygiene. Clothes must be neat, in good repair and suitable for the employee's position. Clothes that detract from the County's business image are not allowed. Hairstyles, facial hair, jewelry and fragrances are also a part of personal appearance and must also be neat and suitable for business and not offensive to the public or co-workers.

An employee who, in the opinion of his manager or supervisor, violates this policy will be sent home to change the employee's clothes or appearance. An employee who is sent home to change clothes or appearance three or more times may be terminated.

Employees are strictly prohibited from wearing clothes, apparel or jewelry which contains or displays obscene or sexually explicit language or images, contains or displays language or materials which would reasonably be considered to offensive to other individuals or a group or groups of individuals or which expresses support or opposition to political candidates or ballot measures while on the job.

Department heads are responsible for projecting a positive image of their units of government. In any dispute between an employee and a department head over the application of standards or professionalism, the County Court will give great deference to the judgment of department heads, unless that judgment can be shown to be arbitrary, capricious or unreasonable.

Because the County Court is responsible for projecting a positive image of the entire government, the Court reserves the final right to determine the application of standards of professionalism.

### **SAFETY:**

- ***Safety Committee***

In an effort to maintain the safest possible working conditions, Crook County shall organize and maintain a safety committee. Each department that does not have its own safety committee shall be represented by the General Safety Committee. The committee shall consist of six employees or more if additional employees wish to participate and County administration agrees that it is in the best interest of the County to increase the size of the committee. The committee shall consist of both employee volunteers and employees selected by management. The purpose of safety committees is to prevent unsafe working conditions or practices from occurring in the workplace by evaluating safety conditions and making recommendations to County management. To this effect the safety committee shall draft, implement, and maintain a County-wide safety program.

- ***General Safety Regulations***

The success of any safety program depends upon the safety-consciousness and cooperation of everyone and reporting safety concerns to the employee's safety committee representative. Employees are required, as a condition of their employment, to comply with all established safety policies and practices that are in effect at the time of their hiring, or may thereafter come into effect. Accidents that result due to employee negligence shall subject such employee to disciplinary action. To achieve the goal of a safe workplace, the following general rules of safety should be observed at **all** times:

- County employees will not engage in horseplay, scuffling, practical jokes, harassment of any other activity that tends to interfere with or disrupt the ability of fellow employees to perform their work duties or affect the safety of the general public.
- No employee while on the job will consume intoxicating beverages or use prescription or non-prescription drugs that will affect safe job performance. An employee who takes prescribed medication should seek an opinion from his or her treating physician as to the safety of job performance while under the influence of the prescribed medication and will notify his or her supervisor or manager if there is a possible safety problem.
- If possible, employees will correct hazardous conditions or equipment or report such conditions to department managers or supervisors.
- All employees involved in lifting activities are encouraged to attend a training course on safe lifting techniques.
- All employees must exercise caution when operating or working around machinery. Particular attention should be paid to hair, loose clothes or jewelry that might get caught in the equipment. Extreme caution must always be used with any power-driven or electrical equipment.
- Employees will be advised of the approved fire exit route from their work area. Upon the sounding of a fire alarm, all employees SHALL exit the building by an approved fire-exit route. Failure to exit the building timely may lead to death, injury or termination of employment.

Each County department is encouraged to incorporate any additional safety rules based upon the particular character of the work performed by the department.

- ***On-the-job Accidents and Injuries***

Any employee who sustains an injury and/or is involved in an accident while on the job for the County must report the injury/accident immediately to his/her supervisor as soon as possible and complete an Accident/Incident Report. If the injury or illness requires the employee to consult a physician, a Workers Compensation 801 form must be completed.

1. An Incident Report form must be completed by the supervisor and forwarded to the County Counsel's Office within 48 hours of the incident. Each department

has a supply of these forms, or they may be obtained from County Administration.

2. If the injury or illness requires that a physician be consulted, a workers' compensation Accident Report (Form 801) must be completed and forwarded to the County Counsel's office within five (5) working days.
3. Upon returning to work, the employee must provide a physician's release to work.
4. Under some circumstances, the County and/or the workers' compensation insurance provider may require the injured employee obtain a second medical release from a physician of the County's choosing prior to returning to work.

Departments will have a supply of Incident Reports and 801 Forms, or these forms may be requested from County Administration. If forms and related information are not processed in a timely manner, the County's workers' compensation carrier may delay or deny temporary disability payments.

- ***Asbestos Handling***

Employees are not allowed to perform asbestos-related work. All removal of asbestos containing materials (ACM) shall be performed under controlled conditions by appropriately trained workers. Employees are prohibited from drilling, hammering, cutting, sawing, breaking, damaging, moving, or disturbing asbestos containing material or suspected asbestos containing material. Potential locations of ACM include pipe insulation, boiler breech, boiler door, fire proofing, acoustical ceiling, brake pads and linings, floor tile, mastics and glues, roofing, electrical insulation, putties, caulks, cements, joint compound, and siding. If an employee is unsure whether ACM exists in a location, they shall promptly contact the Manager of the Maintenance Department.

**FITNESS FOR DUTY:**

It is the goal of Crook County to provide a safe workplace for all employees. To accomplish this goal, employees shall be subject to the following provisions:

- All employees are expected to be physically and mentally fit to perform their jobs in a safe manner at all times. If you are not able to perform your job or you are taking any medication that might affect your ability to do your job, you are to inform your supervisor immediately.
- If a supervisor believes you are not fit to perform your duties, you may be sent home, relieved of certain duties, assigned to different duties, assigned to light duty, requested to take a medical examination, or asked for an explanation.
- In accordance with the consent you signed when employed, you may be requested to undergo a random medical examination to determine your fitness for duty.

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- Any employee who refuses to cooperate with a determination of whether he or she is fit for duty will be subject to corrective action, up to and including termination.
- If you are not fit for duty, you may be eligible for benefits, such as sick leave, family leave, intermittent leave, workers' compensation, group health care, or others.
- This policy will be interpreted and applied so as to conform to applicable law, including the Americans with Disabilities Act and the Family Medical Leave Act.
- A written request for reasonable accommodation must be provided to the supervisor to forward to County administration.

### **ANTI-DISCRIMINATION / ANTI-HARASSMENT:**

Crook County is and will continue to be committed to providing a work environment in which all employees are treated with respect. Crook County will not tolerate any form of harassment or discrimination. Harassment and discrimination are forms of misconduct that undermine the integrity of the employment relationship, may violate the law and may have serious consequences for the employees involved and the County.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with the Human Resources Director, at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during County-related or -sponsored trips (such as conferences or work-related travel), and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of County's employees. Such harassment is prohibited whether committed by County employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).

This policy is not meant to interfere with or discourage friendships among employees. However, employees must be sensitive to statements or conduct which could be considered offensive by others and must refrain from making such statements or engaging in such conduct. Employees who engage in conduct which violates this policy shall be subject to disciplinary action, up to and including termination of employment.

The County will not discriminate in the provision of employee benefits, or the provision of benefits to an employee's qualifying dependents, on the basis of any protected class status recognized by law, including but not limited to race, color, religion, sex, sexual orientation, or national origin. The County will abide by the requirements of ORS 279A.112, which are incorporated into and made a part of this policy.



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- ***Definitions***

Harassment:

County policy prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

Such harassment may include verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on County property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

Sexual Harassment:

Sexual harassment includes unwelcome sexual advances, sexual assault, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are:

- unwanted sexual advances;

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- demands for sexual favors in exchange for favorable treatment or continued employment;
- sexual jokes;
- flirtations;
- advances or propositions;
- verbal abuse of a sexual nature;
- comments about an individual's body, sexual prowess, or deficiency;
- talking about your sex life or asking others questions about theirs;
- leering or whistling;
- unwelcome touching or assault;
- sexually suggestive, insulting, or obscene comments or gestures;
- displays of sexually suggestive objects or pictures;
- making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or
- discriminatory treatment based on sex.

This is not a complete list.

Discrimination:

For purposes of this policy, "discrimination" is defined to mean unequal and unfavorable treatment of an employee which is not permitted by federal and/or Oregon law and which is based on race, color, religion, sex, age, marital status, national origin, family relationship, sexual orientation or gender identity, political affiliation, physical or mental disability or perceived disability, veteran status or any other "protected classification" established by federal, Oregon or local law.

• ***Complaint Procedure***

All employees, volunteers, and interns have the right to make a complaint or discuss this policy with any member of management or the Human Resources Director if they feel they have been wrongfully harassed, witnessed behavior which they view as harassment or if they have questions relating to the issue of harassment. If you feel you were subjected to wrongful harassment, you are expected to and should bring the matter to the attention of your supervisor as soon as the problem arises. Employees and supervisors are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). If you are unable to resolve the problem by speaking with your supervisor or if the complaint involves your supervisor, or if you feel uncomfortable discussing the issue with your supervisor, you should report the problem immediately to the designated human resources officer or any other member of management. In addition, any employee who observes such conduct must immediately report it to his or her supervisor, to the designated human resources officer or any other member of management.

Supervisors and managers who witness or become aware of conduct which may violate this policy are required to address the conduct and are required to report the conduct to the designated human resources officer as soon as reasonably possible, not to exceed three (3) calendar days. Any supervisor or manager who witnesses or becomes aware of conduct which may violate this policy and does not report the conduct to Human Resources will be subject to discipline, up to and including possible termination of employment.

- ***Prohibition against Retaliation***

Any form of retaliation against a person who makes a complaint of possible harassment or discrimination or who cooperates with or participates in any investigation of any complaint of possible harassment or discrimination is strictly prohibited. Retaliation includes, but is not limited to shunning or treating the person in a “non-professional” manner or otherwise taking action against the person which adversely affects the conditions of the person’s employment. If you believe you have been subjected to retaliation for making a complaint of harassment, or if you observe that another employee has been subjected to such retaliation, you are expected and required to report the matter immediately by using the above Complaint Procedure. Any complaint of retaliation will be investigated under this policy as a possible violation of this policy.

- ***Investigation of Complaints and Confidentiality***

The designated human resources officer, in consultation with County legal counsel, is responsible for the investigation of all complaints of conduct which violates this policy. Upon receiving a complaint of harassment or discrimination or upon becoming aware of conduct which may violate this policy, the designated human resources officer shall first determine if the conduct could violate this policy. The County will treat such complaints as confidential to the extent the law permits a public entity subject to the public records statutes and other applicable law. If it is determined that the conduct could violate this policy, an investigation will be conducted to determine if a violation of this policy has occurred. The level of investigation will be determined by the designated human resources officer. Any investigation will be commenced promptly and will be conducted fairly and as quickly as possible, depending on the circumstances.

The alleged victim of the harassment or discrimination, each complainant and the employee who is alleged to have engaged in the harassment or discrimination will be informed at the conclusion of the investigation whether the alleged conduct constitutes a violation of this policy.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the County’s complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the County cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the County, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. When an employee can prove harm

as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

- ***Corrective Action***

After an investigation is conducted, if it is determined that a violation of this policy has occurred, appropriate corrective action will be taken by the County. Corrective action may include, but is not limited to, counseling, warning, further training or instruction, reassignment, oral or written reprimand, suspension without pay, demotion, termination of employment or any other disciplinary action which is consistent with the County Personnel rules and the terms of any collective bargaining agreement given the nature and seriousness of the conduct or violation and all relevant circumstances.

The County reserves the right and authority to take corrective or disciplinary action to address any conduct or behavior discovered during an investigation which does not constitute a violation of this policy but which is otherwise inappropriate or constitutes a violation of another County policy or policies.

- ***Other Resources Available to Employees***

The County provides an Employee Assistance Program (EAP) through Guidance Resources to employees and dependents enrolled in the County's medical coverage. For access to confidential help, call toll-free: 1-800-697-0353, or go online to [www.guidanceresources.com](http://www.guidanceresources.com). The EAP program provides confidential counseling services and educational tools such as resources relating to personal issues, financial coaching, legal consultation, and others.

The County cannot provide legal resources to its employees or referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: <https://www.osbar.org/public/>.

- ***Other Employee Rights***

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

The County is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the County to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the County regarding his/her experience and/or employment status, the employee should contact the Human Resources Director. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation. If the County and employee do reach an agreement, the County will not require or coerce an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement) or a non-disparagement

agreement (which would prohibit the employee from speaking slightly about the County or making comments that would lower the County in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms that the County and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

## **WORKPLACE VIOLENCE:**

With the exception of law enforcement officers lawfully discharging their duties and responsibilities, any language or action taken by one employee against another employee, manager or supervisor or member of the public that can reasonably be interpreted as violent or as a threat of violence is prohibited, regardless of the intent.

Employees, former employees, members of the public and an employee's family members are prohibited from bringing firearms and weapons into County buildings. The exception to this prohibition is law enforcement officers, lawfully discharging their duties and responsibilities.

Crook County will take prompt disciplinary action against any employee engaging in workplace conduct that could be interpreted as violent or as constituting a threat of violence. In addition, the County may contact an appropriate law enforcement agency to intervene or to prosecute violations of this policy to the maximum extent allowed by law.

An employee who experiences, witnesses or becomes aware of any violent conduct or threat of violence should report the conduct immediately, or as soon as reasonably and safely practicable, to a supervisor, manager or the designated human resources officer. All employees, supervisors and managers are authorized to immediately contact law enforcement authorities or 9-1-1 and/or to take other appropriate protective measures in case of an immediate threat of violence or harm and do not need to go through any chain of command or seek permission of management before contacting law enforcement or 9-1-1 or before taking appropriate measures to protect themselves against a threat of harm.

- ***Pepper-Spray Use Policy***

Pepper spray is a chemical with an active ingredient derived from the cayenne pepper plant. Exposure to pepper spray in aerosol form has physiological effects including inflammation and swelling of the mucus membranes of the eyes, nose, and throat and involuntary closure of the eyes. Pepper spray, also known as oleoresin capsicum (OC), is available commercially in containers that can be used for self-defense purposes. Use of pepper spray solely for self-defense purposes is allowed by state law.

Permanent and temporary employees working for Crook County who have completed the required training and have Crook County Sheriff's Office approval are authorized to carry and use pepper spray as a self-defense measure while on duty. Occupational use of pepper spray must be in accordance with the guidelines and procedures set forth in this document. Pepper spray is considered an available self-defense option to facilitate an employee's withdrawal from an assault by a person or attack by an animal.

### Procedures

#### Authorization

1. Employees may request to be considered for authorization to carry pepper spray while on duty.
2. Only employees who have completed the required training are authorized to carry pepper spray while on duty.
3. Crook County will supply the pepper spray container.
4. Training will be performed by a Crook County approved instructor. Training will include review of this Policy document, the instructions accompanying the pepper spray container, and Oregon Revised Statute 163.212 and 163.213. Employees must demonstrate a thorough understanding of these items in order to receive authorization to carry pepper spray. Training will also include test deployment of the pepper spray container.

#### Usage Criteria

1. Pepper spray may be used for self-defense when an employee reasonably believes that it is necessary to protect him- or herself from an imminent physical threat posed by a person or animal. Pepper spray may be used to incapacitate a person attempting an assault or an attacking animal, in order to avoid physical harm and facilitate escape from danger.
2. Employees should use verbal techniques to de-escalate a confrontation, if possible, before resorting to deployment of pepper spray.
3. To the extent practical and reasonable, employees should issue a verbal warning prior to using pepper spray against an individual (such as "Stop or I'll spray you!"). Verbal persuasion and/or verbal warning(s) are not required when there is a risk to the safety of the employee if the use of pepper spray is delayed.
4. Once the assailant or attacking animal is incapacitated, use of pepper spray is no longer justified.
5. Pepper spray cannot be used in response to language that is offensive but not physically threatening.
6. Use of pepper spray will strictly be a defensive measure. If a person strikes or assaults an employee, then ceases the assault and retreats or is removed from the scene so as not to pose a further threat to the employee's safety, the employee may not pursue and use pepper spray against the individual. In other words, the threat has to have OPPORTUNITY, the MEANS and INTENT to assault the employee, before being justified in the use of pepper spray.

#### Usage Procedures

1. Whenever possible, employees should be upwind from the assailant or attacking animal before using pepper spray, and should avoid entering the spray area.
2. Employees should maintain a safe distance from the assailant or attacking animal as described in the County-approved training.
3. The use of pepper spray must be reasonably proportionate to the apparent need to defend against an imminent threat of physical injury.

#### Effects of Pepper Spray and Staff Response

1. Within several seconds of being sprayed with pepper spray, the sprayed individual will normally display symptoms of temporary blindness and have difficulty breathing, a burning sensation in the throat, nausea, lung pain, and/or impaired thought processes. The effects of pepper spray will vary among individuals.

2. Employees should retreat to a safe distance from the assailant or attacking animal and immediately call 9-1-1 to request law enforcement assistance.
3. Employees should encourage other bystanders to move to a safe location, as applicable.
4. If it is safe to do so, employees should be alert to any indications that the sprayed individual needs medical care. This includes, but is not limited to, breathing difficulties, gagging, profuse sweating, and loss of consciousness. Upon observing these or other medical problems, employees should immediately summon emergency medical aid.
5. Employees are under no obligation to provide first aid to the sprayed individual. If it is safe to do so, employees may elect to offer optional first aid:
  - a. Employees should wear rubber gloves while assisting an exposed individual.
  - b. Indicate to the sprayed individual (or animal owner) that the effects are temporary, and encourage them to relax.
  - c. Suggest that the individual move to an uncontaminated area and face towards the wind. Air will normally begin reducing the effects of pepper spray within 15 minutes of exposure.
  - d. Encourage the individual to avoid rubbing the affected areas, and to rinse with cool water. Recommend that the individual wash affected areas with soap and water.
  - e. The individual should remove contaminated clothing and contact lenses, and avoid entering a vehicle, tent, or other enclosure until cleaning is complete.

#### Reporting Procedures

1. Any intentional use of pepper spray will be reported to the supervisor on the day of the incident, either by phone or in person.
2. A written Incident Report will generally be completed by the end of the next workday unless circumstances indicate additional time is necessary for the employee to accurately recall and document the events which have transpired. In such case, the report will be completed as soon as possible, but no later than one (1) week following the date of the incident.

#### Inspection and Replacement

1. Pepper spray devices will be maintained in an operational and charged state by authorized employees or vendors.
2. Employees are responsible for following the manufacturer's instructions for care and storage of the pepper spray container.
3. Employees are responsible for requesting replacement of a damaged, inoperable, or empty device.

### **DRUG-FREE WORKPLACE:**

As part of Crook County's ongoing commitment to a safe and healthy workplace, it maintains a drug-free workplace policy. Any employee who reports to work under the influence of drugs or alcohol runs the risk of endangering his safety and the safety of others, destruction of or damage to personal or County property and the loss of productivity and workplace morale.

All County employees and volunteers are required to understand and comply with the County's drug-free workplace policy. Failure to comply with policy guidelines will result in discipline up to and including termination. Employees and volunteers on County property or

conducting business on behalf of the County, regardless of location, are prohibited from the following:

- Unauthorized use, receipt, possession, purchase, sale, manufacture, transfer, distribution, transportation or dispensation of any controlled substance.
- Reporting to work under the influence of alcohol or a controlled substance.
- Use, possession, purchase, sale manufacture, distribution, transportation or dispensation of any legal prescription drug in an illegal manner.
- Reporting to work while impaired by the use of a legal drug whenever such impairment might substantially interfere with job performance or pose a threat to the employee's safety or the safety of others or risk significant damage to County property.

Controlled substances include, but are not limited to, narcotics (such as heroin and morphine), cannabis (marijuana, hashish), stimulants (such as cocaine and amphetamines), depressants (tranquilizers) except by doctor's prescription and hallucinogens (such as PCP, LSD and "designer drugs").

- ***Alcohol and Drug Testing***

County employees are subject to urine, breathalyzer or other forms of drug/alcohol testing for any of the reasons listed below. Employees shall give their written consent prior to submitting to such test. Failure to consent, without qualification, to submit to a drug or alcohol test or failure to provide samples for such testing may be considered insubordination and may be grounds for immediate termination. Any employee who tampers with or alters a drug or alcohol screening test will be terminated. An applicant who engages in such conduct is not eligible for hire. Tests will be conducted in a licensed facility by certified medical technologists or technicians or other qualified health professionals. Any employee or applicant who is subject to drug and alcohol testing pursuant to the requirements of this policy must submit to testing within two working days of notification.

- ***Pre-Employment Testing***

Subject to any other legal requirements, applicants, excluding volunteers, shall undergo alcohol and controlled substance testing following a conditional offer of employment for a position with the County if the position is safety sensitive or if a special need has been demonstrated that justifies drug testing for that position. Failure to submit to testing when required to do so will result in withdrawal of the offer of employment. Offers of employment for positions requiring drug testing are conditional upon a verified negative controlled substances test result and no detectable level of alcohol.

Reasonable Suspicion: An employee may be asked to consent to a drug or alcohol test whenever a department head or supervisor has reasonable suspicion that an employee is using or has used drugs or alcohol in violation of the prohibitions or mandates of this policy. Before asking an employee to take a drug test, a department head or other supervisory authority who believes an employee is using or has used drugs or alcohol in violation of the drug-free workplace policy shall prepare in writing the reasons for his suspicion and shall confer with legal



counsel or a health professional or other qualified drug and alcohol counselor to determine whether his or her suspicions are sufficient to warrant a drug or alcohol test.

“Reasonable suspicion” includes, but is not limited to, absenteeism or excessive tardiness, declining performance, suspect behavior such as stumbling, slurred or incoherent speech, apparent confusion in orientation, emotional outbursts, inability to perform normal job tasks, the unsafe handling of equipment or tools or the actual observance of such behavior as drinking alcohol or using drugs. If counsel or such other health professional or drug and alcohol counselor concurs with the department heads suspicion, the employee shall be required as a condition of continuing employment to submit to a drug or alcohol test at a time and place of the department head’s choosing. Such test shall be performed by a qualified third-party.

Post-Accident: Whenever an employee is involved in an accident or unsafe workplace incident, the employee may be asked by his or her supervisor or any other supervisory authority to submit, as a condition of continuation of employment, to a drug/alcohol test to determine whether drugs or alcohol use was a factor in the incident.

Treatment Follow-Up: Whenever an employee has participated in an alcohol or drug rehabilitation program, a department head or other supervisory authority may ask the employee to submit as a continuing condition of employment to periodic drug and/or alcohol testing if the employee’s supervisor has reasonable suspicion (see above) that the employee has resumed use of drugs or alcohol in violation of the County’s drug free workplace policy.

Mandated Testing: An employee who by law or rule or by professional code would normally be required to submit to periodic drug testing may be asked by a department head or other supervisory authority to submit to a periodic drug test as a continuing condition of employment.

- ***Confirmatory Test***

If an employee tests positive for drug or alcohol use, a secondary or confirmatory test (on the same sample) will be ordered using the same or superior technology, if such is reasonably available. If a secondary test confirms the initial positive result, the employee will be suspended without pay for violation of County policy. An employee may within five business days of receiving written notice that a confirmatory test has confirmed a positive test result either sign a “last chance” agreement and seek treatment or sever his or her relationship with Crook County.

An employee who chooses rehabilitation will be expected to meet with an accredited professional to assess the nature and severity of his or her problem and to establish a treatment program. Failure to complete the program or to cooperate fully with a drug/alcohol counselor is considered a breach of the “last chance” agreement and will result in immediate termination.

- ***Conviction Notice***

Any employee convicted of violating a criminal drug statute must inform the County Court and the designated human resources official (including pleas of guilty or pleas of no contest) within five working days of the conviction. Failure to inform the County will result in disciplinary action up to and including termination.

- ***Drug or Alcohol Rehabilitation Leave***

Crook County recognizes that drug and alcohol abuse are serious medical problems and wants to assist employees who have a dependency problem and want to rehabilitate themselves. Employees who voluntarily enroll in a drug or alcohol rehabilitation program will be given unpaid time off to participate in such a program.

An employee desiring a Drug or Alcohol Rehabilitation Leave must submit certification of enrollment in a drug or alcohol rehabilitation program at or before the leave begins. The certification must include a statement that the employee's participation in the program prevents him or her from working and specify beginning and ending program dates and the anticipated date of return to work.

Employees returning from such a leave will be returned to their positions in keeping with applicable federal and Oregon medical and family leave laws. If a medical leave is not available, the employee will be returned to his job unless, for organizational reasons, the County was unable to hold the job open or to fill it temporarily because to do so would have resulted in an undue hardship for the County. Under these circumstances, the County will offer the employee a substantially similar job if one exists for which the employee is qualified.

All requests for leave under this policy and the reason and circumstances of any leave that is granted will be kept confidential by County and will only be disclosed to those County employees with a need to know or as may otherwise be required by law.

- ***Veterans' Services Volunteer Driver Programmer***

Volunteers who meet requirements set forth in this paragraph are allowed to drive County vehicles under 10,000 GVW for the purpose of transporting eligible veterans to and from Veterans' organizations, health-related appointments and other excursions approved by the Veterans' Services Officer. Additionally, Veterans are allowed as passengers in County vehicles for the purposes of this paragraph. Transporting Veterans for the County in a personal vehicle is strictly prohibited.

In order to qualify as a driver, a volunteer must:

1. Provide a valid Oregon Driver's License;
2. Pass a usual and customary DMV check, showing fewer than two (2) moving traffic violations above in the last three (3) years; no convictions in any state for traffic felonies, misdemeanors, or drug and alcohol related violated violation; and no infractions in any state for driving on a suspended license or driving uninsured;
3. In the interest of protecting the citizens of Crook County and because of the recognized danger involved in driving a motor vehicle under the influence of alcohol or drugs, a volunteer must submit to pre-employment drug screening, have a verified negative controlled substance test result and no detectable level of alcohol;

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4. Remain subject to County drug testing policy for employees;
5. Follow applicable state laws and local rules with respect to driving and the use of government vehicles.

- ***CDL Policy not superseded***

This policy is intended to complement the drug and alcohol policy of Crook County applied to CDL (commercial driver's license) holders currently in effect or adopted in the future, and such policies are not superseded, modified or repealed by any clause herein.

- ***Exception for Prescribed Drugs***

If a positive drug test can be shown to be the result of use of a legal substance or prescription drug authorized for medical use by a properly licensed physician (who swears by affidavit that such use is the most likely cause of a positive drug test), then no disciplinary action will be taken against an employee testing positive nor will an employment offer be withdrawn from an applicant. If a positive drug test can be shown to be the result of use of a non-prescribed substance and a properly licensed physician swears by affidavit that such use is the most likely cause of a positive drug test, then no disciplinary action will be taken against an employee testing positive nor will an employment offer be withdrawn from an applicant. An employee or applicant who tests positive for drug use and makes such a claim must present the affidavit within five business days of being provided with written notice by the County of receipt of a positive test. Failure to provide the affidavit will result in immediate termination for employees and withdrawal of employment offer for applicants. During the period that the County awaits the receipt of such affidavit, an employee shall be suspended without pay, but if an affidavit is submitted within the authorized time period, the employee shall be reinstated and receive all back wages which would normally have been paid. If the affidavit is received, the County reserves the right to modify or restrict employee job duties to protect employees and the public from any harm which might result as a result of continued use of the drug or substance. The County further reserves the right to require the employee to submit to future drug tests.

## **POLITICAL ACTIVITY:**

For the purposes of this section only, "working hours" shall be defined as all of the employee's paid time while present at his or her worksite including paid breaks taken in the employee's work area, but not including lunch breaks, paid breaks taken in designated break rooms, or paid breaks taken off of county property.

During working hours employees are prohibited from soliciting any money, influence, service or any other thing of value or to otherwise promote or oppose any political committee, the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, or the adoption or defeat of a measure or recall of a public office holder.

An employee shall not use his or her official authority or influence to interfere with or affect the result of an election or a nomination for office. As examples, county employees shall

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not use his or her official title while campaigning for a candidate for public office or political position or when submitting for publication statements advocating or opposing a candidate for public office, nor shall employees circulate or display materials or wear buttons, armbands, clothing, or other items that advocate a candidate for public office or political position during working hours or while representing the county.

Any use of county owned or controlled equipment (computers, telephones, copy machines, fax, vehicles) to promote or oppose the election of a candidate who has filed for election or to promote or oppose an initiative, referendum or recall petition which has been duly filed, is strictly prohibited. This prohibition shall not be construed to prohibit impartial efforts to educate and inform the voting public, nor shall it apply to the use of publicly available county resources which are available to the general public when such use is made by a person other than a county employee during working hours.

Involvement in political activities during working hours shall be limited to those activities that do not adversely affect the efficiency of county operations or disrupt the workplace.

Employees working in departments funded entirely or in part by federal funds should be aware that they may be prohibited from running for partisan office so long as they remain employees of the agency receiving federal funds. An employee considering running for a partisan office should check with county counsel prior to filing candidacy to determine whether Hatch Act prohibitions are applicable.

While being mindful of these prohibitions, employees are not restricted from becoming or continuing to be members of any organization, from attending political meetings, from voting with complete freedom, from expressing and promoting his or her personal political viewpoints during off-work time, or from discussing or providing impartial, factual information regarding political issues as a function of county employment.

These provisions shall not apply to elected officials, but no elected official shall compel any county employee to engage in political activity at any time. Any employee who feels he or she is being compelled to participate in political activity should report such actions to the county counsel.

Failure to abide by these provisions may result in discipline up to and including termination.

- ***“No Mandatory Meeting” Law***

Crook County shall not discharge, discipline or otherwise penalize or threaten an employee who:

- declines to attend or participate in an employer-sponsored meeting or communication if the primary purpose is to communicate the opinion of the employer about religious or political matters;

- as a means of requiring an employee to attend such a meeting or communication; or,

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-because the employee makes a good faith report of a violation or a suspected violation of this law.

The law does not prohibit Crook County from requiring attendance at meetings that are not primarily about religious or political matters. The law also does not prohibit Crook County from offering meetings, forums, or other communications about religious or political matters for which attendance or participation is strictly voluntary.

- ***Meeting Participation***

Crook County does not take adverse employment action against employees who choose not to attend Crook County-sponsored meetings where Crook County's "position" regarding religious or political matters, will be presented.

### **PROTECTION FOR INITIATING OR AIDING IN A CRIMINAL OR CIVIL PROCEEDING:**

Any form of harassment, discrimination or retaliation against any Crook County employee who engages in any of the following is strictly prohibited:

- The employee has in good faith reported criminal activity by any person;
- The employee has in good faith caused a complainant's information or complaint to be filed against any person;
- The employee has in good faith cooperated with any law enforcement agency conducting a criminal investigation;
- The employee has in good faith brought a civil proceeding against Crook County; or
- The employee has testified in good faith at a civil proceeding or criminal trial.

### **CONFIDENTIALITY OF INFORMATION AND RECORDS:**

Crook County employees have an obligation to safeguard confidential information and records to which they have access or become aware of during the performance of their job duties. Confidential information is information which is private or which the law prohibits disclosure of to unauthorized persons. For example, medical records, mental health records, personal information and financial records of individuals and businesses are confidential.

It is important that employees understand their obligation to maintain the confidentiality of information and records they may access or become aware of while working for Crook County. Improper disclosure or release of confidential information or records can be damaging or embarrassing and can result in personal legal liability or criminal penalties. Any employee who improperly uses, discloses or releases confidential information or records is subject to disciplinary action, up to and including termination of employment with Crook County. Except as is necessary to perform official work for Crook County, no employee is authorized to use, disclose or release any information or records to which the employee has access or becomes

aware of during his or her work for Crook County without the express approval of the employee's supervisor or Department Head.

Each employee of Crook County is required to abide by the laws and policies governing confidentiality by signing a Confidentiality Agreement at the time of hire. An employee who has questions regarding confidentiality laws or policies or regarding their obligation to maintain the confidentiality of any information or records should contact his or her supervisor, department head or Crook County Legal Counsel.

- ***Media Contacts***

It is Crook County's policy to cooperate as fully as possible with media inquiries and to communicate truthfully with the media on county business appropriate for public knowledge. To ensure accuracy regarding the county and its actions, media inquiries should be directed to an employee's department head or county administration for response. No employee should communicate directly with the media regarding county business except as directed by of his or her department head or a member of management in his or her supervisory chain.

- ***Public Records***

Information learned through employment with Crook County regarding county business is generally confidential, except to the degree that disclosure is authorized under the Oregon Open Meetings Law and Oregon Public Records Law. Employees are generally encouraged to respond promptly and appropriately to requests for information that is public under Oregon law, but should refrain from volunteering information unless asked. Public record request forms are available on the county website and in the county administration office and should be submitted by members of the public requesting information. When an employee is asked by a member of the public to provide information under public records law that is outside the scope of information regularly distributed, the employee should refer such request to his or her department head or to county counsel for response. Misappropriating information about any private citizen or county employee is prohibited and may subject the employee to discipline up to and including termination as well as civil and criminal penalties. The unauthorized removal of or disclosing of confidential information or materials or the release or disclosure of such information or materials to anyone not authorized to receive such information or materials is grounds for discipline, up to and including possible termination of employment.

## **IDENTITY THEFT PROTECTION POLICY:**

### **I. Purpose**

Crook County shall outline procedures for compliance with Senate Bill 583 (ORS 646A.622), the Oregon Identity Theft Protection Act (OITPA) and establish an Identity Theft Prevention Program designed to detect, prevent and mitigate Identity Theft.

### **II. Scope**

This policy and protection program applies to all employees, officers, and third parties who handle the County's Personal Information.

### **III. Definitions**

*Identity Theft* means fraud committed or attempted using the identifying information of another person without authority.

**Covered Account** means:

- An account that the County offers or maintains, primarily for business or personal purposes that involves or is designed to permit multiple payments or transactions. Covered Accounts include credit card accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts, and savings accounts; and
- Any other account that the County offers or maintains for which there is a reasonably foreseeable risk to customers or to the County of Identity Theft.

**Red Flag** means a pattern, practice or specific activity that indicates the possible existence of Identity Theft.

**Personal Information** for the purposes of this Policy, includes:

- An individual's first name or initial and last name, in combination with any of the following data elements: social security number (SSN); driver license number; state identification number; passport number or other federal identification; financial account numbers, and debit or credit card numbers in combination with the required security information necessary to access the financial account.
- Any data elements when not combined with the consumer's first name or first initial and last name and not rendered unusable through encryption, redaction or other methods, if the information obtained would be sufficient to permit a person to commit identity theft against the consumer whose information was compromised.

**Security Breach** means the unauthorized acquisition of computerized data or printed data that materially compromises the security, confidentiality or integrity of the Personal Information maintained by the county.

**Address Discrepancy** means a notice sent to a user by a consumer reporting agency that informs the user of a substantial difference between the address for the consumer that the user provided to request the consumer report and the address(es) in the agency's file for the consumer.

#### **IV. Responsibilities**

##### **County Court**

- The County Court is responsible for approving the initial plan for the Identity Theft Protection Program, and for appropriately documenting and maintaining such plan.
- The County Court will designate a responsible employee or employees to lead the Identity Theft Prevention Program.

##### **Information Technology Department (IT)**

- IT will be responsible for implementing controls necessary to reasonably safeguard Personal Information contained on County information systems. Securing that data may include but is not limited to:
  - a. Encryption and decryption policies
  - b. Password management
  - c. Log-in monitoring
  - d. Portable electronic device data security protocols

- e. Electronic device and media disposal procedures

### **County Counsel's Office**

- County Counsel is responsible for ensuring that the Identity Theft Protection Policy and other County policies are included in each new employee's orientation.
- Service provider arrangements
  - a. Whenever the County engages a service provider to perform an activity in connection with one or more of the County's Covered Accounts, the County Counsel's Office will take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.
  - b. The County may require the service provider by contract to have policies and procedures to detect relevant Red Flags that may arise in the performance of the service provider's activities, and take appropriate steps to prevent or mitigate Identity Theft.
- Program Modification or Changes
  - a. The County Counsel's Office will periodically review and update the Identity Theft Prevention and Red Flag Detection Program.
  - b. The County Counsel's Office shall periodically report to the County Court on the effectiveness of the Program, an explanation of any significant events, recommendations for program changes due to evolving risks and methods of Identity Theft. These updates will not be required to go before the County Court if the changes are of an insubstantial nature.
- The County Counsel's Office shall conduct staff training for all employees who are likely to come into contact with Covered Accounts or Personal Information. To ensure maximum effectiveness, affected employees should continue to receive additional training as changes to the program are made.

### **Department Heads**

- Department heads will evaluate their need for Personal Information and, where possible, reduce the collection of Personal Information data. Department heads and elected official will determine which members of the workforce have a legitimate business need for such information. Department heads are responsible for assuring that staff is trained in appropriate safeguard practices.

### **Employees**

- Employees are responsible for complying with this policy and any other internal processes.

## **V. Identity Theft Prevention and Red Flag Detection Program**

Crook County hereby establishes an Identity Theft Prevention and Red Flag Detection Program to prevent, detect, and mitigate Identity Theft. The Program shall include the following procedures:

### **Prevention:**

- **Hard Copy Distribution**

Each employee and applicable third parties performing work for the County will comply with the following policies:



- (1) Protect against unauthorized access to or use of Personal Information by closing and/or locking file cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with Personal Information when not in use.
- (2) Mark as "Confidential" all files containing Personal Information or information related to Covered Accounts.
- (3) Lock storage rooms containing documents with Personal Information and record retention areas at the end of each workday or when unsupervised.
- (4) Clear desks, workstations, work areas, printers and fax machines, and common shared work areas of all documents containing Personal Information at the end of each workday or when unsupervised.
- (5) Erase, remove, or shred whiteboards, dry-erase boards, writing tablets, etc. in common shared work areas when not in use.
- (6) Place discarded documents containing Personal Information inside a locked shred bin or immediately shred using a mechanical cross cut or Department of Defense (DOD) - approved shredding device. Label locked shred bins as "Confidential paper shredding and recycling." However, public records may only be destroyed in accordance with the County's records retention policy.

- **Electronic Distribution**

Each County employee will comply with the following policies:

- (1) Transmit Personal Information internally only through approved County e-mail. Personal Information kept in electronic format must be stored in a protected folder.
- (2) Personal Information sent externally shall only be sent to approved recipients. Additionally, a statement such as the following shall be included in the e-mail:

*\*\*\*CONFIDENTIALITY NOTICE\*\*\**

*This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise immediately by reply e-mail, keep contents confidential, and immediately delete the message and any attachments from your system."*

- **Social Security Number (SSN) Protection**

- a. County employees shall not print non-redact SSNs on any mailed materials not requested by the employee or customer, or on cards used to access products, services, or county buildings (such as ID cards).
- b. County employees shall not publicly post or display SSNs.
- c. When printing an SSN, the County shall redact all but the last four (4) digits of a SSN, unless specifically required by law to disclose the full number.

**Detection:**

- **Red Flags**

Any time a Red Flag, or a situation closely resembling a Red Flag, is apparent to a County employee, the employee shall notify their supervisor or designated person. The following Red Flags are potential indicators of fraud:

- a. **Suspicious Documents, for example:**

- (1) Documents provided for identification that appear to have been altered or forged.
  - (2) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
  - (3) Other information on the identification is not consistent with information provided by the person opening a new Covered Account or customer presenting the identification.
  - (4) Other information on the identification is not consistent with readily accessible information that is on file with the County, such as a signature card or a recent check.
  - (5) An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.
- b. **Suspicious personal identifying information, for example:**
- (1) Personal Information provided by the customer is not consistent with other personal identifying information provided by the customer.
  - (2) Personal Information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the County.
  - (3) Personal Information provided is inconsistent with Personal Information that is on file with the County.
- c. **Unusual use of, or suspicious activity related to, the Covered Account, for example:**
- (1) Shortly following the notice of a change of address for a Covered Account, the County receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.
  - (2) Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's Covered Account.
  - (3) A Covered Account is used in a manner that is not consistent with established patterns of activity on the account.
  - (4) The County receives notice from customers, victims of Identity Theft, law enforcement authorities, or other persons regarding possible Identity Theft in connection with Covered Accounts held by the County.

**Mitigation:**

● **Responding to Red Flags**

- a. Once potentially fraudulent activity is detected, the employee should act quickly and gather all related documentation and alert their supervisor or the designated authority.
- b. The supervisor or designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.
- c. If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:
  - (1) Notification in accordance with Section VI (c)(ii)(2) of this policy;
  - (2) Canceling the transaction; and
  - (3) Determining the extent of liability of the County.

● **Notification**

- a. In the event that either a Red Flag has been observed, or that Personal Information has been subject to a Security Breach, the County will provide notification of the event to the person whose information is believed to have been compromised by the unauthorized persons(s).
- b. Notification should adhere to the following:
  - (1) Notification must be done as quickly as possible.
  - (2) Notification may be delayed if a law enforcement agency determines that notification will impede a criminal investigation and the agency has made a written request that the notification be delayed.
  - (3) Notification shall be made after the law enforcement agency determines that the disclosure of the breach will not compromise the investigation.
  - (4) The preferred method of notification is in writing. However, electronic notification can be used if that is the primary means of communication with the affected individual.
  - (5) In the event that notification costs are more than \$250,000 or the number of individuals requiring notification is more than 350,000, notification may occur through mass media.
- c. Exceptions include if the notification would impede a criminal investigation or if notifying the person(s) affected would be prohibitively expensive, in which case public notification would be acceptable.

## **VI. Exemptions**

Personal Information does not include information, other than a SSN, in a federal, state or local government record that is lawfully made available to the public.

State and federal law requiring records to be made available to the public; records for the use of internal verification or administrative processes; and records used for enforcing a judgment are not subject to this Policy.

## **VII. Redacting Information on Public Records**

The County will redact the following information from all public records request that are fulfilled when the document is not requested by the individual whose Personal Information appears in the record:

- Social Security Number
- Covered Account numbers
- Security or access codes and passwords

## **VIII. Noncompliance**

Employee noncompliance with this policy may result in formal disciplinary action up to and including termination of employment. Employees should contact their supervisor if they have questions about complying with this policy.

## **“MOONLIGHTING”:**

Crook County realizes that from time to time employees may engage in other employment, volunteer work or other activities in addition to their work for Crook County. Since most employers and citizens will associate the employee with the County, it is expected that a

“moonlighting” employee’s conduct will, at all times, reflect favorably on the County, and will not be detrimental to the County, its’ employees or services.

When an employee is engaged in employment, volunteer work or other activities other than County work, the employee does not represent the County and it is the responsibility of the employee to ensure that it is made clear that the employee does not conduct such outside employment, volunteer work or other activity on behalf of the County. No employee is permitted to use County equipment, property or resources for “moonlighting” activities.

If any outside work or other activity poses a conflict of interest with the employee’s duties for the County, the employee must discuss the situation immediately with the employee’s County supervisor. In the event the outside work or other activity compromises the employee’s ability to fulfill his or her responsibilities as a County employee, the County reserves the right to request that the employee discontinue the outside work or other activity or be terminated from employment with the County.

### **INFORMATION TECHNOLOGY (IT) POLICIES:**

All computer systems and information are the property of Crook County. No part of the system or the information provided therein is considered the private property of the specific user and there is no reasonable expectation of privacy. The County retains all legal rights to control, transfer or use all or any part of its system and reserves the right, at any time, with or without notice, to access and review any and all e-mails generated or received on County computer systems and to access and review any and all other information or documentation on or generated or received through the County’s computer systems. You have no expectation of privacy with respect to your use of County-owned computers.

Software “sharing” is considered copyright infringement and may be a federal offense and is not tolerated. Software must not be installed, downloaded, modified, deleted or upgraded without the authorization of the County Information Technology Manager and the authorization of the employee’s manager or supervisor.

With the exception of state-provided equipment, all hardware used by every County department is owned by Crook County. Personal computer hardware is not allowed. Additions or deletions to hardware are not permitted without the authorization of the County Information Technology Manager and the authorization of the employee’s manager or supervisor.

- ***User IDs and Passwords***

CROOK COUNTY IS HEREINAFTER REFERRED TO AS "THE COUNTY."

I. PURPOSE: THE PURPOSE OF THIS POLICY IS TO ESTABLISH A STANDARD FOR CREATION OF STRONG PASSWORDS, THE PROTECTION OF THOSE PASSWORDS, THE FREQUENCY OF CHANGE AND THEIR USE. MOST IMPORTANTLY, THIS POLICY WILL HELP USERS UNDERSTAND WHY STRONG PASSWORDS ARE A NECESSITY, AND HELP THEM CREATE PASSWORDS THAT ARE BOTH SECURE AND USEABLE. LASTLY, THIS POLICY WILL EDUCATE USERS ON THE SECURE USE OF PASSWORDS.

II. SCOPE: THE SCOPE OF THIS POLICY INCLUDES ALL PERSONNEL WHO

HAVE OR ARE RESPONSIBLE FOR AN ACCOUNT (OR ANY FORM OF ACCESS THAT SUPPORTS OR REQUIRES A PASSWORD) ON ANY SYSTEM THAT RESIDES AT ANY CROOK COUNTY FACILITY, HAS ACCESS TO THE CROOK COUNTY NETWORK, OR STORES ANY NON-PUBLIC CROOK COUNTY INFORMATION.

### **1. Issuing a password:**

Temporary passwords will be provided to those required to access Crook County Computer resources by IT and / or departments who manage specific applications. After appropriate training the employee will change the password to something that is unique and follows this policy.

### **2. Password Creation:**

- All user-level and system-level passwords must conform to the Password Construction Guidelines
- Users must not use the same password for Crook County accounts as for other non-Crook County access (for example, personal ISP account, option trading, benefits, and so on).
- Where possible, users must not use the same password for various Crook County access needs.
- User accounts that have system-level privileges must have a unique password from all other accounts held by that user to access system-level privileges.

### **3. Password Construction:**

The best security against a password incident is simple: following a sound password construction strategy. The organization mandates that users adhere to the following guidelines on password construction: All passwords should meet or exceed the following guidelines.

- 8-11 characters long and contain a mix of mixed case letters, numbers and symbols.

Poor, or weak, passwords have the following characteristics and should not be used:

- Contain less than eight characters.
- Can be found in a dictionary, including foreign language, or exist in a language slang, dialect, or jargon.
- Contain personal information such as birthdates, addresses, phone numbers, or names of family members, pets, friends, and fantasy characters.
- Contain work-related information such as building names, system commands, sites, companies, hardware, or software.
- Contain number patterns such as aaabbb, qwerty, zyxwvuts, or 123321.
- Contain common words spelled backward, or preceded or followed by a number (for example, terces, secret1 or 1secret).
- Are some version of "Welcome123" "Password123" "Changeme123"
- Are the same as the User ID

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You should never write down a password. Instead, try to create passwords that you can remember easily. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase, "This May Be One Way To Remember" could become the password TmB1w2R! or another variation. (NOTE: Do not use either of these examples as passwords!)

#### Passphrases:

Passphrases generally are used for public/private key authentication. A public/private key system defines a mathematical relationship between the public key that is known by all, and the private key, that is known only to the user. Without the passphrase to unlock the private key, the user cannot gain access.

A passphrase is similar to a password in use; however, it is relatively long and constructed of multiple words, which provides greater security against dictionary attacks. Strong passphrases should follow the general password construction guidelines to include upper and lowercase letters, numbers, and special characters (for example, TheTrafficOnThe101Was\*&!\$ThisMorning!).

#### **4. Confidentiality & Password Protection:**

Passwords should be considered confidential data and treated with the same discretion as any of the organization's proprietary information. The following guidelines apply:

- Passwords must not be shared with anyone. All passwords are to be treated as sensitive, Confidential Crook County information.
- Passwords must not be inserted into email messages, or other forms of electronic communication.
- Passwords must not be revealed over the phone to anyone.
- Do not hint at the format of a password (for example, "my family name").
- Do not write passwords down and store them anywhere in your office. Do not store passwords in a file on a computer system or mobile devices (phone, tablet) without encryption.
- Do not use the "Remember Password" feature of applications (for example, web browsers).
- Any user suspecting that his/her password may have been compromised must report the incident and change all passwords.
- Users must not use the same password for different systems and/or accounts.
- Users must not re-use passwords
- Passwords must not be displayed when entered.

#### **5. Change Frequency:**

In order to maintain good security, passwords should be periodically changed. This limits the damage an attacker can do as well as helps to frustrate brute force attempts. At a minimum, users must change passwords every 90 days. The organization may use software that enforces this policy by expiring users' passwords after this time period.

#### **6. Application Development:**

Application developers must ensure that their programs contain the following security precautions:

- Applications must support authentication of individual users, not groups.
- Applications must not store passwords in clear text or in any easily reversible form
- Applications must not transmit passwords in clear text over the network.
- Applications must provide for some sort of role management, such that one user can take over the functions of another without having to know the other's password.

## **7. Incident Reporting:**

Since compromise of a single password can have a catastrophic impact on network security, it is the user's responsibility to immediately report any suspicious activity involving his or her passwords to the IT Director. Any request for passwords over the phone or email, whether the request came from organization personnel or not, should be expediently reported. When a password is suspected to have been compromised the IT Director will request that the user, or users, change all his or her passwords.

## **8. Personal Identification Number (PIN):**

When agencies implement the use of a PIN as a standard authenticator, the PIN attributes shall follow the password construction guidelines. When agencies utilize a PIN in conjunction with a certificate or a token (e.g. key fob with rolling numbers) for the purpose of advanced authentication, agencies shall follow the PIN attributes described below. For example: A user certificate is installed on a smartphone for the purpose of advanced authentication (AA). As the user invokes that certificate, a PIN meeting the below attributes shall be used to access the certificate for the AA process.

- Be a minimum of six (6) digits
- Have no repeating digits (i.e., 112233)
- Have no sequential patterns (i.e., 123456)
- Not be the same as the Userid.
- Expire within a maximum of 365 calendar days.
- Not be identical to the previous three (3) PINs.
- Not be transmitted in the clear outside the secure location.
- Not be displayed when entered.

## **9. Policy Compliance:**

This policy will be enforced by the IT Director and/or Human Resources. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

## **10. Policies Referenced:**

This document is part of the organization's cohesive set of security policies. Other policies may

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apply to the topics covered in this document and as such the applicable policies should be reviewed as needed.

- ***E-mail and General Storage Use***

**Purpose:** The purpose of this email policy is to ensure the proper use of the County's email system and make users aware of what is acceptable and unacceptable use of the County's email system. This policy outlines the minimum requirements for use of email.

**Scope:** This policy includes the County's email system in its entirety, including desktop and/or web-based email applications, server-side applications, email relays, and associated hardware. It covers all electronic mail sent from the system, as well as any external email accounts accessed from the County network.

**Policy:**

**1. Proper Use of County Email Systems:**

Users are expected to exercise common sense when sending or receiving email from County accounts. Additionally, the following applies to the proper use of the County email system.

Sending and Receiving Email:

When using a County email account, email must be addressed and sent carefully. Users should keep in mind that the County loses any control of email once it is sent out of the County network.

Users must take extreme care when typing in addresses, particularly when email address auto-complete features are enabled; using the "reply all" function; or using distribution lists in order to avoid inadvertent information disclosure to an unintended recipient. Careful use of email will help the County avoid the unintentional disclosure of sensitive or non-public information.

All use of email must be consistent with the County's policies and procedures of ethical conduct, safety, compliance with applicable laws and proper business practices. The following guidelines apply:

- The following is not permitted: spamming, harassment, communicating threats, solicitations, chain letters, or pyramid schemes. This list is not exhaustive, but is included to provide a frame of reference for types of activities that are prohibited.
- The user is prohibited from forging email header information or attempting to impersonate another person.
- Email is an insecure method of communication, and thus information that is considered confidential or proprietary to the County may not be sent via email, regardless of the recipient, without proper encryption.



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- It is County policy not to open email attachments from unknown senders, or when such attachments are unexpected.
- Email systems were not designed to transfer large files and as such emails should not contain attachments greater than 5 Mb.
- If an employee receives a personal email on their work Email, he or she must respond immediately with a message notifying the sender that they may not receive personal e-mails at County-supplied accounts.

Users are prohibited from automatically forwarding the County's email to their own personal account on a third party email system. Individual messages which are forwarded by the user must not contain the County's confidential data.

#### Business Communication and Email:

The County uses email as an important communication medium for business operations. Users of the County email system are expected to check and respond to email in a consistent and timely manner during business hours as established by departmental policies.

Additionally, users are asked to recognize that email sent from a County account reflects on the County, and, as such, email messages must be professional and courteous.

#### Email Signature:

Email signatures (contact information appended to the bottom of each outgoing email) may or may not be used, at the discretion of the individual user. Users are asked to keep any email signatures professional in nature.

#### Email Disclaimer:

All County Emails will contain the following disclaimer:

CONFIDENTIALITY NOTICE - This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

#### Auto-Responders:

The County requires the use of an auto-responder if the user will be out of the office for an entire business day or more. The auto-response should notify the sender that the user is out of the office, the date of the user's return, and who the sender should contact if immediate assistance is required.

#### Mass Emails:

The County makes the distinction between the sending of mass emails and the sending of

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unsolicited email (spam). Mass emails may be useful for purposes (such as when communicating with the County's employees or constituents), and is allowed as the situation dictates. These emails should be sent only with department head approval and contain no attachments where possible. The sending of spam, on the other hand, is strictly prohibited

It is the County's intention to comply with applicable laws governing the sending of mass emails. For this reason, as well as in order to be consistent with good business practices, the County requires that email sent to more than twenty (20) recipients external to the County have the following characteristics:

- The email must contain instructions on how to unsubscribe from receiving future emails (a simple "reply to this message with UNSUBSCRIBE in the subject line" will do). Unsubscribe requests must be honored within 10 business days for any non-county employees to conform with the CAN-SPAM Act of 2003
- The email must contain a subject line relevant to the content.
- The email must contain contact information, including the full physical address, of the sender.
- The email must contain no intentionally misleading information (including the email header), blind redirects, or deceptive links.

Note that emails sent to County employees, existing customers, or persons who have already inquired about the County's services are exempt from the above requirements.

#### Opening Attachments:

Users must use care when opening email attachments. Viruses, Trojans, and other malware can be delivered as an email attachment. Users should:

- Never open unexpected email attachments or from unknown sources.
- Never click links within email messages unless he or she is certain of the link's safety. It is often best to copy and paste the link into your web browser, or retype the URL, as specially-formatted emails can hide a malicious URL.

The County may use methods to block what it considers to be dangerous emails or strip potentially harmful email attachments as it deems necessary.

#### Prohibited Actions:

The following actions constitute unacceptable use of the County email system. This list is not exhaustive, but is included to provide a reference for types of activities that are deemed unacceptable. Except when such use constitutes a function of the employee's normal job responsibilities, the user may not use the County email system to:

- Access another user's email account without the knowledge or permission of that user -

which should only occur with the approval of County department head(s) in the case of an investigation.

- Disseminate defamatory, discriminatory, vilifying, sexist, racist, abusive, rude, harassing, annoying, insulting, threatening, obscene or otherwise inappropriate messages or media.
- Make fraudulent offers for products or services.
- Attempt to impersonate another person or forge an email header.
- Send spam, solicitations, chain letters, or pyramid schemes.
- Knowingly misrepresent the County's capabilities, business practices, or policies.

## **2. Monitoring and Privacy:**

Users should expect no privacy when using the County network or County resources. Such use may include but is not limited to: transmission and storage of files, data, and messages. The County reserves the right to monitor any and all use of the computer network. To ensure compliance with County policies this may include the interception and review of any emails, or other messages sent or received, or inspection of data stored on personal file directories, hard disks, and removable media.

## **3. County Ownership of Email:**

The County owns and maintains all legal rights to its email systems and network, and thus any email passing through these systems is owned by the County and it may be subject to use for purposes not be anticipated by the user. Keep in mind that email may be backed up, otherwise copied, retained, or used for legal, disciplinary, or other reasons. Additionally, the user should be advised that email sent to or from certain public or governmental entities may be considered public records.

## **4. Contents of Received Emails:**

Users must understand that the County has little control over the contents of inbound email, and that such email may contain material that the user finds offensive. If unsolicited email becomes a problem, the County may attempt to reduce the amount of this email that the users receive. However no solution will be 100 percent effective. The best course of action is to not open emails that seem suspicious. If the user is particularly concerned about an email, or believes that it contains illegal, malicious, or harmful content, he or she should notify his or her supervisor or County IT.

## **5. Access to Email from personal devices:**

Staff are not to access, or attempt to access, the County's email system from personally-owned equipment such as PC's, Laptops, phones or tablets unless they use OWA (Outlook Web Access) directly from a web browser. This is further outlined in the Mobile Device Policy.

## **6. External and/or Personal Email Accounts:**

The County recognizes that users may have personal email accounts in addition to their County-provided account. Staff is prohibited from conducting county business through personal Email accounts. If work related emails are received here, he or she must respond immediately with a message that they must use the work email account.

## **7. Confidential Data and Security:**

As with any County passwords, passwords used to access email accounts must be kept confidential and used in adherence with the Password Policy. At the discretion of the IT Director, the County may further secure email with certificates, two factor authentication, or another security mechanism.

Email is an insecure means of communication. Users should think of email as they would a postcard, which, like email, can be intercepted and read on the way to its intended recipient.

The County requires that any email containing confidential information, regardless of whether the recipient is internal or external to the County network, be encrypted using commercial-grade, strong encryption. Further guidance on the treatment of confidential information exists in the County's Confidential Data Policy. If information contained in the Confidential Data Policy conflicts with this policy, the Confidential Data Policy will apply.

### Data Leakage:

Data can leave the network in a number of ways. Often this occurs unintentionally by a user with good intentions. For this reason, email poses a particular challenge to the County's control of its data.

Unauthorized emailing of County data, confidential or otherwise, to external email accounts for the purpose of externally retaining this data is prohibited. If a user needs access to information from external systems (such as from home or while traveling), that user should notify his or her supervisor rather than emailing the data to a personal account or otherwise removing it from County systems. Also remember that using a personal device or home computer to store or work upon County documents may subject the device or home computer to review under the Oregon public records laws, subpoena, or other compulsive order.

## **8. County Administration of Email:**

The County will use its best effort to administer the County's email system in a manner that allows the user to both be productive while working as well as reduce the risk of an email-related security incident.

### Filtering of Email:

A good way to mitigate risk from email is to filter it before it reaches the user so that the user

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receives only safe, business-related messages. At this time, the County does not delete any email at the gateway or email server for spam or viruses; however it reserves the right to do so at any time.

Retention and Backup:

Email should be retained and backed up in accordance with the State of Oregon's data retention standards.

Address Format:

Email addresses must be constructed in a standard format in order to maintain consistency across the County. The recommended format is: Firstname.lastname@co.crook.or.us.

Account Activation and Termination:

Email accounts will be set up for each user determined to have a business need to send and receive County email. Accounts on the County email system will never be provided to non-employees of the County without specific approval by the Crook County Court.

When a user leaves the County's employment, or his or her email access is officially terminated for another reason, the County will disable the user's access to the account by password change, disabling the account, or another method. The County is under no obligation to block the account from receiving email, and may continue to forward inbound email sent to that account to another user, or set up an auto-response to notify the sender that the user is no longer employed by the County.

Storage Limits:

As part of the email service, email storage may be provided on County servers or other devices. The email account storage size must be limited to what is reasonable for each employee, at the discretion of the IT Director. Storage limits may vary by employee or position within the County.

Policy Compliance:

Violations may result in disciplinary action, which may include but may not be limited to suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

**9. Policies Referenced:**

This document is part of the County's cohesive set of security policies. Other policies may apply to the topics covered in this document and as such the applicable policies should be reviewed as needed.

- ***Removable Media***

CROOK COUNTY is hereinafter referred to as "the County."

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**Purpose:** The purpose of this policy is to minimize the risk of loss or exposure of sensitive information maintained by Crook County and to reduce the risk of acquiring malware infections on computers operated by Crook County.

**Scope:** This policy covers all computers, laptops, tablets and servers operating in Crook County.

**Policy:**

**1. Implementation:**

County staff may only use County-owned removable media in, or to attach to, their work computers. Crook County removable media may not be connected to or used in computers that are not owned or leased by the Crook County without explicit permission of the Crook County IT Director. Sensitive information should be stored on removable media only when required in the performance of your assigned duties or when providing information required by other state or federal agencies. When sensitive information is stored on removable media, it must be encrypted in accordance with the Crook County Acceptable Encryption Policy.

Exceptions to this policy may be requested on a case-by-case basis.

**2. Policy Compliance:**

This policy will be enforced by the IT Director and/or Human Resources. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

**3. Policies Referenced:**

This document is part of the County's cohesive set of security and Information technology policies.

- ***Mobile Device Policy***

**Purpose:** The purpose of this policy is to specify County standards for the use and security of mobile devices.

**Scope:** This policy applies to County data as it relates to mobile devices that are capable of storing such data, including, but not limited to, laptops, notebooks, PDAs, smart phones, and USB drives. This policy covers any mobile device capable of coming into contact with County data and voice communications.

County employees who are not exempt from the overtime provisions of federal and state law shall not perform work outside of their regular work schedule unless expressly authorized by their Supervisor. Non-exempt employees, therefore, shall not utilize their County-provided mobile devices or access the County's information systems and technology (whether through a County-provided or personally-owned device) outside their regular work schedule. Non-exempt

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employees working in an "on call" or "call back" status are considered to be working their "regular work schedule" during their "on call" or "call back" work period.

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**Policy:**

**1. Security:**

Physical Security:

By nature, a mobile device is more susceptible to loss or theft than a non-mobile system. The employee should carefully consider the physical security of its mobile devices and take appropriate protective measures. If a mobile device is lost or stolen, the data security controls that were implemented on the device are the last line of defense for protecting County data. The following sections specify the County's requirements for data security as it relates to mobile devices.

Loss, Theft, or other security incident related to a County-provided mobile device must be reported immediately.

Laptops:

Whole disk encryption is required. Laptops must require a username and password or biometrics for login.

PDA's/Smart Phones:

Use of encryption is not required on PDA's/smart phones as no sensitive data is stored on the device. PDA's/smart phones must require a password for login.

Mobile Storage Media:

Encryption is required on any USB drive, flash drive, memory stick or other personal data storage media when they contain County information.

Portable Media Players:

No County data can be stored on personal media players.

Other Mobile Devices:

Unless specifically addressed by this policy, storing County data on other mobile devices, or connecting such devices to County systems, is expressly prohibited. Questions or requests for clarification on what is and is not covered should be directed to IT Director.

Connecting to Unsecured Networks:

Users must not connect to any outside network without a secure, up-to-date software firewall or VPN configured by Crook County IT on the county-owned mobile computer. Examples of unsecured networks would typically, but not always, relate to Internet access, such as access provided from a home network, access provided by a hotel, an open or for-pay wireless hotspot, a convention network, or any other network not under direct control of the County.

## **2. Use of Personal Mobile Equipment:**

No staff-owned mobile equipment will be used for County work except cell phones. If personal equipment is brought to work, their use must be extremely limited and not interfere with work or other employees. Crook County will not be liable for the loss of personal mobile equipment brought into the workplace.

When it is necessary for an employee to have a cell phone for work purposes the Department Head has the choice of providing county-owned equipment or allowing the use of the employee's personal phone. If a personal phone is used, county email access from this device is prohibited unless they access it through OWA via the web (Outlook Web Access). Users are not to store County data on non-County-provided mobile equipment. This does not include simple contact information, such as phone numbers and email addresses, stored in an address book on a personal phone or PDA. Also, remember that using a personal device or home computer to store or work upon County documents may subject the device or home computer to review under the Oregon public records laws, subpoena, or other compulsive order.

## **3. Personal use of County Mobile equipment:**

County equipment is supplied for conducting County business. However, as a courtesy to its employees, equipment can be used during official breaks, so as not to conflict with work, for personal reasons as long as there is no or insignificant cost to the County and such use does not violate the acceptable use policy and these guidelines. It is the responsibility of the department head to ensure that employees are responsible in exercising good judgment regarding the reasonableness of personal use. In rare occasions it is also acknowledged that employees may need to make and receive emergency phone calls during office hours.

## **4. Record Retention:**

It is the responsibility of the individual user to understand and implement the record retention laws that relate to their use and department. All text messages must be stored.

## **5. General Guidelines (specific to cell phones):**

CC IT Responsibilities:

- CC IT will manage and issue all County-owned devices as part of the County's consolidated asset management program.
- CC IT shall be responsible for receiving disconnected, replaced or nonfunctioning County-provided mobile devices. CC IT shall, as appropriate, scrub the device's memory, and, if appropriate, re-distribute or forward the device to surplus. CC IT is responsible for ensuring that all information is cleared from the device and the SIM card and that any other device-related media storage is removed and destroyed.

Department Responsibilities:



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- Department management shall report any violations of this policy or state or federal law by a workforce member to HR or County Counsel as soon as possible.
- Department management shall take appropriate action for violations of this policy, including user education, termination of use, or disciplinary measures, as appropriate (up to and including termination of employment).
- Department management shall advise CC IT when a staff member has a change in status (e.g. change in role, separation from employment, extended leave of absence, etc.) that warrants a change in access.
- Department management shall take all necessary steps to insure that the Department's non-exempt employees do not utilize their County-provided mobile devices to access the County's information systems and technology to perform work outside their normally scheduled working hours.
- Departments shall ensure that each County-provided mobile device is provided with a compatible hands-free device if requested.
- Department management shall be responsible for sending disconnected, replaced or nonfunctioning County-provided mobile devices to CC IT for appropriate scrubbing of the device memory, and, if appropriate, re-distribution.
- Department management shall register the phone numbers of all County-provided mobile devices on the national Do Not Call list.

User Responsibilities:

- User will comply with all applicable laws regarding the use of his/her device including, without limitation, laws prohibiting cellular phone use and texting during the operation of a vehicle, and laws concerning the confidentiality of any data that is accessed.
- User will comply with the safety instructions outlined in the device's user manual and other local restrictions, as applicable, when carrying devices in non-user or limited use areas including, but not limited to, hospitals, libraries, and public meetings.
- User will ensure that the device's automatic screen lock capability is activated with a time-delay of no more than 10 minutes of idle time before the screen locks. This reduces the risk of unwanted exposure of County data.
- User will restrict access to the device using a password at all times. User understands that he/she must activate an electronic lock/password on the device. User further understands that such password must be changed every 90 days.
- User will notify the CC IT within 24 hours of an actual or suspected loss or theft of the device.

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- User agrees that his/her transmission of sensitive information (including but not limited to confidential, personally identifiable information, protected health information), whether in the subject, body or attachment to an email message must be secured by sending the message using the County's email encryption tools.
- User acknowledges not to use Short Message Service (SMS) (e.g., text messages) and/or Multimedia Service (MMS) messages for transmission of County-related sensitive information (confidential, PII, PHI).
- User agrees to contact HR or County Counsel, if appropriate, regarding any questions relating to this policy.
- User understands that his/her compliance with the County's Mobile Technology Use Policy is a condition to being authorized to utilize a County-provided mobile device, or to being granted access to County systems via a personally-owned device.

Additional User Responsibilities for County-Provided Mobile Devices:

- User understands and agrees that the use of County-provided mobile devices shall be limited to official County business except in cases of emergencies (e.g., contacting children, doctors, or family members to inform of schedule changes and similar situations) or other *de minimis* and incidental personal usage which does not interfere with normal conduct of County business or incur additional charges to the County.
- User agrees that all County-provided mobile devices and their contents remain the property of the County and are subject to regular audit and monitoring. User acknowledges and understands that he/she does not have a privacy interest in the contents of his/her County-provided mobile device.
- User agrees that prior to separation from County service, User must turn in all County-provided equipment to his or her Manager or contracting County Department. If User is transferring to another County department, CC IT must obtain advance written approval from User's new and former Department before CC IT will transfer the number and equipment to the new Department.
- Devices that are being replaced or retired must be returned to CC IT within 10 business days.

**6. Audits:**

The County will conduct periodic reviews to ensure policy compliance. A sampling of mobile devices should be taken and audited against this policy on a periodic basis.

**7. Policy Compliance:**

This policy will be enforced by the IT Director or Human Resources. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of

County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

## **8. Policies Referenced:**

This document is part of the County's cohesive set of security and Information technology policies.

- ***Internet Access***

General exploration or use of the Internet for personal use is not allowed during business hours or at any time when it conflicts with business use. The county's internet account is not to be used to access sexually explicit, indecent or illegal materials (including peer-to-peer file sharing services) or any other sites the County considers contrary to the goals set forth in our policies prohibiting discrimination or harassment or otherwise offensive to the interests of the County or its employees. Internet users are subject to routine and random review by the IT dept. to ensure compliance with this policy.

The widespread use of "streaming" video can reduce network performance by reducing bandwidth availability. The County IT department has the right to restrict access of streaming media if network performance is compromised. "Streaming" access includes uses like live radio, music, stock prices, and video.

Employees should not use County bandwidth to download large files for personal purposes. The use of large amounts of County-controlled bandwidth to avoid personal expense is a violation of Oregon ethics laws and may lead to prosecution and discipline, up to and including termination.

- ***Use of County Information Assets***

**Purpose:** The purpose of this policy is to inform the authorized users of county information assets of the appropriate and acceptable use of the County's information, computer systems, and devices.

**Scope:** This policy applies to employees, contractors, volunteers, consultants, temporary employees, elected officials, and other workers at Crook County, including all personnel affiliated with third parties who have access to County-controlled resources. This policy applies to all equipment that is owned, leased, or controlled by the County.

**Policy:**

**1. County Business:**

Information, computer systems, and devices are made available to users to optimize the business processes of Crook County. Any user of information, computer systems and devices shall comply with this policy and any other applicable County policies and rules. Crook County will put in place policies, procedures, and practices that enable compliance, deter misuse, and

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detect policy violations. Departments may adopt more restrictive policies based on business requirements after conferring with the IT department.

Systems and Information are County Property:

County information, computer systems, and devices are provided for business purposes only and information on those systems are the sole property of the Crook County, subject to its sole control unless an overriding agreement or legal authority exists to the contrary. No part of County information or systems may become the private property of any system user. Crook County is responsible for controlling and monitoring its systems and protecting its information assets. All information stored within applications, systems, and networks are the property of Crook County.

Record Retention:

It is the responsibility of each individual to recognize what constitutes a public record and the statutory obligations for retaining these records. Any questions in this regard should be directed to the County Clerk and Legal Counsel.

Access and Control:

Crook County reserves, and intends to exercise, all rights relating to all information assets. County IT is responsible for granting and monitoring users' access to systems and information required to do their work only, and for revoking user access in a timely manner. Crook County may withdraw permission for any or all use of its systems at any time, with or without notice.

**2. Lawful, Ethical and Inoffensive Use:**

Professional Conduct:

Use of County information assets shall not be false, unlawful, or disruptive. Unless and individual user has a legitimate work-related reason, County networks and systems may not be used to intentionally view, download, store, transmit, retrieve any information, communication, or material which: is harassing or threatening; is obscene, pornographic or sexually explicit; is defamatory; makes discriminatory reference to race, age, gender, sexual orientation, religious or political beliefs, national origin, health, or disability; is fraudulent; is illegal or promotes illegal activities; is intended for personal profit; condones to foster hate, bigotry, discrimination or prejudice; facilitates Internet gaming or gambling; or contains offensive humor.

Legal Compliance:

Use of County information systems shall be in compliance with copyrights, licenses, contracts, intellectual property rights and laws associated with data, software programs, and other materials made available through those systems. Any of the following activities constitute violations of acceptable use policy, if done without permission of the copyright owner: A) copying and sharing images, music, movies, or other copyrighted material using P2P file sharing or unlicensed CD's and DVD's; B) posting or plagiarizing copyrighted material; and C) downloading copyrighted files which the employee has not already legally procured. This list is not meant to be exhaustive. Copyright law applies to a wide variety of works and applies to much more than is listed above.

Confidentiality:

Confidential data must not be A) shared or disclosed in any manner to non-employees of the

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County or County employees that have not been given permission to access the information, B) should not be posted on the Internet or any publicly accessible systems, and C) should not be transferred in any insecure manner. The Confidential Data Policy refers to the proper use of this information in more detail.

Security:

Any use of the County's information systems shall respect the confidentiality of other users' information and shall not attempt to: (i) access third party systems without prior authorization by the system owners; (ii) obtain other users' login names or passwords; (iii) attempt to defeat or breach computer or network security measures; (iv) intercept, access, or monitor electronic files or communications of other users or third parties without approval from the author or responsible business owners; (v) peruse the files or information of another user without specific business need to do so and prior approval from the author or responsible business owner; (vi) introduce malicious programs into the network or server.

The user should take reasonable efforts to avoid accessing network data, files, and information that are not directly related to his or her job function. Existence of access capabilities does not imply permission to use this access. You may access, use or share the County's information only to the extent it is authorized and necessary to fulfill your assigned job duties.

Data Integrity:

Users shall not knowingly destroy, misrepresent, or wrongfully change the data stored in County information systems.

Operational Efficiency:

Operation or use of information assets shall be conducted in a manner that will not impair the availability, reliability or performance of County business processes and systems, or unduly contribute to system or network congestion.

Excessive use of County bandwidth or other computer resources is not permitted. Large file downloads (in excess of 500MB) or other bandwidth-intensive tasks that may degrade network capacity or performance must be performed during times of low County-wide usage.

Passive music and radio streaming services are permitted as long as they do not disrupt the business operations of the department and do not limit the County's internet bandwidth to an extent that affects the County's operation. County IT has the responsibility to restrict access to streaming services if the network is adversely affected.

Accounts and Account Passwords:

All users shall be properly authorized and authenticated to use County information assets. System level and user level passwords must comply with the Password Policy. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.

**3. Software Installation, Downloads, Security:**

Downloads:

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Non-approved software, including screen savers, shall not be downloaded or installed from the Internet or other external sources (including portable computing and storage devices) without prior consent from County IT.

Software Installation:

Installation of non-County-supplied programs is prohibited. Numerous security threats can masquerade as innocuous. In addition, software can cause conflicts or have a negative impact on system performance.

Remote Login:

Use of remote desktop software and/or services is allowable as long as it is provided by the County. Remote access to the network must conform to the County's Remote Access Policy.

**4. Hardware:**

County hardware:

County equipment is supplied for conducting County business. This includes, but is not limited to: PC's, laptops, phones, tablets, and printers. However, as a courtesy to its employees, equipment can be used during official breaks, so as not to conflict with work, for personal reasons as long as there is no or insignificant cost to the County and such use does not violate these guidelines. It is the responsibility of the department head to ensure that employees are responsible in exercising good judgment regarding the reasonableness of personal use. In rare occasions it is also acknowledged that employees may need to make and receive emergency phone calls during office hours.

All computing devices must be secured with a password-protected screensaver with the automatic activation feature set to 10 minutes or less. You must lock the screen or log off when the device is unattended.

All mobile and computing devices that connect to the internal network must comply with the Remote Access Policy.

Non-County owned or leased equipment:

Contractors and support staff must obtain written permission from the IT Director before installing outside or non-County-provided computer systems on the County network. Once this permission is obtained, and depending on any conditions granted along with such permission, the user can connect a non-County-owned system to the network. No staff will connect to the County network with their personal computing devices.

Personal phones and mobile devices are common in the work place. It is expected that personal use will be rare and staff will limit their calls to emergencies when in the office.

External Storage Media:

The County restricts the use of personal storage media, which includes but is not limited to: USB or flash drives, external hard drives, personal music/media players, and CD/DVD writers, on the county network. Use of storage media must conform to the County's Portable Media and External Storage Policy.

## **5. Internet Services:**

### Blogging and Social Media Service's

Blogging and social networking on behalf of the County is only allowed by designated staff for legitimate County business only. Blogging and social networking by the County's employees are subject to the terms of this policy when performed from the county network. When required to access a social media site, all employees will use a County identifiable account and not their personal account. The appropriate use of County-maintained social media is outlined in detail in the County social media policy.

### Instant Messaging

Instant Messaging is allowed for county communications only with the County IT's permission. The user should recognize that Instant Messaging may be an insecure medium and should take any necessary steps to follow guidelines on disclosure of confidential data and record retention.

### Use of E-mail:

The County supplied e-mail system, including individual accounts, is to be used only for work related purposes and for those covered under National Labor Relations Act Section 7-protected activities. If an employee receives a personal email on a County-supplied account, he or she must respond immediately with a message notifying the sender that they may not receive personal e-mails. Sending e-mail or another form of electronic communication that attempts to hide the identity of the user or represent the user as someone else is prohibited. No use of scramblers, re-mailer services, drop-boxes, or identity-stripping methods is permitted. E-mails are public records and the County and all users are responsible for ensuring compliance with archiving and public records laws. Confidential information transmitted shall be appropriately protected through encryption. More detailed information about the use of email is covered in the County's Email Policy.

### Web Browsing:

The user should recognize that the County has little control over the internet, and understands that it is a public domain. The user may come into contact with information, even inadvertently, that he or she may find offensive, sexually explicit, or inappropriate. The user must use the internet at his or her own risk.

Internet access is provided to certain staff members to assist them in their work activities. All web sites visited are monitored and the internet history archived. Periodic reviews will be conducted.

Personal use of County computer systems to access the internet is permitted at the department head's discretion, so long as it is limited to official breaks and such use does not violate these guidelines. This courtesy may be removed if the working environment is affected in any way such as when malware is downloaded and hardware and networks compromised.

To avoid conflicts with personal use, when an employee is required to access web resources using an account with individual credentials, it is necessary to use credentials specifically established for the County employee and tied to the County email account, rather than personal credentials.

An employee may access the public Wi-Fi, where available, using their own device during lunch

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or official breaks. County IT has the right to restrict access to Wi-Fi if the network is adversely affected. Public use of library internet resources is governed by their internet use policy.

Use of Peer-to-Peer File sharing:

Peer-to-Peer (P2P) networking is not allowed on the county network under any circumstance unless specifically permitted by the IT department.

**6. Security incidents:**

If a security incident or breach of any security policy is discovered or suspected, the user must immediately notify County IT. If malware is suspected, the employee will immediately unplug the network connection from the device. Examples of incidents that require notification include: 1) Suspected compromise of login credentials (username, password, etc.); 2) Suspected virus/malware/Trojan infection; 3) Loss or theft of any device that contains County information; 4) Any attempt by any person to obtain a user's password over the telephone or by email; 5) Any other suspicious event that may impact the County's information security.

Users must treat a suspected security incident as confidential information, and report the incident to County IT. Users must not withhold information relating to a security incident or interfere with an investigation.

**7. Policy Compliance:**

Violations may result in disciplinary action, which may include but may not be limited to suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

**8. Policies Referenced:**

This document is part of the County's cohesive set of security policies including: Email; Password; Social Media; Portable and External Media; Incident Response; Remote Access; and Confidential Data.

● ***Confidential Information***

**Purpose:** The purpose of this policy is to detail how electronic confidential data should be handled. This policy lays out standards for the use of confidential data, and outlines specific security controls to protect this data

**Scope:** The scope of this policy covers all electronic County-confidential data, regardless of location.

**Policy:**

**1. Treatment of Confidential Data:**

Storage:



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Confidential information should be encrypted when stored.

Transmission:

Strong encryption must be used when transmitting confidential data, regardless of whether such transmission takes place inside or outside the County's network. Confidential data must not be left on voicemail systems, either inside or outside the County's network, or otherwise recorded.

Destruction:

When it is to be destroyed, confidential data must be destroyed in a manner that makes recovery of the information impossible.

**2. Use of Confidential Data:**

The following applies to how users must interact with confidential data, in order to help insure that our coworkers, business counterparts, and constituents are not harmed:

- Users must be advised of any confidential data they have been granted access to.
- Users must only access confidential data that is necessary to perform their job duties. County staff members are not permitted to probe through confidential information unless there is a business need for such information.
- Users must not seek personal benefit, or assist others in seeking personal benefit, from the use of confidential information.
- Users must protect any confidential information to which they have been granted access and not reveal, release, share, email unencrypted, exhibit, display, distribute, or discuss the information unless necessary to do his or her job or the action is approved by his or her supervisor.
- Users must report any suspected misuse or unauthorized disclosure of confidential information immediately to his or her supervisor, the Human Resources Director, or IT Director.
- If confidential information is shared with third parties, such as contractors or vendors, a confidential information or non-disclosure agreement must govern the third parties' use of any confidential information.

**3. Security Controls for Confidential Data:**

Confidential data requires additional security controls in order to ensure its integrity. The County requires that the following guidelines are followed:

- Strong Encryption must be used for confidential data transmitted internally or externally to the County. Confidential data must always be stored in encrypted form, whether such storage occurs on a user machine, server, laptop, or any other device that allows for data storage.

- The County must use firewalls, access control lists, or other security controls to separate the confidential data from the rest of the County network.
- Two-factor authentication must be used for access to electronic confidential data.
- Physical Security. Systems that contain confidential data should be stored in secured areas. Special thought should be given to the security of the keys and access controls that secure this data.
- When printing confidential data the user should use best efforts to ensure that the information is not viewed by others. Printers that are used for confidential data must be located in secured areas.
- When faxing confidential data, users must use cover sheets that inform the recipient that the information is confidential. Fax machines that are regularly used for sending and/or receiving confidential data must be located in areas secured against the improper disclosure of confidential information.
- Confidential data must not be emailed inside or outside the County without the use of strong encryption.
- Confidential data must never be stored on non-County-provided machines (i.e., home computers).
- When sensitive data is requested by a third party, the intended recipient must be independently verified.

#### **4. Examples of Confidential Data:**

The following list is not intended to be exhaustive, but should provide the County with guidelines on what type of information is typically considered confidential. Confidential data can include, but is not limited to: personal identifier information; electronic protected health information; detailed network diagrams and security configurations; passwords; and banking information.

#### **5. Policy Compliance:**

This policy will be enforced by the IT Director or Human Resources. Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

#### **6. Policies Referenced:**

This document is part of the County's cohesive set of security and Information technology policies.

- ***Discipline***

The use of the computer, electronic and telephonic communication systems to engage in any communications that are in violation of any County policy, including but not limited to the transmission of defamatory, obscene, offensive or harassing messages, is strictly prohibited. The County considers misuse of its computer, electronic, telephonic and e-mail systems to be a serious matter. Failure to follow this policy may be grounds for disciplinary action, up to and including termination of employment.

## **SOCIAL MEDIA POLICY:**

### **Definition**

Social media means web-based tools for conveying information. Social media may include means to allow communications between the originator of the information and recipients. Social media includes: social networking sites such as Facebook, MySpace and LinkedIn; blogs; micro blogs such as twitter and Nixle; video sharing sites such as YouTube and iReport; photo sharing sites such as TwitPic, Flickr and Picassa; and wikis.

### **Purpose:**

To provide guidelines for appropriate use of County-authorized social media sites, and to protect against the inappropriate disclosure of confidential information. Crook County encourages the use of authorized Social Media sites to further the goals of the County and the missions of its departments. The County Court shall approve what Social Media outlets may be suitable for use by the County and its departments.

REMEMBER: The County, as a public body, comes into contact with thousands of people in a vast range of circumstances. We will inevitably become exposed to private or confidential information regarding those individuals and with our fellow County employees, as well as information which is not private. We must undertake to treat private or confidential information with the discretion and sensitivity it deserves, while still providing members of the public, other government agencies, and each other information which will further their enterprises.

### **Scope:**

Blogging and social networking by the County's employees are subject to the terms of this policy when conducted for work related purposes, whether performed from the county network or from personal systems.

### **Policy:**

a) All official Crook County presences on the County's social media sites or services are considered an extension of the County's information networks and are governed by the INFORMATION TECHNOLOGY (IT) POLICIES contained in the Crook County Employee Policy Handbook.

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b) Departments and employees that use social media are responsible for complying with applicable federal, state, and county laws, regulations and policies including the terms of use of the social media service. This responsibility includes adherence to established laws and policies regarding copyright, records retention, public records laws, the First Amendment, privacy laws, and information security policies established by Crook County.

c) Whenever possible, department links to "more information" should direct users back to the County's official website, forms and documents to conduct business with Crook County. Links to non-county sites are not considered an endorsement.

e) Employees representing the County via County social media outlets must conduct themselves at all times as representatives of Crook County.

f) Crook County reserves the right to monitor content and remove content that violates County policy. This is meant to ensure that the information conveyed is consistent, accurate, and decorous, and to minimize the possibility of miscommunication. The County Court, a County Commissioner, County Counsel, or other designated representative may periodically monitor content on each of the department social media sites to verify that messages are consistent with the goals of Crook County.

g) It is required that all County social media sites be accessible to properly authorized County representatives, no matter its location or content.

h) All departmental use of social media services will follow outlined implementation process, record retention and reporting procedures.

i) Departments are solely responsible for maintaining their social media sites. Sites will be monitored daily during standard office hours to remove inappropriate comments or material. The following editorial rights will be posted. Once posted, Crook County reserves the right to delete submissions that contain:

- vulgar language;
- personal attacks of any kind;
- Comments that target or disparage any class protected by state or federal law.

Further the County at its own discretion also reserves the right to delete comments that:

- are spam or include links to other sites;
- are clearly off topic;
- advocate illegal activity;
- promote particular services, products or political organizations;
- infringe on copyrights or trademarks;
- Identify personal medical information or other confidential or protected information."

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k) When required to access a social media site, all employees will use a county identifiable account and not their personal account.

**Guidelines:**

a) Do not post any unauthorized, financial, confidential, sensitive, or proprietary information. If there is any doubt as to the intended posting might fall within one of the aforementioned categories, consult with your department head or County legal counsel before posting.

b) Speak respectfully. Do not engage in behavior that will reflect negatively on you, vendors, clients, Crook County, or the public which we represent. County social media sites are not the forum for venting personal complaints. Employees will adhere to Crook County's anti-discrimination and anti-harassment policies.

c) Use privacy settings, when appropriate. The internet is immediate, public and never expires.

d) If there are negative comments or criticisms posted on a County social media site, do not respond. Contact Human Resources or Legal Counsel and inform them about the comments.

e) Do not infringe on copyrights or trademarks. Don't use images or logos without permission. Cite information if it's not your own. We must be respectful of other people's work. If in doubt, use an alternative.

f) If contacted by members of the media, direct them to Legal Counsel.

g) Outside the workplace, you have a right to participate in social media and networks using your personal e-mail address. However, information and communications that you publish on personal online sites should never be attributed to the County or appear to be endorsed by, or to have originated from the County. If you choose to disclose your affiliation with the County in an online communication, then you must treat all communications associated with the disclosure as professional communications governed by this and other County policies.

h) Do not make comments about Crook County staff without their permission.

**Implementation Process:**

The process for implementing social media will include the following steps:

a) Under the direction of the department or division manager, a proposal is developed. At a minimum this will include: goals and objectives, target audience, costs and staff time involved, and measurable benefits to be assessed by annual report.

b) The application is reviewed by the Human Resources Director.

c) If acceptable, the application is passed to the County Court for review.

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d) The social media site will be implemented as identified in the implementation plan approved by the County Court. Any required purchases will follow standard IT purchasing procedures.

**Standard Postings (Etiquette and Disclaimers):**

Standard information such as the sites goals, target audience, and associated information will be posted on the social media site. The following etiquette rules will be followed where appropriate on the social media site.

- Comment only within your area of expertise.
- Post meaningful or respectful comments.
- Respect proprietary information, content and confidentiality.
- If modifying an earlier post, make it clear that you have done so.
- Please remember that comments become a matter of public record.

The following disclaimer will appear where appropriate on social media sites:

“Crook County makes no warranty or guarantee concerning the accuracy or reliability of any information available at this site or any site linked to this site. Links or references to other information or organizations do not constitute an endorsement.”

**Host Editorial Responsibilities:**

The Department Director of the host department has editorial responsibility for any material posted on the host department’s social media site and upkeep of the site. Department Directors may designate staff as social media publishers. Before posting to the social media site, staff must review the social media plan, policy and procedures.

**Records Retention:**

Crook County IT will provide a record retention service for all Social Media sites to meet State statutory obligations

**Reporting:**

The host department will provide an annual site status report to the County Court and Human Resources Director. At a minimum, this report will contain a statement of activity including number of postings by County staff and the public (if applicable) and a review of measurable benchmarks, if any.

**Policy Compliance:**

Violations may result in disciplinary action, which may include suspension, restriction of access, or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

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**Policies Referenced:**

This document is part of the County's cohesive set of security policies including: Email; Password; Social Media; Portable and External Media; Incident Response; Remote Access; Confidential Data.

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- ***County Remote Access Policy***

**Purpose:**

The purpose of this policy is to define standards for connecting to Crook County's network from any host. These standards are designed to minimize the potential exposure to Crook County from damages which may result from unauthorized use of Crook County resources. Damages include the loss of sensitive or company confidential data, intellectual property, damage to public image, damage to critical Crook County internal systems, etc.

**Scope:**

This policy applies to all Crook County employees, contractors, vendors and agents with a Crook County-owned or personally-owned computer or workstation used to connect to the Crook County network. This policy applies to remote access connections used to do work on behalf of Crook County, including reading or sending email and viewing intranet web resources.

Remote access implementations that are covered by this policy include, but are not limited to DSL, VPN, SSH.

**Policy:**

**Background:**

It is the responsibility of Crook County employees, contractors, vendors and agents with remote access privileges to Crook County's corporate network to ensure that their remote access connection is given the same consideration as the user's on-site connection to Crook County.

General access to the Internet for recreational use by immediate household members through the Crook County Network on personal computers is not permitted. The Crook County employee is responsible to ensure the family member does not violate any Crook County policies, does not perform illegal activities, and does not use the access for outside business interests. The Crook County employee bears responsibility for the consequences should the access be misused.

Please review the following policies for details of protecting information when accessing the corporate network via remote access methods, and acceptable use of Crook County's network:

- ***Acceptable Encryption Policy, Wireless Communications Policy and Acceptable Use Policy***

**Requirements:**

- Secure remote access must be strictly controlled. Control will be enforced via one-time password authentication or public/private keys with strong pass-phrases. For information on creating a strong pass-phrase see the Password Policy.
- At no time should any Crook County employee provide their login or email password to anyone, not even family members.
- Crook County employees and contractors with remote access privileges must ensure that their Crook County-owned computer or workstation, which is remotely connected to Crook County's corporate network, is not connected to any other network at the same time, with the exception of personal networks that are under the complete control of the user.
- Crook County employees and contractors with remote access privileges to Crook County's corporate network must not use non-Crook County email accounts (i.e., Hotmail, Yahoo, AOL), or other external resources to conduct Crook County business, thereby ensuring that official business is never confused with personal business.
- Reconfiguration of a home user's equipment for the purpose of split-tunneling or dual homing is not permitted at any time.
- Non-standard hardware configurations must be approved by CCIT, and CCIT must approve security configurations for access to hardware.
- All hosts that are connected to Crook County internal networks via remote access technologies must use the most up-to-date anti-virus software, this includes personal computers. Third party connections must comply with requirements as stated in the Third Party Agreement.
- In the rare events that personal equipment is used to connect to Crook County's networks, it must meet the requirements of Crook County-owned equipment for remote access.
- CCIT will not give open access to any part of its network to software or hardware technical support specialists. Advanced notice is required in all situations to enable non-Crook County staff access.
- Organizations or individuals who wish to implement non-standard Remote Access solutions to the Crook County production network must obtain prior approval from CCIT.

**Policy Compliance:**

Violations may result in disciplinary action, which may include suspension, restriction of access,



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or more severe penalties up to and including termination of employment. Where illegal activities or theft of County property (physical or intellectual) are suspected, the County may report such activities to the applicable authorities.

**Policies Referenced:**

This document is part of the County's cohesive set of security policies including: Email; Password; Social Media; Portable and External Media; Incident Response; Remote Access; Confidential Data;

**PERSONAL BUSINESS AND PHONE CALLS:**

Employees generally are not permitted to conduct personal business during working hours.

The County recognizes that personal phone calls may be required during the work day to conduct business or attend to family or personal matters that cannot be addressed outside business hours. Employees should use their break or meal times to make such calls. Employees are strongly discouraged from giving their work phone numbers to family and friends for the purpose of making or receiving casual phone calls. Disruption due to incoming personal phone calls and visitors must be kept to a minimum and, when necessary, employees should direct callers or visitors to call back or return during break or meal times.

Employees shall not engage in solicitation or distribution of non-County literature or partisan political activity while on County time or on County premises during working hours.

**ETHICAL CONDUCT, USE OF COUNTY PROPERTY AND CONFLICTS OF INTEREST:**

All County personnel shall conduct their work for Crook County and their personal business in accordance with the Government Ethics Law (ORS Chapter 244) and the Crook County Personnel Rules. If these two are in conflict, whichever is the most restrictive shall take precedence. All employees are expected to know and adhere to the requirements of the Government Ethics Law and the Crook County Personnel Rules.

No County personnel are allowed to serve the County (e.g., to receive payment from the County unrelated to his or her job) in any private business capacity without specific written County Court authorization. Such authorization will be given only where a competitive bidding process is used and clearly shows that all local businesses capable of competing were notified and had an equal opportunity to compete.

Employees are responsible for and must not misuse or abuse County property, funds, records or materials or use them for the employee's personal benefit. County property, funds, equipment and vehicle fuel, records or other materials may not be removed from County premises without written permission from Department Head or Supervisor, except as required for the performance of an employee's job responsibilities. "Borrowing" from the County is strictly prohibited.

County-owned vehicle fuel is not to be used in the personal vehicles of County employees, even when conducting County business. There are other means by which

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employees may acquire fuel for such business if the need arises, including using vehicles in the County motor pool or the use of County fuel cards.

County employees should not be on County premises during non-work hours. Employees who are not scheduled to work should not be on the premises or conducting County business. County business includes filling out timecards. If personal business requires an employee to return to their place of work, the employee must provide prior notice to their supervisor or manager and obtain approval for such a return. County managers and supervisors are responsible for the safety and well-being of people and property. Any County employee who is not conducting County business and is on County property will be considered a member of the public and entitled to the same privileges and access as other members of the public.

Occasionally an employee may need to enter County premises after the offices are closed to retrieve personal items or to complete projects. The employee should provide his or her manager or supervisor with advance notice of his or her intent to enter County premises after office hours.

All County property, including any keys, access cards, combinations or access codes, in an employee's possession must be returned at the time an employee terminates or is terminated from County service.

### **SMOKING AND USE OF TOBACCO:**

In accordance with Crook County Court Ordinance 135, the County offers a smoke-free and tobacco-free work environment for its employees and the public. Smoking or use of tobacco products in any County facility or in areas that the County leases or controls is prohibited.

Smoking or use of tobacco products is permitted when used at least 20 feet from any doorway leading into a County building or 20 feet from windows or ventilation system to insure that tobacco smoke does not enter the area through the doorway, windows, ventilation systems or by any other means.

Employees may not take additional or longer breaks to smoke or use tobacco.

### **LEGAL LIABILITY:**

Employees are reminded that County government is a political subdivision of the State of Oregon. As agencies with the power to make and enforce laws, the County and its employees must be careful to uphold and respect all laws. Disregard for the law or carelessness in implementation thereof, both professionally and personally, brings discredit on the County and with the citizens and taxpayers it serves.

Employees are required to abide by all laws and regulations that govern the performance of their duties and shall perform their duties as reasonable, prudent persons.

The statutory rights and privileges of elected officials and certain appointed boards may permit them to depart from the policies contained in this Employee Policy Handbook in the organization and management of their staffs. An elected official or board electing to depart

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from these policies forfeits any right to coverage under the County's general liability and employment-related practices insurance policy(ies). No official who has elected to depart from these policies shall be indemnified by the County in any suit alleging a violation thereof.

Notwithstanding the foregoing, nothing herein shall be construed to create a cause of action or a right to sue for any alleged violation or breach of the policies contained herein, nor shall the foregoing be construed to create a contract between the County and its employees.

- Art Display Policy:

In order to promote civic, cultural, educational intellectual creativity in our county, Crook County will make available space in designated areas of Crook County facilities for art exhibits.

- Guidelines:

Art exhibits located in designated areas of Crook County facilities are permitted under the auspices of the Crook County Art committee. This committee consists of three individuals appointed by the County Court. The primary contact for any person interested in displaying art is County Administration located in Room 10 at the Crook County Courthouse. An art exhibit application must be completed and approved by the Crook Count Art Committee prior to the actual display of artwork.

The Art Committee approves all art exhibits, and shall decide on the suitability of any art. The committee will consider a wide range of artistic expression in deciding on potential exhibitors. However, in deciding the suitability of any work, the committee is mindful that all segments of the community and all age groups use and are exposed to the art display area.

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## VII. RECEIPT OF EMPLOYEE POLICY HANDBOOK

I acknowledge that I have been given a copy of the Crook County Employee Policy Handbook and have read and understand its contents. I understand that the information provided in the Handbook is intended to serve only as a guideline regarding County rules, policies, procedures and expectations and does not create any contract of employment, express or implied, between me and the County or a guarantee of continued employment or employment for any specific period of time.

The County has the right to change this handbook or terminate any policies, procedures or employee benefits, whether or not described in this handbook at any time and with or without prior notice. I understand that I must read this handbook, know its contents and adhere to the County's policies and procedures. I understand that the most current version of the Employee Policy Handbook is online at [www.co.crook.or.us](http://www.co.crook.or.us).

**I FURTHER UNDERSTAND AND ACKNOWLEDGE THAT MY EMPLOYMENT RELATIONSHIP WITH THE COUNTY IS "AT-WILL," THEREBY ALLOWING ME OR THE COUNTY TO SEVER THE EMPLOYMENT RELATIONSHIP AT ANY TIME, WITH OR WITHOUT NOTICE, WITH OR WITHOUT REASON.**

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

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

**This form will be placed in your personnel file.**