

Duchesne County
Government Manual

PREFACE TITLE

Duchesne County
Government Manual

Table of Contents

| | |
|---|-----------|
| Preface Title. | 1 |
| Chapter 1 - Role and Authority. | 4 |
| 100 - Policy Manual. | 5 |
| 101 - Standards of Conduct for All Employees. | 9 |
| Chapter 2 - Organization and Administration. | 15 |
| 200 - Electronic Mail. | 16 |
| 201 - Information Technology Use. | 17 |
| 202 - Local Government Use of Social Media. | 20 |
| 203 - Subpoenas and Court Appearances. | 23 |
| 204 - ADA Compliance. | 25 |
| 205 - Emergency Management Plan. | 35 |
| 206 - Volunteers. | 37 |
| Chapter 3 - Facilities. | 44 |
| 300 - Key and Electronic Access Device Controls. | 45 |
| 301 - Video Surveillance System. | 47 |
| 302 - Use of Public Facilities. | 51 |
| 303 - Holiday Displays. | 54 |
| 304 - Memorials on Public Property. | 56 |
| 305 - Flags. | 60 |
| Chapter 4 - Equipment. | 62 |
| 400 - Local Government-Owned and Personal Property. | 63 |
| 401 - Purchasing Card. | 68 |
| 402 - Reimbursement for Travel. | 69 |
| 403 - Personal Communication Devices. | 74 |
| 404 - Vehicle Maintenance. | 78 |
| 405 - Vehicle Use. | 80 |
| 406 - Vehicle Safety Restraints/Safety Belts. | 86 |
| 407 - Personal Protective Equipment. | 88 |
| 408 - Physical Asset Management. | 90 |
| Chapter 5 - Records and Documents. | 93 |
| 500 - Protected Information. | 94 |
| 501 - Personnel Records. | 96 |
| Chapter 6 - Personnel. | 99 |
| 600 - Recruitment and Selection. | 100 |
| 601 - Performance Evaluations. | 104 |
| 602 - Discriminatory Harassment. | 106 |
| 603 - Anti-Retaliation. | 111 |

Duchesne County

Government Manual

| | |
|--|------------|
| 604 - Discipline Policy. | 114 |
| 605 - Grievances. | 118 |
| 606 - Drug-and Alcohol- Free Workplace. | 123 |
| 607 - Communicable Diseases. | 127 |
| 608 - Smoking and Tobacco Use. | 131 |
| 609 - Meal Periods and Breaks. | 132 |
| 610 - Lactation Breaks. | 133 |
| 611 - Payroll Records. | 135 |
| 612 - Overtime Compensation. | 136 |
| 613 - Paid Time Off. | 138 |
| 614 - Disability Leave. | 147 |
| 615 - Holidays. | 149 |
| 616 - Affordable Health Act. | 151 |
| 617 - Family and Medical Leave. | 152 |
| 618 - Work-Related Illness and Injury Reporting. | 159 |
| 619 - Temporary Modified- Duty Assignments. | 161 |
| 620 - Teleworking. | 164 |
| 621 - Speech, Expression, and Social Networking. | 165 |
| 622 - Policy Regarding News Media. | 168 |
| 623 - Illness and Injury Prevention. | 170 |
| 624 - Workplace Violence. | 175 |
| 625 - Outside Employment. | 178 |
| 626 - Personal Appearance Standards. | 181 |
| 627 - Dress Code. | 183 |
| 628 - Tuition Assistance Program. | 185 |
| Attachments. | 187 |
| Tuition Assistance Application.pdf. | 188 |
| Vehicle Use Request.pdf. | 189 |
| Utah Protection of Public Employees Act.pdf. | 190 |
| Vehicle Use Request Form.pdf. | 191 |
| Outside Employment Request.pdf. | 192 |

Chapter 1 - Role and Authority

Policy Manual

100.1 PURPOSE AND SCOPE

The manual of Duchesne County (hereinafter, "County") is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this county. All employees are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

100.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to employees of this county under the circumstances reasonably available at the time.

100.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the County and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials, or its employees. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The County reserves the right to revise any policy content, in whole or in part.

100.3 AUTHORITY

The County Commission shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws, rules, and ordinances. The County Commission or the authorized designee is authorized to issue directives, which shall modify those provisions of the manual to which they pertain. Directives from the County Commission or the authorized designee shall remain in effect until such time as they may be permanently incorporated into the manual.

100.3.1 DEPARTMENTAL POLICIES

The Commission realizes that some County departments have specific circumstances and needs that do not apply to the County Government as a whole. Therefore the Commission may authorize some departments to prepare more specific or alternate policies and procedures so long as:

- (a) They are not at odds with the Policies and Procedures promulgated by the Commission,

Duchesne County

Government Manual

Government Manual

Policy Manual

- (b) They are not at odds with the Laws of Utah or of the United States,
- (c) They are not at odds with any City or County Ordinance or Contract made by the County, and
- (d) The Commission reserves the ultimate right to rescind such policies.

All specific or alternate departmental policies shall be approved by the Human Resources Director prior to enactment by a department. After the Human Resources Director's approval, copies shall be distributed to the Commission, which shall have ten working days to reject the policies before they become effective. Even if the Commission does not exercise its right of rejection, the Commission shall retain the right to rescind the policies at a later time.

100.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Elected official - Any individual who serves in the County government based upon selection by a public vote, as well as any individual who is appointed or otherwise selected to fill such a position that has been vacated prior to the conclusion of the elected individual's term.

Employee - Any person employed by the Duchesne County, including:

- **Full-time Employee** - An employee regularly scheduled to work 40 hours per week.
- **Part-time Employee** - An employee regularly scheduled for less than 30 hours per week.
- **Executive Employee** - An employee hired by County or appointed by the Board of County Commissioner or other elected official as follows:
 - Non-elected Department Heads who have been appointed by an elected official.
 - Chief Deputies - A Chief Deputy appointed by an elected County officer pursuant to Utah state law, Utah Code Annotated § 17-33-8(1)(b)(iv), or as subsequently amended.
 - Confidential Secretaries - A Confidential Secretary, if any, assigned to each elected County officer and Department Head.
 - Administrative Assistants - An Administrative Assistant, if any, to the Board of County Commissioners, any member of the county legislative body, and each elected official.
- **Exempt Employees** - Exempt employees are those employees who are covered by the FLSA but are exempted from the minimum wage and overtime provisions of the act.
 - Exempt employees are generally those serving in an executive, administrative, or professional capacity. Exempt employees may include the following positions: Elected Officials, some Department Heads, and Deputy County Attorneys.
 - Exempt employees may be covered by FLSA record keeping requirements and may be required to complete a time sheet if so requested by their supervisor.No

Duchesne County

Government Manual

Government Manual

Policy Manual

overtime compensation will be granted to department heads, elected officials, chief deputies, and other employees specifically identified as FLSA exempt.

- Exempt employees who are not Elected Officials may have their exempt status reviewed and revised at any time at the request of their supervisor. Upon request the Human Resources Director will recommend, to the County Commission, an employee's status change if the employee does not meet the FLSA requirements for exempt status.
- **Temporary Employee** - An employee hired, leased, and or contracted for a limited period of time not to exceed 270 days.
- **Stand-by Employee** - A temporary employee who is irregularly used to replace other employees.
- **Probationary Employee** - All employees who are employed by the County are initially a probationary employee for the first six- month period of their employment. This six-month probationary period may be extended for good cause by any Department Head or Elected Official, upon approval by the County Commission.

Manual - The County Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other county employees, directing the work of other employees, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

100.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all employees on the county network for viewing and printing. No changes shall be made to the manual without authorization from the County Commission or the authorized designee.

Each employee shall acknowledge having access to and having the opportunity to review the Policy Manual and any directives issued by the County Commission or the authorized designee. Employees shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

100.6 PERIODIC REVIEW OF THE POLICY MANUAL

The County Commission or authorized designee will ensure that the Policy Manual is reviewed annually and updated as necessary.

Duchesne County

Government Manual

Government Manual

Policy Manual

100.7 REVISIONS

All revisions to the Policy Manual will be provided to each employee on or before the date the policy becomes effective. Each employee will be required to acknowledge having reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Employees are responsible for keeping abreast of all Policy Manual revisions.

All county employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the County Commission as appropriate.

Standards of Conduct for All Employees

101.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of Duchesne County and are expected of all employees. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, employees are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this county or an employee's supervisor.

101.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that an employee's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

101.2 POLICY

The continued employment or appointment of every employee of the County shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether during work hours or non-work hours, may be cause for disciplinary action.

Employees shall report any employee violation of the Duchesne County Policies and Procedures Manual, any employee's commission of a Class A or Class B misdemeanor or felony to their immediate supervisor within five working days or as soon as possible if that violation or commission endangered the life or limb of any person whomsoever. This duty includes an employee's obligation to report:

- (a) Their own violation or commission and;
- (b) Any other violation or commission of any other person observed by the employee.

Supervisors are required to report any such violation or commission within two working days to the Human Resources Director. Failure of any employee or supervisor to report a violation or commission shall be a violation of the County Policies and Procedures Manual.

101.2.1 DISCLAIMER

Duchesne County believes adherence to the policies and procedures outlined in this policy will assure compliance of all employees with U.C.A. 67-16-101 et. Seq. Utah Public Officer's and Employees Ethics Act.

101.3 GENERAL STANDARDS

Employees shall conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Duchesne County

Government Manual

Government Manual

Standards of Conduct for All Employees

Employees shall familiarize themselves with policies and procedures and are responsible for compliance with each. Employees should seek clarification and guidance from supervisors or department heads in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific Duchesne County policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

101.4 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, or ethics, and specific action or inaction that is detrimental to the county's ability to effectively serve the public.

101.4.1 LAWS, RULES, AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in county manuals.
- (b) Disobedience or insubordination of any lawful direction or order.
- (c) Violation of federal, state, local, or administrative laws, rules, or regulations.

101.4.2 ETHICS

- (a) Using or disclosing one's status as an employee of the County in any way that could reasonably be perceived as an attempt to gain influence or authority for non-county business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the employee's work with the County. See Utah Code 67-16-5.
 - 1. Employees shall not seek or solicit gifts.
 - 2. Employees shall not accept or take a non-pecuniary gift that is related to their employment with Duchesne County that exceeds a value of \$50.00 per gift.
- (d) Acceptance of fees, gifts, or money contrary to the rules of this county and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Any other failure to abide by the standards of ethical conduct.
- (g) Employees shall disclose in writing any Conflict of Interest as defined in the Utah Public Officer's and Employees' Ethics Act when the conflict is created.
- (h) Employees shall complete a written Conflict of Interest Statement annually between January 1 and April 15 and provide such Statement to the County Commission no later than April 15 of each year.

Duchesne County

Government Manual

Government Manual

Standards of Conduct for All Employees

- (i) In addition to the written Conflict of Interest Statement, Employees who have a Conflict of Interest will also verbally disclose the conflict any time the employee is involved in any discussion related to the conflict occurs.

101.4.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

101.4.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship during work hours or through the use of one's official capacity.
- (b) Engaging in sexual activity during work hours, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship as a direct result of any official business.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization.

101.4.5 ATTENDANCE

- (a) Leaving the job to which the employee is assigned during work hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to work without reasonable excuse.

101.4.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the employee's position with this county.
- (b) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this county for personal or financial gain or without the express authorization of the County Commission or the authorized designee.
- (c) Loaning, selling, allowing unauthorized use, giving away, or appropriating any county badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.

Duchesse County

Government Manual

Government Manual

Standards of Conduct for All Employees

- (d) Using county resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

101.4.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during working hours or assignments.
- (e) Failure to notify the County within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify a supervisor of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

101.4.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any county record, public record, book, paper, or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any county-related business.
- (d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this county or its employees.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this county or subverts the good order, efficiency, and discipline of this county or that would tend to discredit any of its employees.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on county premises.

Duchesne County

Government Manual

Government Manual

Standards of Conduct for All Employees

2. At any work site, during work hours, or while using any county equipment or system.
- (g) Improper political activity, including:
1. Unauthorized attendance during work hours at official legislative or political sessions.
 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position during work hours or on county property except as expressly authorized by county policy, an employment agreement or contract.
- (h) Engaging in political activities during work hours except as expressly authorized by county policy, any employment agreement or contract.
- (i) Any act that brings discredit to this county.

101.4.9 CONDUCT

- (a) Failure to promptly and fully report activities on the employee's part or the part of any other employee where such activities resulted in contact with any law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unauthorized or unlawful fighting, or threatening or attempting to inflict unlawful bodily harm on another.
- (c) Engaging in horseplay that reasonably could result in injury or property damage.
- (d) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any employee of the County.
- (e) Use of obscene, indecent, profane, or derogatory language during work hours or in uniform.
- (f) Criminal, dishonest, or disgraceful conduct that adversely affects the employee's relationship with the County.
- (g) Unauthorized possession of, loss of, or damage to county property or the property of others or endangering it through carelessness or maliciousness.
- (h) Attempted or actual theft of Duchesne county property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of county property or the property of another person.
- (i) Activity that is incompatible with an employee's conditions of employment or appointment as established by law or that violates a provision of any employment agreement or contract, including fraud in securing the appointment or hire.
- (j) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the County Commission or the authorized designee of such action.
- (k) Any other conduct that any employee knows or reasonably should know is unbecoming an employee of Duchesne county, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon the County or its employees.

Duchesne County

Government Manual

Government Manual

Standards of Conduct for All Employees

101.4.10 SAFETY

- (a) Failure to observe or violating county safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform the work assigned, if applicable.
- (d) Unsafe firearm or other weapon handling, including loading or unloading firearms in an unsafe manner.
- (e) Carrying, while on the premises of the work site, any firearm or other weapon that is not authorized by law or the member's appointing authority.
 - 1. Although firearms and weapons may be carried at work, employees that choose to do so must exercise extreme caution and vigilance in so doing. Unless specifically permitted by his or her job, employees shall not brandish (to wave in a threatening or excited manner) or flourish (to hold up and show in an excited or proud way) any weapon or firearm during business or working hours or inside of a County Vehicle or upon County property at any time. An accidental discharge will not be tolerated and in most situations will lead to immediate dismissal, and possible criminal prosecution.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

101.4.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the employee's ability to work is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- (b) Possession or use of alcohol during work hours.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to work.

Chapter 2 - Organization and Administration

Electronic Mail

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the County.

200.2 POLICY

Most employees shall be given a county email. Employee shall use this email in a professional manner in accordance with this policy and current public records laws.

200.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any county technology system (see the Information Technology Use Policy for additional guidance).

200.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the County.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire County are only to be used for official business-related items that are of particular interest to all users. In the event that an employee has questions about sending a particular email communication, the employee should seek prior approval from a supervisor.

It is a violation of this policy to transmit a message under another employee's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Employees are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of an employee's email, name, or password. Any employee who believes the employee's password has become known to another person shall change the password immediately.

200.5 EMAIL RECORD MANAGEMENT

Email correspondence and its attendant metadata is often, depending on the individual content and other factors, considered to be a public record and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Information Technology Director should ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Information Technology Use

201.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of county information technology resources, including computers, electronic devices, hardware, software, and systems.

201.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the County that are provided for official use by its employees. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the County or county funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems, or any other tangible computer device generally understood to comprise hardware.

Software - Includes but is not limited to all computer programs, systems, and applications. This does not include files created by the individual user.

Temporary file, permanent file, or file - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

201.2 POLICY

It is the policy of the County that employees shall use information technology resources, including computers, software, and systems, that are issued or maintained by the County in a professional manner and in accordance with this policy.

201.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any county computer system.

The County reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the County, including the county email system, computer network, and/or any information placed into storage on any county system or device. This includes records of all key strokes or web-browsing history made at any county computer or over any county network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through county computers, electronic devices, or networks.

Duchesne County

Government Manual

Government Manual

Information Technology Use

201.4 RESTRICTED USE

Employees shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Employees shall immediately report unauthorized access or use of computers, devices, software, or systems by another employee to their supervisors.

Employees shall not use another person's access passwords, logon information, and other individual security data, protocols, and procedures unless directed to do so by a supervisor.

201.4.1 SOFTWARE

Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, employees shall not install any unlicensed or unauthorized software on any county computer. Employees shall not install personal copies of any software on any county computer unless permission is given by the Information Technology Director.

No employee shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the County while on county premises, computer systems, or electronic devices. Such unauthorized use of software exposes the County and involved employees to severe civil and criminal penalties.

Introduction of software by employees should only occur as a part of the automated maintenance or update process of county-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from the Information Technology Director and a full scan for malicious attachments.

201.4.2 HARDWARE

Access to technology resources provided by or through the County shall be strictly limited to county-related activities with only incidental personal use. Data stored on or available through county computer systems shall only be accessed by authorized employees who have a legitimate county-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

201.4.3 INTERNET USE

Internet access provided by or through the County shall be strictly limited to county-related activities. Certain exceptions may be permitted with the express approval of a supervisor as a function of an employee's assignment.

201.4.4 USE DURING NON-WORK HOURS

Employees shall only use technology resources provided by the County during work hours unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities.

Duchesne County

Government Manual

Government Manual

Information Technology Use

Refer to the Personal Communication Devices Policy for guidelines regarding use of personally owned technology during non-work hours.

201.5 PROTECTION OF SYSTEMS AND FILES

All employees have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

The Information Technology Director or authorized designee shall regularly conduct phishing campaigns in an effort to better inform and train employees on how to recognize dangerous threats to the County's digital resources. Employees shall seek direction from the IT department regarding suspicious emails and attachments.

Employees shall ensure county computers and access terminals are not viewable by unauthorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by the Information Technology Director and shall be changed at intervals as directed.

It is prohibited for an employee to allow an unauthorized user to access the computer system at any time or for any reason. Employees shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

201.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of supervisory duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems, or general computer system failure, a lawsuit against the County involving one of its employees or an employee's duties, an alleged or suspected violation of any county policy, a request for disclosure of data, or a need to perform or provide a service.

Qualified staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the county computer system when requested by a supervisor or during the course of regular duties that require such information.

201.7 DISCIPLINE

Employees who violate any term of this policy may be subject to County discipline, up to and including potential dismissal.

Local Government Use of Social Media

202.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the County is consistent with the County mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by county employees (see the Speech, Expression, and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of an investigation, other than disseminating information to the public on behalf of the county.

202.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information.

202.2 POLICY

The County may use social media as one method of effectively informing the public about county services, issues, investigations, recruitment, and other relevant events.

The use or access of social media should be done in a manner that protects the constitutional rights of all people.

202.3 AUTHORIZED USERS

Only employees authorized by the County Commission or the authorized designee may utilize social media on behalf of the County. Authorized employees shall use only county-approved equipment during the normal course of duties to post and monitor county-related social media, unless they are specifically authorized to do otherwise by the County Commission.

The County Commission may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by the County Commission prior to posting.

202.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the County mission, and that conforms to all county policies regarding the release of information may be posted on behalf of the county. Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Requests for information.

Duchesne County

Government Manual

Government Manual

Local Government Use of Social Media

- (d) Community engagement information.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

202.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the County Commission or the authorized designee will be responsible for the compilation of information to be released.

202.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the County or its employees.
- (e) Any information that could compromise the safety and security of county operations, employees of the County, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy.

Any employee who becomes aware of content on this county's social media sites that the employee believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor shall immediately notify the Information Technology Director who will ensure its removal from public view and investigate the cause of the entry.

202.5.1 PUBLIC POSTING PROHIBITED

County social media sites shall be designed and maintained to prevent posting of content by the public.

The County may provide a method for members of the public to contact county employees directly.

202.6 MONITORING CONTENT

The Information Technology Director will review, at least annually, the use of county social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

Duchesne County

Government Manual

Government Manual

Local Government Use of Social Media

202.7 RETENTION OF RECORDS

The County Commission should work with the Information Technology Director to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

202.8 TRAINING

Authorized employees should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and dissemination and retention of information posted on county sites.

Subpoenas and Court Appearances

203.1 PURPOSE AND SCOPE

This policy establishes the guidelines for county employees who must appear in court. It will allow the County to cover any related work absences and keep the County Commission informed about relevant legal matters.

203.2 POLICY

Employees will respond appropriately to all subpoenas and any other court-ordered appearances.

203.3 SUBPOENAS

Only employees authorized to receive a subpoena on behalf of the County or any of its employees may do so.

203.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any employees who are subpoenaed to testify, agree to testify, or provide information on behalf or at the request of any party other than the County or the prosecutor shall notify their immediate supervisors without delay regarding:

- (a) Any civil case where the County or one of its employees, as a result of the employee's official capacity, is a party.
- (b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of the member's official capacity, is a party.
- (c) Any criminal proceeding where the employee is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the employee's work activity or because of the employee's association with the County.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the County.

The supervisor will then notify the County Commission and the appropriate County Attorney. The County Commission in discussion with the County Attorney should determine if additional legal support is necessary.

No employee shall be retaliated against for testifying in any matter.

203.3.2 WORK-RELATED SUBPOENAS

The County will compensate employees who appear in their official capacities on matters arising out of their official duties.

The County should seek reimbursement for the employee's compensation for appearances on civil subpoenas through the attorney of record who subpoenaed the employee.

Duchesne County

Government Manual

Government Manual

Subpoenas and Court Appearances

203.3.3 OTHER SUBPOENAS

Employees receiving valid subpoenas for actions unrelated to their employment or appointment with the County will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

203.4 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

203.5 COURTROOM PROTOCOL

When appearing in court, employees shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dressed appropriately and professionally.
- (c) Observe all rules of the court in which they are appearing and remain alert to change in the assigned courtroom where their matter is to be heard.

203.5.1 TESTIMONY

Before the date of testifying, the subpoenaed employee should review relevant reports or documents in order to be prepared for court.

203.5.2 RECORDS

When an employee is directed by a subpoena to appear in court with records, that employee should notify the Clerk Auditor promptly after receiving the subpoena that the specified records are needed for court. The Clerk Auditor's Office shall work with the County Attorney's Office concerning the requested documents and evidence, as necessary.

ADA Compliance

204.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to local government services, programs, and activities for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities and to protect the rights of individuals who use service animals in accordance with the ADA.

204.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The employee designated by the County Commission to coordinate the County's efforts to comply with the ADA (28 CFR 35.107). The ADA coordinator shall be the Human Resources Director or authorized human resources designee.

Assistive devices, auxiliary aids, and services - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment as defined and covered by the ADA that substantially limits a major life activity, including hearing or seeing, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders a county service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to programs, services, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Power-driven mobility device - Any mobility device powered by batteries, fuel, or other engine type used by persons with disabilities for mobility assistance, regardless of whether the device

Duchesne County

Government Manual

Government Manual

ADA Compliance

was primarily designed for that purpose (e.g., golf carts, Segway® PT, mobility scooters). For purposes of this policy, it does not include wheelchairs.

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

Service animal - A dog that is trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability.

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for persons with disabilities, provided the horse is housebroken, is under the handler's control, the building or facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

204.2 POLICY

It is the policy of the County that persons with disabilities have equal access to county services, programs, employment opportunities, and activities.

The County will not discriminate against or deny any individual access to services, programs, employment opportunities, or activities based upon disabilities.

204.3 AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Coordinating efforts among each county department to provide equal access to services, programs, employment opportunities, and activities including:
 1. Establishing procedures to provide for the performance of routine maintenance on buildings, facilities, or equipment that provide access to persons with disabilities (28 CFR 35.133).
- (b) Recommending amendments to this policy, as needed.
- (c) Coordinating a process of periodic self-evaluation. The process should include:
 1. Inspection of current county buildings and facilities to identify access issues.
 2. Review of current county services, activities, and programs for access issues.
 3. Assessment and update of current compliance measures.
 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
 5. Review of the county's emergency programs, services, and activities as they apply to persons with disabilities.
 6. Recommendation of a schedule to implement needed improvements.

Duchesne County

Government Manual

Government Manual

ADA Compliance

- (d) Developing procedures for the review and processing of requests for assistance or modifications that will help provide employees and patrons with disabilities access to county services, programs, employment opportunities, and activities, as appropriate.
- (e) Providing notice to employees and the public regarding the rights and protections afforded by the ADA (e.g., posters, published notices, handbooks, manuals, and pamphlets describing county services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications) (28 CFR 35.106).
- (f) Developing procedures for employees to access assistive devices, auxiliary aids, and services, including qualified interpreters, and making the procedures available, as appropriate.
 - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to employees.
- (g) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, employment opportunities, and activities (28 CFR 35.107). The complaint procedures should include an appeal process.
- (h) Requiring third parties providing county services, programs, or activities through contract, outsourcing, licensing, or other arrangement to establish reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (i) Developing and implementing procedures to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
- (j) Developing and implementing procedures to provide that new construction and alteration of county-maintained roadways, highways, and streets include curb ramps or other sloped areas to make pedestrian-level walkways accessible as required by law (28 CFR 35.150(d)(2); 28 CFR 35.151(i)).
- (k) Coordinating with appropriate county staff to address the needs of employees and patrons with disabilities in the County's emergency disaster preparedness planning, including consideration of shelters and care facilities, transportation, means of evacuation, communication methods (e.g., warning and emergency notification systems), and post-disaster canvassing.

204.4 REQUESTS

The goal of any modification should be to allow the employee or patron to participate in the service, program, employment opportunities, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, employees and supervisors should make reasonable efforts to accommodate the request based on the preference of the employee or patron with the disability. Supervisors nor employees should not ask about the nature and extent of a

Duchesne County

Government Manual

Government Manual

ADA Compliance

person's disability, but should limit questions to information necessary to determine the need for a modification and the type of modification that is appropriate.

If the requested modification, or an alternative modification, can reasonably be made at the time of the request, the supervisor or employee should make the modification. A supervisor or employee who is unable to accommodate a request or unsure about whether a request should be accommodated, should contact the ADA coordinator.

The ADA Coordinator should review and approve the request, if practicable and appropriate.

204.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
 1. A substantial alteration of the service, program, position essential function, or activity.
 2. An undue financial or administrative burden on the County.
 3. All resources available for use in the funding and operation of the service, program, position, or activity at issue should be considered in this determination.
 4. A threat to or the destruction of the historic significance of an historic property.
 5. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with department staff and the employee or patron requesting the modification to determine if an alternative modification is available.
- (c) Where physical modification of an existing building or facility, or new construction, would be unfeasible or unduly burdensome, the ADA coordinator should work with department staff to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
 1. Reassigning services, programs, employment location, or activities to accessible buildings or facilities.
 2. Utilizing technology, equipment, rolling stock, or other conveyances.
 3. Delivering the services, programs, or activities directly to a patron with a disability by way of home visits or meeting the person at an accessible location.
 4. Any other means or methods that would make services, programs, employment opportunities, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the public service, program, employment opportunity, or activity will not be made (28 CFR 35.150).

Duchesne County

Government Manual

Government Manual

ADA Compliance

204.4.2 PERSONAL DEVICES AND ASSISTANCE

Although the County should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

204.4.3 SURCHARGES

Surcharges shall not be imposed upon employees or patrons with disabilities to cover the costs of providing modifications to public services, programs, and activities (28 CFR 35.130(f)) and other reasonable accommodations are made.

204.5 MOBILITY DEVICES

Wheelchairs and manually powered mobility devices such as walkers, crutches, canes, and braces are permitted in any areas open to pedestrians.

Power-driven mobility devices other than wheelchairs may be restricted only if a legitimate safety interest is identified that warrants the restriction (28 CFR 35.130(h); 28 CFR 35.137) and other reasonable accommodations are made.

An employee should not ask a person using a power-driven mobility device to terminate the use of the device or leave the area unless an imminent and legitimate safety issue is present. If an employee is concerned about the use of a power-driven mobility device by a person with a disability, the employee should contact a supervisor.

The determination of whether a reasonable modification should be made for the use of a power-driven mobility device within a public building or facility should be based on whether the device, given its size and speed, can be safely used within the particular building or facility taking into account the layout and design of the building or facility, the amount of pedestrian traffic present in the building or facility, and whether there is any risk of damage to the building or facility or its immediate environment as set forth in 28 CFR 35.137.

204.5.1 INQUIRIES REGARDING MOBILITY DEVICES

If an individual is using a power-driven mobility device other than a wheelchair, the employee may seek credible assurance from the individual that the device is needed because of a disability. Credible assurance of the device's necessity may be provided in one of the following ways (28 CFR 35.137):

- (a) Presentation of a valid, state-issued disability placard or card
- (b) Presentation of any other state-issued proof of disability
- (c) A verbal statement, not contradicted by observable fact, that use of the device is necessary for mobility purposes

204.6 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Employees should remain alert to the possibility of communication problems when engaging with persons with disabilities. When an employee knows or suspects an individual requires assistance

Duchesne County

Government Manual

Government Manual

ADA Compliance

to effectively communicate, the employee should identify the individual's choice of assistive device, auxiliary aid, and service.

The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, employees may use whatever assistive device, auxiliary aid and service reasonably appears effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate assistive device, auxiliary aid, and service. Once the emergency has ended, the continued method of communication should be reconsidered. The employee should inquire as to the individual's preference and give primary consideration to that preference.

204.6.1 TYPES OF ASSISTANCE AVAILABLE

Employees shall not refuse an available type of assistive device, auxiliary aid, and service to a person with a disability who is requesting assistance. The County will not require persons with disabilities to furnish their own assistive device, auxiliary aid, and service as a condition for receiving assistance. The County will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services.

Persons with disabilities may choose to accept county-provided assistive devices, auxiliary aids, and services, or they may choose to provide their own.

County-provided assistive devices, auxiliary aids, and services may include but are not limited to the assistance methods described in this policy.

204.6.2 AUDIO RECORDINGS AND ENLARGED PRINT

The County may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, employees may read aloud from the appropriate form or provide forms with enlarged print.

204.6.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex interactions (e.g., public meetings or hearings, special or emergency meetings, plan reviews) for individuals who normally rely on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the exchange. A person providing

Duchesne County

Government Manual

Government Manual

ADA Compliance

interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a local government or legal proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time.
- (b) Experienced in providing interpretation services.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Employees shall use county-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. Persons with disabilities shall not be required to provide their own interpreters (28 CFR 35.160).

204.6.4 TTY AND RELAY SERVICES

The County will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service.

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

204.6.5 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the County to provide interpreter services.

When qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, county employees must carefully consider the nature of the interaction and the relationship between the person with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

204.6.6 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. The nature of the interaction and relationship between the patron with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

Duchesne County

Government Manual

Government Manual

ADA Compliance

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

204.6.7 FIELD ENFORCEMENT CONSIDERATIONS

It is important that employees are able to effectively communicate with patrons with disabilities even though the location of the communication may hinder the employee's ability to provide assistive devices, auxiliary aids, and other services in a prompt manner.

Employees involved in interactions with patrons with disabilities that occur in the field and that could result in any type of civil or criminal enforcement action (e.g., issuing code enforcement citations, shutting off a utility service) should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

204.7 SERVICE ANIMALS

Service animals that are assisting patrons with disabilities are permitted in all county buildings and facilities and other areas where the general public is allowed. County employees are expected to treat people with service animals with the same courtesy and respect that the County affords to all members of the public (28 CFR 35.136).

204.7.1 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness, or collar.

Service animals may be used in a number of ways to provide assistance, including but not limited to:

- (a) Guiding people who are blind or have low vision.
- (b) Alerting people who are blind or have low vision.
- (c) Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms, or legs.
- (d) Pulling wheelchairs.
- (e) Providing physical support and assisting with stability and balance.
- (f) Doing work or performing tasks for people with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- (g) Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

Duchesne County

Government Manual

Government Manual

ADA Compliance

204.7.2 INQUIRIES REGARDING SERVICE ANIMALS

If it is apparent or if an employee is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the employee should ask the individual only the following questions (28 CFR 35.136(f)):

- (a) Is the animal required because of a disability?
- (b) What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. Employees should not question individuals about their disabilities nor should employees ask any individual to provide a license, certification, or identification card for a service animal.

204.7.3 CONTACT WITH SERVICE ANIMALS

Service animals are not pets. County employees should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

204.7.4 REMOVAL OF SERVICE ANIMALS

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an employee should notify an appropriate supervisor who may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse access to services, programs, or activities to a person with a disability. Employees are expected to provide all services that are reasonably available to a person with a disability, with or without a service animal.

204.8 WEBSITE ACCESS

The ADA coordinator should work with appropriate county employees to develop online content that is readily accessible to persons with disabilities. County web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice.

Website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

204.9 DOCUMENTATION

Whenever any modification, assistive device, auxiliary aid, and service has been provided, the supervisor or employee involved should document:

Duchesse County

Government Manual

Government Manual

ADA Compliance

- (a) The type of modification, aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, and service provided by the County or some other identified source, if applicable.
- (c) Whether the individual's express preference for the modification, assistive device, auxiliary aid, and service was not honored, and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

204.10 COMPLAINTS

A supervisor or employee who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access a county program, employment opportunity, service, or activity should document the complaint and refer the matter to the ADA coordinator (28 CFR 35.107).

204.11 TRAINING

All supervisors and employees who may have contact with persons with disabilities should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy and related procedures, related forms, and available resources.
- (b) Procedures for handling requests for modifications.
- (c) Accessing assistive devices, auxiliary aids, and services needed to communicate with persons with disabilities.
- (d) General requirements of the ADA, including modifying policies and practices, communicating with and assisting customers, accepting calls placed through alternative systems, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the employee's job duties.

Training records should be maintained in each employee's personnel file in accordance with the established records retention schedule.

Emergency Management Plan

205.1 PURPOSE AND SCOPE

This policy addresses the preparation, maintenance, and activation of the county's emergency management plan.

205.2 POLICY

The County shall prepare for large-scale emergencies within and outside its jurisdiction and other reasonable accommodations are made through planning, mutual cooperation with other agencies, and maintenance of an emergency management plan.

205.3 COUNTY RESPONSIBILITIES

The County Commission should designate a person responsible for the county's emergency management plan and the coordination with applicable local and state departments and entities for disaster planning, mitigation, response, and recovery efforts.

205.4 ACTIVATING THE EMERGENCY MANAGEMENT PLAN

The emergency management plan shall include direction on how to activate the emergency management plan and who can activate it in response to a major emergency.

205.4.1 RECALL OF PERSONNEL

In the event that the emergency management plan is activated, all employees of the County are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary.

Failure to promptly respond to an order to report to work may result in discipline.

205.5 LOCATION OF THE EMERGENCY MANAGEMENT PLAN

Copies of the emergency management plan should be available to appropriate personnel. All supervisors shall familiarize themselves with the emergency management plan and assist employees in familiarizing themselves with the roles they will play when the plan is implemented.

205.6 EMERGENCY MANAGEMENT PLAN REVIEW

The County Commission or the authorized designee should review the emergency management plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The County Commission or the authorized designee should appropriately address any needed revisions.

205.7 TRAINING

National Incident Management Systems (NIMS) Training. All employees shall complete all NIMS compliance training as required by FEMA. Employees shall complete all training within six months of their hiring date, and thereafter shall attend all mandatory training. Employees shall be given notification of required trainings. The Human Resources Director, in conjunction with the Emergency Services Director, shall indicate in each employee's job description the

Duchesne County

Government Manual

Government Manual

Emergency Management Plan

NIMS compliance required. The Human Resources Director shall maintain a checklist in each employee's file indicating NIMS compliance courses completed. Most initial NIMS compliance trainings can be achieved online at: [NIMS Compliance Training](#)

Volunteers

206.1 PURPOSE AND SCOPE

This policy establishes the guidelines for volunteers to supplement and assist county personnel in their duties. Trained volunteers can augment county personnel and help complete various tasks.

206.1.1 DEFINITIONS

Definitions related to this policy include:

Compensatory Service Worker - A Compensatory Service Worker means a person who performs a public service with or without compensation for an agency as a condition or part of the person's: i) incarceration, ii) plea, iii) sentence, iv) diversion, v) probation, or vi) parole.

Volunteer - An individual who performs a service for the County without promise, expectation, or receipt of compensation for services rendered, except expenses actually and reasonably incurred as approved by the supervising agency. This may include interns, persons providing administrative support, and individuals participating in school-sponsored, educational, or diversion programs, among others. Volunteers may be youths or adults.

206.2 POLICY

It is the policy of the County that volunteers be appointed, trained, and supervised to carry out specified tasks and duties in an effort to create an efficient local government and improve services to the community.

206.3 ELIGIBILITY

Requirements for participation as a volunteer for the County may include but are not limited to:

- (a) The ability to meet any necessary age requirements.
 - 1. Minimum age requirements for fire and emergency management will be 18 years old.
- (b) Possession of a valid driver's license, if the position requires vehicle operation.
- (c) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during volunteer work.
- (d) The ability to meet physical requirements reasonably appropriate to the assignment.
- (e) A personal background history and character suitable for a person representing the County, as validated by a background investigation, as appropriate.
 - 1. Felony convictions, any crime of a sexual nature or against children, or any crime that would be inconsistent with volunteer service with the County may disqualify volunteer applicants.

The County Commission may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

Duchesne County

Government Manual

Government Manual

Volunteers

206.3.1 MINORS

Volunteers younger than age 14 must be accompanied by a parent or legal guardian during the performance of their volunteer assignments. Volunteers between the ages of 14 and 18 must have the written consent of a parent or guardian prior to volunteering.

206.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The County shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this county.

206.4.1 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with county policy on equal opportunity, nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the County in serving the public.

Requests for volunteers should be submitted in writing by interested county department heads to the Human Resources office. A complete description of the volunteer's duties and a requested time frame should be included in the request. All county employees should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Human Resources Director may withhold assignment of any volunteer until such time as the requester is prepared to make effective use of volunteer resources.

206.4.2 SELECTION

All volunteers shall register with the Human Resources Director and be approved under UCA § 67-20-4, before performing any volunteer work on behalf of the County. Registration shall be complete after the volunteer's services are approved by the Chairman of the Commission and the Human Resources Director.

Volunteer candidates shall successfully complete the following process prior to appointment as a volunteer:

- (a) Submit the appropriate written application.
- (b) Successfully complete an appropriate-level background investigation or screening.
- (c) Human Resources Approval
- (d) County Commission Approval

206.4.3 APPOINTMENT

Service as a volunteer with the County shall begin with an official notice of acceptance or appointment by the County Commission.

No volunteer should begin any assignment until officially accepted for the position and all required screening and paperwork has been completed. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the County.

Duchesne County

Government Manual

Government Manual

Volunteers

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the County.

Volunteers serve at the discretion of the County Commission.

206.4.4 INSURANCE

Insurance for Volunteer - As mandated by UCA § 67-20-3, as amended from time to time, the County shall consider authorized volunteers under UCA § 67-20-4 that are acting within the scope of authority granted to them as employees solely for purposes of:

- (a) Receiving workers' compensation medical benefits, which shall be the exclusive remedy for all injuries and occupational diseases as provided under UCA Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah Occupational Disease Act, as amended from time to time, respectively.
- (b) The operation of motor vehicles or equipment if the volunteer is properly licensed and authorized to do so; or is an authorized passenger in such vehicles or equipment while providing emergency management response services; and
- (c) Liability protection and indemnification normally afforded paid government employees; such liability protection and indemnification is subject to and contingent upon the authorized volunteer meeting the steps of UCA § 63G-7-902.

All volunteers who fail to follow UCA § 63G-7-902, will not be afforded liability protection and indemnification by the County.

206.5 IDENTIFICATION AND DRESS CODE

As representatives of the County, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their assignment.

Uniforms and necessary safety equipment will be provided for each volunteer, if appropriate for the volunteer position.

Certain volunteers may be issued county identification cards to be carried at all times while in the performance of their assignment. The identification cards may be the standard county identification cards, except that "Volunteer" will be indicated on the cards.

206.6 PERSONNEL WORKING AS VOLUNTEERS

Qualified regular county personnel, when authorized, may also serve as volunteers. However, this county shall not utilize the services of volunteers in such a way that it would violate employment laws or employment agreements. Volunteers who are County officers and/or employees are not permitted to voluntarily perform services which are the same as or are similar to their duties for which they are paid to perform by the County. Therefore, the volunteer coordinator should consult with the County Commission or the authorized designee prior to allowing regular county personnel to serve in a volunteer capacity (29 CFR § 553.100 et seq.).

Duchesne County

Government Manual

Government Manual

Volunteers

206.7 VOLUNTEER COORDINATOR

The volunteer coordinator should be appointed by the County Commission or the authorized designee.

The function of the coordinator is to provide a central coordinating point for effective volunteer management within the County, and to direct and assist efforts to jointly provide more productive volunteer services. Volunteers serve under the general direction of the supervisor in charge of the volunteer's assignment but report to the volunteer coordinator.

The volunteer coordinator may appoint a senior volunteer or other designee to assist in the coordination of volunteers and their activities.

The responsibilities of the coordinator or the authorized designee include but are not limited to:

- (a) Establishing and maintaining a volunteer callout roster, as necessary.
- (b) Maintaining records for each volunteer.
- (c) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (d) Maintaining a liaison with other community programs that use volunteers and assisting in community-wide efforts to recognize and promote volunteering.

206.8 RESPONSIBILITIES

Volunteers assist county personnel as needed. Volunteers may be assigned to one department to augment the support of paid personnel, but they may be reassigned as needed. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the County.

206.8.1 COMPLIANCE

Volunteers shall be required to adhere to all county policies and procedures. A copy of the policies and procedures will be made available to each volunteer upon appointment. The volunteer shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Policy Manual refers to county employees, it shall also apply to a volunteer, unless by its nature it is inapplicable.

Volunteers are required to meet county-approved training requirements as applicable to their assignments.

206.8.2 VOLUNTEER MEETINGS

All volunteers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer coordinator.

206.9 TASK-SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers to properly and safely perform their assignments. Training should correspond to the volunteer's assignment as determined by the volunteer coordinator. Volunteers must not be knowingly

Duchesne County

Government Manual

Government Manual

Volunteers

exposed to any unnecessary danger or hazards and must not perform any functions requiring a license or certification unless they have a current license or certification to do so.

Volunteers will be provided with an orientation program to acquaint them with the policies of the County and procedures applicable to their assignments.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks, and should receive ongoing training as deemed appropriate by their supervisors or the volunteer coordinator. Volunteers providing emergency management response services shall be trained to work under the NIMS and adhere to the rules of the Chain of Command and Unity of Command.

Training should reinforce to volunteers that they shall not intentionally represent themselves as, or by omission imply that they are, full-time employees of the County. They shall always represent themselves as volunteers.

All volunteers shall comply with the standards of conduct and with all applicable orders and directives, either oral or written, issued by the County.

206.9.1 VOLUNTEER TRAINING MATERIALS

Volunteers will be issued training materials when necessary, based upon the volunteer assignment. The materials should outline the subject matter and skills necessary to properly function as a volunteer with the County. The volunteer shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

206.10 SUPERVISION

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the volunteer's assignment. The following are some considerations that supervisors should keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers an assignment or task that will utilize these valuable resources.

A volunteer may be assigned as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of an employee.

206.10.1 FITNESS FOR DUTY

No volunteer shall report for work or be at work when the volunteer's judgment or physical condition has been impaired due to illness or injury, or by the use of alcohol or drugs, whether legal or illegal.

Duchesne County

Government Manual

Government Manual

Volunteers

Volunteers shall report to their supervisors any change in status that may affect their ability to fulfill their assignments.

206.10.2 REPORTING OF PERSONAL INJURIES OR PROPERTY

- (a) **Injury to Volunteer** - An authorized volunteer that sustains personal injuries while performing activities within the scope of the volunteer's duties shall immediately inform the agency supervisor of such injuries and supply all information in a timely manner to the agency supervisor that is necessary to make a Worker's Compensation claim. If the Volunteer fails to provide the agency supervisor with the necessary information within ten days from the date of the injury, the County shall be released from further compensation or seeking of compensation for the Volunteer.
- (b) **Indemnification of Volunteer for Personal Injuries to Another** - As noted above, an authorized volunteer acting within the scope of his/her duties who causes injury upon another person or damages property shall request the County to defend the volunteer within ten days after service of process upon the employee.
- (c) **Damage to Volunteer's Vehicle** - If an authorized volunteer is using his/her own vehicle to carry out authorized duties for the County and damage is caused to the volunteer's vehicle, the volunteer must report such damages to their County supervisor and the volunteer's own insurance. The Volunteer's vehicle insurer is the primary insurer; the County insurer acts only as a secondary insurance when a volunteer's vehicle is damaged.

206.11 INFORMATION ACCESS

With appropriate security clearance, a volunteer may have access to or be in the vicinity of confidential or protected information, including but not limited to legal materials, financial data, or information portals. Unless otherwise directed by a supervisor, the responsibilities of the position, or policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized employees shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by county policy and supervisory personnel.

A volunteer whose assignment requires the use of, or access to, confidential or protected information will be required to obtain the necessary security clearance, which may include a criminal background check and/or the submission of fingerprints to the appropriate state agency. Volunteers working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the County. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the County, or maintain that they represent the County in such matters without permission from the proper county personnel.

Duchesne County

Government Manual

Government Manual

Volunteers

206.11.1 RADIO USAGE

Any volunteer who operates county radios while acting in the capacity of a volunteer should receive appropriate training on radio usage.

206.12 EQUIPMENT

Any property or equipment issued by the County shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the County and shall be returned at the termination of service.

206.12.1 VEHICLE USE

Any volunteer who operates any vehicle while acting in the capacity of a volunteer shall receive training in safe driving. The specific training and course of study shall be determined by the volunteer coordinator and supervisor in charge of the volunteer's assignment.

Volunteers whose assignments require the use of a vehicle must first complete:

- (a) A driving safety briefing and, if necessary to the volunteer position, a county-approved driver safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The volunteer coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating county vehicles, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate marked law enforcement or other emergency operation vehicles unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers are not authorized to operate county vehicles while using the vehicle's emergency equipment (e.g., emergency lights, siren).

206.13 DISCIPLINARY PROCEDURES/TERMINATION

If a volunteer becomes the subject of a complaint or administrative investigation, the matter may be investigated in accordance with county procedures applicable to regular employees.

Volunteers are considered at-will and may be removed from service at the discretion of the County Commission or the authorized designee, with or without cause. Volunteers shall have no property interest in their continued appointments or due process interest in an administrative investigation.

Volunteers may resign from volunteer service with the County at any time. It is requested that volunteers who intend to resign provide advance notice and a reason for their decision.

Chapter 3 - Facilities

Key and Electronic Access Device Controls

300.1 PURPOSE AND SCOPE

The control and accountability of keys is important to maintain a safe and secure environment for employees and members of the public.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Key - All electronic or mechanical devices used to access or exit county buildings and facilities. It includes proximity cards, key fobs, and any other electronic access devices.

300.2 POLICY

It is the policy of the County that all keys used to access local government buildings and facilities are inventoried and controlled.

300.3 KEY IDENTIFICATION

All keys that open any doors or locks to county buildings or facilities shall be marked with unique identification codes that will allow for quick inventory. Keys that are bundled together as a set shall be numbered or coded with a tag to identify that set and the number of keys on the ring. The identifying numbers or codes on keys should not correspond to numbers/codes on locks.

A separate secure document identifying all keys will be maintained by the Buildings and Grounds Department.

300.4 KEY CONTROL

Keys may be issued to employees or accessed and checked out by authorized employees from secure designated areas. Keys issued to or accessed and checked out by employees shall be limited to only those keys necessary for the employee's position.

Employees shall not loan a key or key set to another person. All keys must be issued or checked out through the control process. Employees shall not possess any key for which they have not been authorized.

All keys issued or checked out to employees remain the property of the County. Employees shall not duplicate, mark, alter, or manufacture any key without written authorization from the County Commission or the authorized designee.

The Buildings and Grounds Department should regularly inventory all county keys.

300.5 LOCK POLICY

All county buildings and facilities should be kept locked during non-operating hours. Employees shall not leave public entrances to county buildings and facilities unlocked or propped open during non-operating hours. Employees shall never leave non-public entrances to county buildings and facilities unlocked or propped open.

Duchesne County

Government Manual

Government Manual

Key and Electronic Access Device Controls

300.6 TESTING

The Buildings and Grounds Department shall periodically test locks to doors and gates for proper function and document the testing.

300.7 EMERGENCY KEY SET

At least one key set containing every key for county buildings and facilities should be kept separate from all of the other key sets in a secure location and made accessible only to the County Commission or the authorized designee in the event of an emergency.

300.8 MISSING KEYS

Any employee who discovers that a key or key set is missing shall report it to a supervisor as soon as reasonably practicable. If a reasonable effort to locate the key fails, the supervisor shall notify the County Commission or the authorized designee regarding the loss of the key, when it was discovered, and the circumstances involved.

The County Commission or the authorized designee will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

300.9 DAMAGED KEYS OR LOCKS

Malfunctioning or damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key should be left in the lock. All portions of the damaged key must be turned in to a supervisor, who will provide a replacement key as needed. Damaged locks should be replaced or repaired as soon as practicable. Appropriate security measures should be taken until such time as the lock is properly restored.

300.10 KEY CONTROL RECORDS

The County Commission or the authorized designee will maintain documentation for the accounting and security of all keys and key sets. Key control measures should be documented by the designated employee and the records retained in accordance with established records retention schedule.

Video Surveillance System

301.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of county video surveillance, as well as the storage and release of the captured images.

301.2 POLICY

The County is committed to protecting the safety and property of the County while respecting the privacy rights of our staff and citizens. Cameras provide a visual deterrent to crime, assist with overall security measures, and increase the potential identification and apprehension of person(s) who breach County policies and/or commit criminal acts. The use of security cameras extends the ability of the Sheriff's Office when officers are not immediately available. Cameras are not a guarantee of safety; however, they do serve as deterrents and can alert law enforcement personnel to potential danger. The primary use of surveillance cameras is to record images for future identification of individuals and activity in the event of violations of law or policy.

Video surveillance in public areas shall be conducted in a manner in accordance to applicable law while recognizing and protecting constitutional standards of privacy.

301.3 OPERATIONAL GUIDELINES

Only county-approved video surveillance equipment shall be utilized. Employees authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The County Commission or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

301.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the County Commission or the authorized designee should confer with any appropriate county department when evaluating camera placement. Environmental factors, including lighting, location of buildings, and presence of vegetation or other obstructions, should also be evaluated when determining placement.

Any access to surveillance data in order to complete scheduled maintenance will be automatically logged by the system. Access to this log may be granted with authorization from the County Attorney or authorized designee.

In addition to scheduled maintenance, all authorized cameras and systems will be inspected annually by a qualified vendor to ensure that they are in proper working condition and meet policy guidelines.

Images from each camera should be recorded and maintained in accordance with the county's document retention policy and in a manner consistent with the underlying purpose of the particular camera. When activity warranting further investigation is reported or detected at any camera

Duchesne County

Government Manual

Government Manual

Video Surveillance System

location, the available information should be preserved per County retention policy and the appropriate department should be notified in a timely manner.

The County Commission or the authorized designee may authorize video feeds from the video surveillance system to be forwarded to a specified location for monitoring by individuals authorized by the County Commission after consultation with the County Attorney's Office.

Unauthorized recording, viewing, reproduction, dissemination, or retention of anything documented by surveillance equipment is prohibited and potentially punishable per Utah State and County Code.

301.3.2 CAMERA MARKINGS

All public areas monitored by surveillance equipment should be marked in a conspicuous manner with appropriate signs to inform the public that the area is under surveillance by the County. Signs should be well lit, placed appropriately, and without obstruction to ensure visibility.

301.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The County may elect to integrate its video surveillance system with other technology to enhance available information. Integration with video-based analytical systems (e.g., facial recognition, license plate readers) may be considered based upon availability and the nature of the surveillance strategy.

The County should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems requires additional safeguards.

301.4 VIDEO SUPERVISION

The Information Technology Director shall monitor video surveillance access and usage to ensure employees use and access is appropriately documented.

301.4.1 INVESTIGATION OF VIOLATIONS

- (a) Investigations into potentially unacceptable and or criminal activity shall be managed by the Sheriff's Office or authorized designee, which may declare a conflict and seek help from another law enforcement agency.
- (b) The results of the investigations shall be reported directly to the County Attorney's Office.
- (c) The County Attorney's Office may present the investigation and subsequent results to the County Commission, Human Resources Director and Department Head.

301.4.2 VIDEO LOG

A log shall be maintained at all locations where video surveillance monitors are located. The log shall be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

Duchesne County

Government Manual

Government Manual

Video Surveillance System

- (a) Date and time access was given.
- (b) Name and department of the person being given access to the images.
- (c) Name of the person authorizing access.
- (d) Identifiable portion of images viewed.

301.4.3 PROHIBITED ACTIVITY

Video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

301.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. All actions taken with respect to preservation or retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with this policy and the established records retention schedule. Except for time period of investigations recorded camera images will be retained for 30 days.

301.5.1 EVIDENTIARY INTEGRITY

Any recording that has been identified as evidence, or that could be relevant to pending or reasonably anticipated investigations or legal action, shall be preserved in a manner that retains its original content.

301.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the video surveillance equipment shall be for the official use of the County.

The Sheriff or Chief Deputy Sheriff may authorize copies of surveillance images if such copy is made for the use of carrying out law enforcement purposes. Only the County Attorney or his/her designee may authorize copies of surveillance images for any other non-law enforcement personnel.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established county subpoena process.

Duchesne County

Government Manual

Government Manual

Video Surveillance System

301.7 VIDEO SURVEILLANCE AUDIT

The Information Technology Director will conduct an annual review of the video surveillance system. The review may include an analysis of the cost, benefit, and effectiveness of the system, including any issues that were effectively addressed and any systemic operational or administrative issues that were identified, including those related to training, discipline, or policy.

The results of each review shall be appropriately documented and maintained by the Information Technology Director and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

301.8 TRAINING

All county employees authorized to operate or access video surveillance systems should receive appropriate training. Training should include guidance on the use of cameras and a review of relevant policies and procedures. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Use of Public Facilities

302.1 PURPOSE AND SCOPE

This policy provides guidance regarding the rental process for the use of county facilities by members of the public.

This policy does not apply to spontaneous expressive activities such as demonstrations or to expressive activities of groups of fewer than 50 people. Nor does it apply to other gatherings of fewer than 50 persons when the department head has developed appropriate nondiscriminatory application or request processes for the use of county facilities under the control of the department head.

302.1.1 DEFINITIONS

Definitions related to this policy include:

Applicant - Any individual, group, or organization seeking approval to use county facilities.

Facilities - Any buildings, rooms, structures, sites, complexes, parks, roads, walkways, parking areas, equipment, and other real or personal property owned or leased by the county that are made available for use by the general public.

302.2 POLICY

It is the policy of the County to make certain facilities available for public use in a fair and equitable manner based on an established application and rental process.

302.3 RENTAL PROCESS

The County Commission or the authorized designee should develop, implement, and maintain a rental process for the use of county facilities. The process should include:

- (a) A standardized application and reservation system.
- (b) An application submittal period and review process.
- (c) A method of communicating confirmations and denials of applications, as well as an appeals process for denials.
- (d) Rental forms for facility use.
- (e) A fee schedule for facility use and for payment of deposits, balances due, and refunds.
- (f) A nondiscriminatory process for establishing how much liability insurance will be required from applicants.
- (g) A process for making changes to existing reservations and for cancellations.
- (h) The designation of county employees responsible for enforcing rental terms.
- (i) Rules and regulations for facility use (e.g., cleaning, smoking/vaping, alcohol use, food and beverage sales or service, insurance coverage).
- (j) A process for determining when free speech expression areas will be necessary and a process for designation and monitoring of such areas, when used.

Duchesne County

Government Manual

Government Manual

Use of Public Facilities

The County Commission should also adopt and maintain county requirements related to facility use rentals, including duration of use, traffic control, and noise limitations.

302.3.1 APPLICATION REVIEW

- (a) The following should be considered when determining whether to grant or deny an application for facility use:
 - 1. The application should be complete and not contain false or misleading information.
 - 2. The activity or event should not pose unreasonable health or safety risks.
 - 3. Appropriate ancillary facilities such as parking and sanitary facilities should be available and adequate for the activity or event.
 - 4. The activity or event should not pose an unreasonable risk of damage to county facilities.
 - 5. An application may be denied if the applicant has damaged county facilities in the past and has failed to pay for the damages.
 - 6. Adequate supervision and security personnel for the activity or event should be provided by the applicant.
- (b) When determining whether to grant or deny an application for facility use, the County shall not consider an applicant's:
 - 1. Actual or perceived classification or status protected by law, such as religion, race, or gender identity or expression.
 - 2. Political, social, or ideological beliefs.
 - 3. Viewpoint, message, or program content and any anticipated response.

302.3.2 RENTAL TERMS

Rentals should contain the applicant's agreement to:

- (a) Return the facilities to their original condition and assume responsibility for any damage or loss sustained.
- (b) Comply with all federal, state, and local laws, regulations, and ordinances, as well as all rental requirements and conditions imposed by the County.
- (c) Refrain from engaging in illegal activity.
- (d) Obtain a general liability insurance policy in the amount required naming the County as an additional insured and identifying the policy as primary to the county's insurance coverage.
- (e) Make it clear to the public that the activity or event is the applicant's and that any message is not endorsed or made by the County.

Rental agreements should also contain notice to the renter that failure to comply with rental terms may result in enforcement action and denial of future applications.

Duchesne County

Government Manual

Government Manual

Use of Public Facilities

302.4 DISTURBANCES OR CRIMINAL ACTIVITY

Non-law enforcement employees should not attempt to physically control a person or group that is creating a disturbance or engaging in criminal activity on county property during a rental activity or event. Such instances, as well as unapproved demonstrations or acts of civil disobedience, should be reported to law enforcement for handling.

302.5 RECORDS

All records created and submitted during and related to the renting process should be maintained in accordance with the established records retention schedule.

Holiday Displays

303.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on holiday displays by the County.

The use of county facilities by members of the public or private groups is addressed in the Use of Public Facilities Policy.

Memorials on county property are addressed in the Memorials on Public Property Policy.

303.2 POLICY

It is the policy of the County that county seasonal temporary holiday displays be appropriate and lawful.

303.3 RESPONSIBILITIES

The County Commission should review and approve each county holiday display.

The County Commission's review should be completed prior to installation of the display and should include a review of the following:

- (a) The location of the display, including the types of structures and properties immediately adjacent to the display.
- (b) The manner and format in which the different secular and non-secular decorations will be displayed.
- (c) Whether the display complies with the criteria set forth in this policy.

If the County Commission has any concerns regarding the content of the display, legal counsel should be consulted prior to proceeding.

303.4 REVIEW CRITERIA

A county holiday display should not have an overall effect of supporting or endorsing a religion or denigrating or inhibiting any religion or religious belief. When reviewing a proposed display, the County Commission should consider the following:

- (a) The holiday display should:
 1. Have a primary purpose that is secular.
 2. Recognize the celebration of the holidays and/or seasonal traditions (e.g., lights, snowflakes, Santa Claus in the winter; bunnies, baskets, eggs in the spring).
 3. Include religious symbols only if they are accompanied by numerous other non-religious holiday items and in a non-religious setting.
- (b) The holiday display should not:
 1. Include religious symbols (e.g., a nativity scene, a cross, a menorah) alone or in a setting that focuses on or draws attention to a specific religion or the religious nature of a symbol.

Duchesne County

Government Manual

Government Manual

Holiday Displays

2. Be placed in any location that makes it appear that the display endorses a religion (e.g., on property adjacent to a church, other religious institution, or area connected to a religion; on county property that has a statue, monument, or sign that in combination with a holiday display might appear to endorse a religion).
3. Be used for any religious practices or ceremonies.

Memorials on Public Property

304.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the review and approval of county memorials and the relocation, alteration, or removal of existing memorials on county property.

This policy addresses memorials established by the County and memorials requested or donated by members of the public.

This policy does not apply to the following:

- (a) Works of art that are not memorial or commemorative in nature
- (b) Signage or plaques placed on county property for the purpose of acknowledging a donor or sponsor
- (c) Historical markers or placards that provide information to the public

Temporary displays on county property are addressed in the Holiday Displays and the Use of Public Facilities policies.

304.1.1 DEFINITIONS

Definitions related to this policy include:

Memorial - A permanent monument, museum, building, garden, plaque, sculpture, or the like intended to commemorate or preserve the memory of a person, group, action, or event.

304.2 POLICY

It is the policy of the County that memorials on county property be considered and approved pursuant to this policy.

304.3 RESPONSIBILITIES

The County Commission or the authorized designee should:

- (a) Establish procedures for the submission, review, and approval of requests by members of the public for new county memorials or for the removal, alteration, or relocation of existing memorials. The procedures should include:
 - 1. That all requests be submitted in writing.
 - 2. For new memorials, that the request includes detailed information regarding the form and substance of the proposed memorial, the proposed location, and the proposed source of funding.
 - (a) The proposed memorial should be presented either in fully finished form or in a model prior to final acceptance by the County.
 - 3. For existing memorials, that the request includes the reason for the requested removal, relocation, or alteration.
 - (a) Requests for relocation should identify the new proposed location.

Duchesne County

Government Manual

Government Manual

Memorials on Public Property

- (b) Requests for alteration should detail the type and form of the proposed alteration.
- 4. Review by any appropriate department, if any.
- 5. The opportunity for input from members of the public.
- 6. The opportunity for the County to ask the requester for modifications to a proposed memorial, relocation, or alteration consistent with this policy.
- 7. That any denial of a request be documented.
- 8. An appeal process to the County Commission or the governing body for application denials or modification requests.
- (b) Provide notice to members of the public making requests that:
 - 1. For new memorials, the memorial becomes the property of the County upon installation.
 - 2. The County may deny any request after a review of the request under the procedures established by this policy.
 - 3. The County will make a final determination as to the location of all new or relocated memorials within the unincorporated County owned property and may move any and all memorials at its discretion, even after installation.
 - 4. Existing memorials on county property do not establish a precedent for any future approvals.
- (c) Adopt and maintain additional county requirements relating to new memorials or the removal, alteration, or relocation of existing memorials.
 - 1. Requirements may include size, material quality, and appearance standards.
- (d) Coordinate a process for the periodic review of existing memorials to consider whether:
 - 1. Relocation, alteration, or removal is appropriate. This process should include the evaluation of the overall condition of the memorial and whether there are any reasons to consider the relocation, alteration, or removal of the memorial.
 - 2. Designation as a historic landmark or district under federal, state, or local laws or guidelines is appropriate for any memorials.
- (e) Create a list of all memorials within the County that includes the type of memorial, the current location of the memorial, and any specific maintenance, safety, or access information relevant to the memorial.

304.4 CONSIDERATIONS FOR NEW MEMORIALS

The following criteria should be considered for all new memorials:

- (a) The memorial should:
 - 1. Support or promote the common history of the County, local culture, civic identity, or mission of the County.

Duchesne County

Government Manual

Government Manual

Memorials on Public Property

2. Be of historical or social significance.
 3. Be located in or near an area that is connected with the person or event being commemorated.
 4. Be compatible with the area surrounding the proposed location.
 - (a) The size, content, and appearance of the memorial should improve or otherwise enhance the social and physical environment of the surrounding area.
 5. Comply with any additional county requirements related to memorials.
- (b) The memorial should not:
1. Present unreasonable maintenance, security, environmental, or access issues.
 2. Be offensive to a reasonable person.
 3. Reasonably appear to be promoting, favoring, or inhibiting any religion or political affiliation.

Consideration should be given to how the memorial corresponds with other memorials in the immediately surrounding area and in the County generally.

304.5 CONSIDERATIONS FOR THE REMOVAL, ALTERATION, OR RELOCATION OF EXISTING MEMORIALS

The following criteria should be applied to all cases where the removal, alteration, or relocation of a memorial is being considered, whether initiated by a request from members of the public or internally by county officials or staff.

- (a) The memorial should be removed, altered, or relocated, as appropriate, if:
 1. The memorial has deteriorated to the extent that it cannot be safely maintained in its current location.
 2. Security issues make the current location unreasonable.
 3. The memorial is damaged beyond reasonable repair.
 4. Social or environmental changes to the location or surrounding area have made the memorial no longer appropriate for the location.
 5. The memorial is no longer sufficiently connected to the common history, local culture, or mission of the County.
 6. A more appropriate alternative location for the memorial is reasonably available.
- (b) The memorial should not be removed, altered, or relocated:
 1. If federal, state, or local laws restrict the removal, alteration, or relocation of the memorial.
 2. Without appropriate pre-approvals from federal, state, or local officials, as required.

Duchesne County

Government Manual

Government Manual

Memorials on Public Property

3. If removal, alteration, or relocation is not consistent with additional requirements adopted or maintained by the County Commission.
4. Without final approval of the County's governing body.

304.6 DAMAGE OR DETERIORATION

Employees who observe damage to or significant deterioration of an existing memorial should report the damage to a supervisor. Appropriate repairs may be made with supervisory approval.

If damage or deterioration to a memorial reasonably appears to present a safety issue, access to the memorial should be restricted and a supervisor should be immediately notified.

304.7 DOCUMENTATION

The following should be created and maintained consistent with the established records retention schedule:

- (a) The list of memorials within the County.
- (b) Documentation relating to the approval of any new memorials.
- (c) Documentation relating to the removal, relocation, or alteration, of any memorial, including the reason for the action, and whether the memorial has been stored or otherwise disposed of.

Flags

305.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper display of flags at county facilities.

305.2 POLICY

It is the policy of the County to display flags in compliance with federal and state laws and local ordinances.

305.3 DISPLAY OF FLAGS

Flags flown at county facilities will be displayed in the following order of prominence:

- (a) The United States flag
- (b) Flags of foreign governments recognized by the United States when flown with the United States flag
- (c) The state flag
- (d) The county flag
- (e) The department flag
- (f) Any commemorative flags

305.4 DISPLAYING THE FLAG OF THE UNITED STATES

Federal law providing for the use and the display of the United States flag is contained in Title 4 Chapter 1 of the United States Code, commonly referred to as the “Flag Code.” The County will display the flag of the United States in accordance with the provisions of 4 USC § 1 through 4 USC § 10.

305.4.1 DISPLAY OF THE UNITED STATES FLAG IN DAILY OPERATIONS

Employees should consult the Flag Code for guidance whenever the flag of the United States is to be displayed in any manner. This is to ensure that the display is presented in accordance with the Flag Code and as follows:

- (a) The United States flag should be conspicuously posted on all county facilities during hours of operation.
- (b) It is the universal custom to display the flag only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness (4 USC § 6).
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed (4 USC § 6).
- (d) The United States flag may only be flown at half-staff by Presidential or Gubernatorial decree, and on Memorial Day until noon (4 USC § 7).

Whenever the United States flag is displayed in conjunction with other flags or symbols it should occupy the “Place of Honor” (4 USC § 7).

Duchesne County

Government Manual

Government Manual

Flags

305.5 DISPLAY OF THE STATE FLAG

The County will display the state flag prominently and in the proper position of honor in accordance with the United States Flag Code.

305.5.1 DISPLAY OF THE STATE FLAG IN DAILY OPERATIONS

Employees should review state law for guidance whenever the flag is to be displayed in any manner to ensure that the display is presented appropriately. Displays of the flag should be consistent with the following protocol:

- (a) The flag should be conspicuously posted on all county facilities during hours of operation.
- (b) Generally, the flag should be displayed only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness.
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
- (d) The flag shall be flown at half-staff whenever the flag of the United States is flown at half-staff, and may only be flown at half-staff at other times by order of the Governor.
- (e) Whenever the flag is displayed in conjunction with the United States flag, the United States flag shall occupy the position of first honor (4 USC § 7). When the flag is displayed in conjunction with other flags or symbols, it should occupy the position of honor.

305.6 DISPLAY OF COMMEMORATIVE OR UNOFFICIAL FLAGS

County flag displays, including but not limited to flagstaffs, are not intended to serve as a forum for free expression by the public. Commemorative flags or flags not identified in this policy, including flags of a government not recognized by the United States, should not be displayed by the County without prior approval from the County Commission.

Chapter 4 - Equipment

Local Government-Owned and Personal Property

400.1 PURPOSE AND SCOPE

This policy addresses the care of county-owned property, the use of county-owned property for personal use, and the role of the County when personal property, the property of another person or entity, or county-owned property is damaged or lost.

400.1.1 DEFINITIONS

Authorized Personal Use - The use of public property by a public official, for a personal matter, if:

- (a) The public official is authorized to use or possess the public property to fulfill the individual's duties as a public official;
- (b) The primary purpose of the public official using or possessing the public property is to fulfill the individual's duties as a public official;
- (c) At the time the public official uses or possesses the public property for a personal matter, the County has a written policy in effect that authorizes the public official to use or possess the public property for personal use in addition to the primary purpose of fulfilling the individual's duties as a public official; and
- (d) The public official uses and possesses the public property in a lawful manner; or
- (e) The incidental use of public property for personal use by a public official, if:
 - 1. The public official's incidental personal use or possession of public property does not violate any written policy of the County;
 - 2. The public official's incidental personal use or possession of public property does not create security risk to the County;
 - 3. The public official's incidental personal use or possession of public property does not disrupt or impede the business of the County;
 - 4. The value provided to the County by the public official's use or possession of the public property for a public purpose substantially outweighs the personal benefit received by the employee from the incidental personal use or possession of public property by the public officer;
 - 5. The public official's incidental personal use or possession of public property does not result in costs charged to or financial obligations incurred by the County; and
 - 6. The incidental use of public property for personal use by a public official is not otherwise prohibited by law.

Incidental Use -

- (a) Use of public property that is limited in scope, amount, or extent, or that is uncommon or infrequent, and that does not significantly detract from a public official's performance of the individual's employment duties or obligations or provision of service to the public;
- (b) Use of public property that does not result in costs charged to or financial obligations incurred by the County, and that is not reasonably likely to result in reputational damage to the County or any of its public officers or public officials;

Duchesne County

Government Manual

Government Manual

Local Government-Owned and Personal Property

- (c) Use of public property that is not reasonably likely to create a security risk to the County or any of its public officers or public officials, or to any public property that is owned, held, leased, or managed by the County.

Possess/Possession - means to have physical possession of or to exercise dominion or control over tangible property.

400.2 POLICY

The County will ensure that employees are issued appropriate property and equipment necessary for the employee's job function. The County will take steps to minimize the cost associated with maintaining county property, including personal property authorized for use in the employee's duties.

400.3 LOCAL GOVERNMENT-ISSUED PROPERTY

Supervisors should document all property and equipment issued by the County in the appropriate file at the time of issuance. Receipt of issued items shall be acknowledged by the receiving employee's signature. Upon separation from the County, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

400.3.1 EMPLOYEE RESPONSIBILITIES

Employees shall be responsible for the safekeeping, serviceable condition, proper care, proper use, and replacement of county property that has been assigned or entrusted to them.

- (a) Employees shall promptly report, through their supervisors, any loss of, damage to, or unserviceable condition of any county-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as possible, and the item replaced with a comparable item as soon as available following a supervisor investigation into the damage as per Supervisor Responsibilities section below.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, county-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) County-issued property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval.
- (e) Employees should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.

400.4 PERSONAL PROPERTY

Personal property or equipment shall not be carried during work hours or used for work-related purposes without prior approval by the County Commission or appropriate supervisor. The employee should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried (e.g., cell phone, wallet, sunglasses) is excluded from this requirement (see the Personal Communication Devices Policy).

Duchesne County

Government Manual

Government Manual

Local Government-Owned and Personal Property

The County will not replace or repair property that is not reasonably required as part of work.

400.4.1 FILING CLAIMS FOR PERSONAL PROPERTY

An employee requesting reimbursement for damage to, or loss of, personal property must submit the request in writing to the employee's immediate supervisor.

Upon review by the supervisor and a finding that no misconduct or negligence was involved, repair or replacement may be recommended to the County Commission or the authorized designee, who will then forward the claim to the department responsible for issuing payments.

400.5 SUPERVISOR RESPONSIBILITIES

The supervisor receiving a report that property, including personal property authorized for use, has been damaged should conduct an investigation and direct a memo to the County Commission or the authorized designee. The memo should include the result of the investigation and whether reasonable care was taken to prevent the loss, damage, or unserviceable condition.

In cases where the supervisor has reason to believe that misconduct or negligence was involved in the loss, damage, or unserviceable condition of property, the supervisor should consider whether disciplinary or other corrective action would be appropriate.

400.6 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY

Employees who intentionally or unintentionally damage or cause to be damaged the real or personal property of another person or entity while performing any county function shall promptly report the damage to a supervisor.

400.6.1 DAMAGE BY OTHERS

Employees who observe damage to the real or personal property of the County should report the damage as follows:

- (a) A verbal report should be made to the employee's immediate supervisor and to the employee or department responsible for the property as soon as possible.
- (b) A written report should be submitted before the end of the employee's workday or as otherwise directed by the supervisor.

400.7 USE OF COUNTY PROPERTY

The Duchesne County Commission believes that Utah Code Section 76-8-402 as written makes it so public officers who are performing their duties in good faith may unwittingly be committing felonies. The County Commission desires to create guidelines that will ensure public officers are not at risk of unwittingly engaging in criminal activity in their use of public property in accordance with this policy, while ensuring public officers are using county property in a responsible manner. This policy applies to all Duchesne County departments as well as all Duchesne County elected officials, employees, contractors, consultants, volunteers, and others who perform a public function and are authorized to hold, spend, transfer, disburse, use, or receive public funds or public property.

Duchesne County

Government Manual

Government Manual

Local Government-Owned and Personal Property

400.8 PROHIBITED ACTS

- (a) It is unlawful for a public officer to:
1. Appropriate public property to the public officer's use or benefit or to the use or benefit of another without authority of law;
 2. Loan or transfer public property without authority of law;
 3. Fail to keep public property in the public officer's possession until disbursed by authority of law;
 4. Knowingly keep a false account or make a false entry or erase an inventory or account of, or relating to, public property;
 5. Fraudulently alter, falsify, conceal, or destroy an inventory; or
 6. Willfully refuse or omit to transfer or relinquish, on demand, any public property in the public officer's possession, on the order of a competent authority or when the transfer or relinquishment is required by law.
- (b) Violations shall be consistent with state law except that a violation of is punishable only as a class B misdemeanor if:
1. The public officer's incidental use of public property constituted authorized personal use as defined in this policy and the costs charged to or financial obligations incurred by the County are less than \$500; and
 2. The public officer does not, within 30 days or such longer payment schedule as the County demands in its reasonable discretion:
 - (a) Reimburse the County the entire cost charged to or financial obligation incurred by the County as a result of the public officer's personal use of public property.
 3. Notwithstanding any other provision above, the time period for repayment and remittance may be extended if the public officer appeals the finding of the County in accordance with the policies of the County, provided that all repayment and remittance obligations are satisfied within 30 days of the final appeal decision of the County if the finding is upheld on appeal.
 4. If all repayment and remittance obligations are timely satisfied by the public officer, and if it is the first time the public officer has engaged in authorized personal use as defined in this policy that resulted in costs charged to or financial obligations incurred by the County, then the public officer is not guilty of violating this section.
- (c) Notwithstanding any other provision of this section:
1. The County may require repayment and remittance, as set forth in this policy, for costs or financial obligations in any amount that are charged to or incurred by the County as a result of a public officer's personal use of public resources, regardless of whether criminal charges are filed; and

Duchesne County

Government Manual

Government Manual

Local Government-Owned and Personal Property

2. A public officer may be subject to a civil or employment action for the public officer's personal use of public property that is not authorized personal use or that results in any costs charged to or financial obligations incurred the County.
- (d) A public officer is not guilty of violating this section when the public officer's incidental use of public property was authorized personal use at the time the use occurred and the personal use did not result in costs charged to or financial obligations incurred by the County.

Purchasing Card

401.1 PURPOSE AND SCOPE

This policy creates guidelines for employees who have been assigned a county purchasing card. The use of a purchasing card is a privilege which may be revoked at any time at the discretion of a department head and/or the Clerk Auditor.

401.2 OBTAINING A PURCHASING CARD

An application or agreement must be approved by the County Clerk Auditor and the employee's supervisor.

- (a) The application or agreement must indicate the monthly credit limit the employee will have available.
- (b) Only those items that are exempt from competitive bidding and small purchases may be purchased with the charge card. (See Duchesne County Procurement Code 1-9-9-a and 1-9-4 B.2.)

401.3 USING THE CHARGE CARD

- (a) Immediately upon receipt of the card, it must be signed by the cardholder if required.
- (b) The card will be issued in the name of the employee. The cardholder is responsible for the proper usage and safeguarding of the card and is the only authorized user of that card.
- (c) The intended use of the card will be expressed by the supervisor requesting the card and the supervisor and Clerk Auditor shall continuously review the purchases for compliance.
- (d) Whenever possible cardholders should request that purchases made within the state of Utah be tax exempt.

401.4 UNALLOWABLE PURCHASE

No personal purchases with the charge card even if the cardholder had intended to reimburse the county or is combining the personal purchases with other county related purchases.

Reimbursement for Travel

402.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for travel reimbursements and per diems.

402.2 APPROVAL

Any County employee intending to travel on County business for any period of time requiring an overnight stay of one or more nights shall submit a written request to their immediate Supervisor. Travelers should plan all arrangements as far in advance as possible. Early planning ensures the county will receive the lowest possible airfares, hotel rates and ground transportation fees.

402.3 TRANSPORTATION

Departments have control over their travel arrangements and are expected to exercise prudence and be good stewards of public funds. The overarching guideline is to select the lowest cost option that does not unduly burden the traveler. Travelers may use the following means of transportation:

- (a) Commercial Air Travel
 - (a) This is the primary mode of travel to places outside the state of Utah. For such trips, this mode will be used for cost comparisons in computing allowances for alternate transportation modes. Travelers are encouraged to take advantage of fare-saver or similar reduced rates/discounts where possible and economically advantageous for the County.
 - (b) Airfare will be actual, round trip economy class accommodations. Travelers are expected to accept flights with the lowest reasonable fares. Connecting flights or alternate airports may be required to obtain the lowest fare. Flight times, layovers, and meeting times will be considered in arranging the most economical and reasonable travel schedule. If economy class is unavailable, and county needs require a different class of service, written documentation of this must be submitted for approval prior to booking the flight.
 - (c) Baggage fees will be reimbursed upon submission of receipts for such fees.
 - (d) Travelers may select an airline or airfare based on benefits such as frequent flyer miles, with the following consideration: If a traveler purchases a ticket for business travel, the county will still only reimburse the traveler for the amount equal to the most economic flight available.
- (b) A traveler will be reimbursed the following for transportation to and/or from the airport:
 - (a) Actual cost for public transit, taxi, or similar hired transportation.
 - (b) Mileage to and from the airport, plus actual expense for long-term airport parking. The maximum reimbursement for mileage will be for the round-trip distance between the traveler's work location and the airport.
 - (c) If the traveler uses a personal vehicle to travel to the airport, but is dropped off and the vehicle makes a return trip to home, and/or the traveler is picked up from the airport in the same way, the traveler will be reimbursed for the additional mileage in excess of that already reimbursed for travel to the airport as outlined above.

Duchesne County

Government Manual

Government Manual

Reimbursement for Travel

(c) Motor Vehicle

- (a) This is the primary mode of travel to places less than 500 miles from the employee's primary work location. For such trips, this mode will be used for cost comparisons in computing allowances for alternate transportation modes.
- (b) Employees that use a motor vehicle for county business may use either of the following:
1. County Vehicle:

A departmentally-assigned or motor pool vehicle may be used, when available, for local vicinity travel, intrastate travel, and interstate travel when operationally advantageous. Mileage allowance will not be applicable when a county-owned vehicle is used. Travelers using County vehicles shall be conscious of the public image conveyed during use of the vehicle.

(a) 2. Personal Vehicle:

An employee may use a personal vehicle when traveling on county business, subject to the following:

- (a) Mileage will be paid at the IRS Vehicle Mileage Reimbursement Rate, only for distance from the employee's home to the authorized destination and home again.
- (b) After arriving at the destination, mileage between lodging and the work site, in excess of the normal commute, is reimbursable. Mileage for personal travel such as to restaurants, movies, entertainment events, etc., is not a reimbursable expense and should be deducted from the total miles recorded for the trip.

402.4 LODGING

The County will pay costs for a single or double room or a rate arranged by the sponsor of the function attended, whichever is less. Lodging allowances shall be determined in accordance to the U.S. General Services Allowance (GSA). These rates may be found online at www.gsa.gov. Prior Commission approval is required for lodging in excess of 15% of what the county would normally reserve, and the traveler may be personally responsible for costs in excess of 15% of prearranged rates and may be required to reimburse the county for any such overages.

402.5 HOURS WORKED

Travel time and pay for non-exempt employees is regulated under the Fair Labor Standards Act (FLSA). Travel between home and work, or between the hotel and worksite within the traveler's normal commute, is considered a normal commute and is not eligible for compensation. Other hours worked will be calculated in accordance to the following guidelines:

(a) 1. Time in Transit

Non-exempt employees will be compensated for time spent in travel status, less the employee's normal commute if departing from home. Compensation for travel will not exceed 8 hours of travel per day.

Duchesne County

Government Manual

Government Manual

Reimbursement for Travel

Example 1: If an employee's normal commute from their home to their work location is 20 minutes, and they travel for 5 hours and 30 minutes one way from their home, they will be compensated for 5 hours and 10 minutes of travel.

Example 2: If an employee's normal commute from their home to their work location is 30 minutes, and they travel for 10 hours one way from home, they will be compensated for 8 hours of travel. (In this case, even after deducting the normal commute, the cap of compensation for 8 hours of travel overrides the calculated 9 hours and 30 minutes of travel.)

Example 3: If an employee works for 4 hours, then initiates 9 hours of travel from their work location, they will be compensated for 4 hours of work and 8 hours of travel. In this case, do not deduct the normal commute, because the traveler has already commuted to work. The 4 hours of work and 8 hours of travel will be added together for a total of 12 hours of compensation for the day.

Example 4: Assume an employee's normal commute is 30 minutes, they travel to their normal work location and work for 3 hours, then leave work and travel for 2 hours, participate in a meeting for 4 hours, and then travel for 1.5 hours to arrive home. In this example, they would be compensated for 10 hours, calculated as follows:

3 hours for normal work

4 hours for the meeting (time on task)

3 hours for travel (time in transit: 2 hours from work to meeting + 1 hour from meeting to home. Deduct 30 minutes from the return trip for the employee's normal commute back to home. The morning 30-minute commute was part of the employee's normal routine.) Note that, in this example, if the employee instead returned to work (2 hours of travel), then returned home (a 30-minute commute), the total travel time would be 4 hours instead of 3 hours.

(a) 2. Time on Task:

Non-exempt employees will be compensated for time spent engaged with the event, and may also be compensated for event-related activities. In the case of event-related activities that occur outside of the formal event structure, the employee's supervisor will determine whether or not an activity qualifies as time on task and thus qualifies for compensation. If an employee is required to attend, the event-related activity will be considered time on task and the employee will be compensated.

Example: A non-exempt employee is required to attend an event that begins at 8:00 AM, includes a mandatory luncheon, and attendees are then released at 5:00 PM. That evening, there is an optional dinner from 6:00 PM until 7:30 PM. The employee will be compensated for 9 hours for the mandatory activities between 8:00 AM and 5:00 PM. However, they will not be compensated for the 1.5-hour optional dinner, unless their supervisor requires their attendance at the dinner, in which case they will be compensated for 10.5 hours.

(a) 3. Travel Days:

Duchesne County

Government Manual

Government Manual

Reimbursement for Travel

For an event that requires an overnight stay, employees are authorized and reimbursed for travel that occurs one day before an event, and for a return one day after the event concludes. Employees may arrange for a longer stay before and/or after an event, but the traveler must pay for any variations beyond what the county would normally pay.

- (a) Employees may combine personal travel with approved business travel. Spouses and guests may accompany employees on business trips providing their presence does not interfere with County business or increase travel costs.

402.6 PER DIEM AND MEALS

Unless otherwise approved by the County Commission, meal reimbursement for travel-related meals and incidental expenses will be by reimbursement only or allowed at the actual cost. Per Diem amounts shall be used to determine the maximum allowable expense for meals and incidentals.

- (a) Meal Expenses:

1. Employees who, during the normal course of performing their duties, must provide meals for representatives of other governmental agencies or other persons in order to effectively execute their county responsibilities, may be authorized reimbursement for expenses associated with such meals. An original evidence of payment, e.g., copy of bill, detailed credit card receipt, etc. that includes date, location, and list of items purchased shall be submitted on the reimbursement for or with the monthly p-card report.

2. If a traveler is away from their usual work location during the normal work day, but is not remaining overnight, they may receive a reimbursement for meals while at, or enroute to or from, their reporting destination. Meal-Only Per Diem may be approved under the following conditions:

- a. Breakfast: Traveler is in travel status on or before 7:00 a.m.

- b. Lunch: Traveler is in travel status for at least six hours, and travel begins at or before 11:00 a.m. and ends at or after 2:00 p.m.

- c. Dinner: Traveler is in travel status after 7:00 p.m.

3. Meal Per Diem will be determined in accordance to the U.S. General Services Allowance (GSA). These rates may be found online at www.gsa.gov. Meal expenses, not charged to a County Purchasing card, will be reimbursed the actual cost of the meal to the employee upon submission of the receipts attached to a voucher, approved by the Department Head, and submitted to the Payroll and Benefits Administrator. Elected Officials and Department Heads must submit reimbursements to the County Commission for approval prior to submitting them for payment and the County Commission must have another County Commissioner approve reimbursements prior to submitting them to payroll. Reimbursement vouchers will not be accepted without authorizing signatures.

402.7 OTHER EXPENSES

The following miscellaneous travel-related expenses may be submitted for reimbursement:

Duchesse County

Government Manual

Government Manual

Reimbursement for Travel

a. Taxi, Airport Bus/Limo, Subway, Rental Car Expenses for such transportation are reimbursable when reasonable and necessary to carry out county business. Reimbursement requests must be itemized, and receipts are required. Tips are reimbursed up to 20% of the amount charged.

b. Parking. Reasonable parking costs are reimbursable. This includes parking meters, hotel parking, and long-term parking while traveling. The maximum reimbursement for airport parking is the airport long-term parking rate and requires a receipt to verify the amount paid. Tips are reimbursed up to 20% of the amount charged.

402.8 BUDGET

Travel expenses must be included in an annual budget for each department anticipating travel, as a part of the budgetary process. Any travel expenses in excess of the amount budgeted must have the approval of the County Commission.

402.9 REIMBURSEMENT

Expenses will be reimbursed for the amount of the expense if the expense meets the following requirements:

- (a) Prior approval by the elected official or department head before the expenditure,
- (b) A receipt must be submitted with a voucher to the Human Resource's office, and
- (c) There is a business connection for the expenditure.

Personal Communication Devices

403.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and other communication devices, whether issued or funded by the County or personally owned, during work hours or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets and similar wireless two-way communications, and/or portable internet access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging, and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

403.2 POLICY

The County allows employees to utilize county-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used during work hours, or during non-work hours in any manner reasonably related to the business of the County, will be subject to monitoring and inspection consistent with the standards set forth in this policy

Employees are advised and cautioned that the use of a personally owned PCD for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

403.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued by the County and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

403.4 LOCAL GOVERNMENT-ISSUED PCD

Depending on an employee's assignment and the needs of the position, the County may, at its discretion, issue or fund a PCD for the employee's use to facilitate work performance. County-issued PCDs may not be used for personal business during or after work hours unless authorized by the County Commission or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the County and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause. Personally owned PCD's shall be subject to applicable federal and state records management requests.

Duchesne County

Government Manual

Government Manual

Personal Communication Devices

Unless an employee is expressly authorized by the County Commission or the authorized designee to use the PCD during non-work hours, the PCD will be either secured in the workplace at the completion of the workday or turned off when leaving the workplace.

403.5 PERSONALLY OWNED PCD

Employees may carry a personally owned PCD during work hours, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The County accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the employee's expense; with an exception to Commission approved County paid phone stipends.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of internal communication systems). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any county business-related communication.
 - 1. Employees may use personally owned PCDs during work hours for routine administrative work as authorized by the County Commission.
- (e) The device shall not be utilized to record or disclose any county business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the County, without the express authorization of the County Commission or the authorized designee.
- (f) Use of a personally owned PCD for work-related business constitutes consent for the County to access the PCD to inspect and copy data to meet the needs of the County, which may include litigation, records retention and release obligations, and internal investigations.
- (g) All work-related documents, emails, photographs, recordings, or other public records created or received on an employee's personally owned PCD should be transferred to the County and deleted from the employee's PCD as soon as reasonably practicable.

Except with prior express authorization from their supervisors, employees are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD during non-work hours. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing employment agreements, or if the employee has prior express authorization from a supervisor, the employee may engage in county business-related communications. Should employees engage in such approved communications or work during non-work hours, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate

Duchesse County

Government Manual

Government Manual

Personal Communication Devices

compensation. Employees who independently document county-related business activities conducted during non-work hours in any manner shall promptly provide the County with a copy of such records to ensure accurate record keeping.

403.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried during work hours or used to conduct county business:

- (a) A PCD may not be used to conduct personal business during work hours, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (b) Employees may use a PCD to communicate with other personnel in situations where the use of county-provided communications methods is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular county-provided communications methods.
- (c) Employees are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official county business. Disclosure of any such information to any third party through any means, without the express authorization of the County Commission or the authorized designee, may result in discipline.
- (d) Employees will not access social networking sites for any purpose that is not official county business, except during authorized break times and as authorized by Department Heads.
- (e) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

403.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that employees under their supervision are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring to the extent practicable, PCD use in the workplace and taking prompt corrective action if an employee is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of an employee's personally owned device, supervisors should consult with the Human Resources Director or County's Attorney's Office.

Duchesne County

Government Manual

Government Manual

Personal Communication Devices

403.8 OFFICIAL USE

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

403.9 USE WHILE DRIVING

Employees operating vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to urgent business-related calls.

Vehicle Maintenance

404.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that county vehicles are appropriately maintained.

404.2 POLICY

The County will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

404.3 GENERAL DUTIES

Employees are responsible for assisting in maintaining county vehicles so that they are properly equipped, maintained, and refueled and present a clean appearance.

404.3.1 MAINTENANCE

All vehicles will receive regular service in accordance with requirements specified by the Maintenance Director. Vehicles shall be maintained at locations approved by the Clerk Auditor. Any and all warranty work will be coordinated with the Clerk Auditor's Office and Maintenance Director in order to maintain accurate records for the fleet management program. The manufacturer's service schedule program must be followed.

Department heads shall report any fleet vehicle problems or damage to the Clerk Auditor immediately as per county accident policy.

404.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition and forwarded to a supervisor for action.

Documents describing the correction of the safety issue shall be promptly filed by the supervisor with the vehicle history.

404.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that are damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

404.4.2 REMOVAL OF WEAPONS

Only authorized firearms, weapons, and control devices shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service, or repair.

404.5 VEHICLE REFUELING

Generally, vehicles should not be operated with less than one-half tank of fuel. Vehicles should be returned to the pool or the assigned department at the end of the workday with a full tank of fuel.

Duchesne County

Government Manual

Government Manual

Vehicle Maintenance

404.6 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the County.

Employees using a vehicle shall remove any trash or debris at the end of their workday.

Vehicle Use

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for employees who use vehicles for county business. This policy does not create or imply any contractual obligation by the County to provide assigned vehicles.

Individual department heads may have additional policies for vehicle use to address specific vehicles (e.g., emergency vehicles) and duty assignments (e.g., law enforcement undercover work).

405.2 POLICY

The County authorizes the use of certain vehicles for official county business to enhance operational efficiency and requires that vehicles are operated in a safe and legal manner.

405.3 USE OF VEHICLES

405.3.1 VEHICLE ASSIGNMENTS

The Clerk Auditor's Office and Buildings and Grounds Department are responsible for the administration of the fleet. This includes the maintaining, servicing and tracking of county vehicles; enforcing policies regarding their use and care, and budgeting projections. The fleet may include cars, trucks, sport utility vehicles (SUV), trailers, all-terrain vehicles (ATV), or other mechanically engineered motorized vehicles. Vehicles and equipment specifically used by the Sheriff's Office, Roads department and Landfill shall be managed by the appropriate department head or elected official for that department.

County vehicles may be assigned to individual employees at the discretion of the County Commission or the Department Head. Vehicles may be assigned for partial or full workday use and/or take-home use. Vehicle assignments may be changed or suspended at any time. Permission to take home a vehicle may be withdrawn at any time.

Vehicle assignments shall be based on the employee's job description, essential functions, and employment status. Vehicles may be reassigned or utilized by other county employees at the discretion of the County Commission or the authorized designee.

The Clerk Auditor or the Department Head is responsible for creating a vehicle assignment roster and for maintaining the rosters in accordance with the established records retention schedule.

405.3.2 OWNERSHIP RESPONSIBILITIES

Ownership of all county assets, including fleet vehicles and/or equipment, shall be in the name of Duchesne County. The Clerk Auditor, under the direction of the County Commissioners, manages the Fleet Management Program and assists department heads in making informed decisions. Once a vehicle is assigned to a county department, the department head is responsible for determining how that vehicle will be used to best meet the needs of the organization.

Duchesne County

Government Manual

Government Manual

Vehicle Use

405.3.3 EMPLOYEE RESPONSIBILITIES

Employees operating a vehicle as part of their job with the County shall:

- (a) Possess a valid driver's license.
 - 1. Employees shall report any suspensions or revocations of their license and any changes to driving privileges as soon as possible and before any subsequent county vehicle use or personal vehicle use for county business.
 - 2. Employees must possess a valid commercial driver's license or special class license when applicable.
- (b) Provide the county with a driver's history report upon request.
- (c) Possess appropriate insurance as required for personal vehicles used for county business and provide annual proof of insurance to your supervisor who shall forward it to the Clerk Auditor.
 - 1. Employees shall notify a supervisor if their automobile insurance has been canceled, declined, or not renewed.
 - 2. The private insurance of employees using their personal vehicles under this policy shall be considered the primary insurance for any accidents or damage.
- (d) Notify a supervisor of any citations or arrests for motor vehicle-related violations or offenses as soon as possible.
- (e) Obey all traffic laws.
- (f) Ensure compliance with Duchesne County Drug-Alcohol-Free Workplace Policy. See Policy 606 3.1.
- (g) Maintain any personal vehicles used for county business in safe working order.
- (h) Not use any personal or County-issued cell phone or PCD, while operating a County vehicle or a private vehicle when conducting County business.

While driving a County Owned Vehicle or personally owned-vehicle (POV) in the context of County business, County employees and volunteers are expected to drive defensively, minimize distractions, and obey the law. Human Resources may recommend to the Department Head sanctions and/or disciplinary action after conducting a review of any accident and consulting with the County Attorney's office. If, at any time an employee is found to be at-fault in an automobile accident while working, whether operating a COV or a POV, as a minimum disciplinary action, the employee shall be subject to at least one day without pay on the pay cycle following the determination of the at-fault accident.

405.3.4 INSPECTIONS

Employees shall be responsible for inspecting the interior and exterior of any assigned county vehicle. If the vehicle is assigned for the workday, it should be inspected before use and at the conclusion of the workday. If the vehicle is assigned for less than a workday, it should be inspected before use and upon conclusion of use. Any previously unreported damage, mechanical

Duchesne County

Government Manual

Government Manual

Vehicle Use

problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

All county vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

405.3.5 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times to safeguard any county equipment prior to parking or leaving the vehicle.

405.3.6 VEHICLE LOCATION SYSTEM

County vehicles, at the discretion of the County Commission, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, employees are not relieved of their responsibility to use any required communication practices to report their location and status.

Employees shall not make any unauthorized modifications to the system. If an employee finds that the system is not functioning properly at any time, the employee should notify a supervisor as soon as possible.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require County Commission approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

405.3.7 KEYS

Employees who are assigned a specific vehicle should be issued keys for that vehicle. Employees shall not duplicate keys or share them with any person except another employee authorized to use that vehicle. The loss of a key shall be promptly reported in writing to the employee's supervisor.

405.3.8 AUTHORIZED PASSENGERS

Employees operating assigned vehicles shall not permit unauthorized persons to ride as passengers in the vehicle.

Use of county vehicles and/or motorized equipment to transport family members, other employees or private citizens for personal business, recreation, etc. is unauthorized. Family members who desire to travel with an employee on County business MUST sign a waiver and file it with the Clerk Auditor.

405.3.9 PARKING

Employees should obey parking regulations at all times.

County vehicles should be parked in assigned spaces. Employees shall not park personal vehicles in spaces assigned to county vehicles or in other parking areas that are not so designated unless authorized by a supervisor.

Duchesne County

Government Manual

Government Manual

Vehicle Use

405.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions, or removal of any equipment or accessories from county vehicles without written permission from the County Commission or the authorized designee.

405.4 UNSCHEDULED TAKE-HOME USE

Employees may take home county vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the County.
- (b) Other reasonable transportation options are not available.
- (c) The employee lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the county limits.
- (d) The vehicle will be locked when not attended.
- (e) All portable county equipment will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

When such circumstances occur, the Department Head or the authorized designee shall document the unscheduled take-home use in a vehicle assignment log.

405.5 ASSIGNMENT OF TAKE-HOME VEHICLES

Assignment of take-home vehicles should be based on the location of the employee's residence, the nature of the employee's job, whether the employee performs work outside of regular business hours, the employee's employment status, and available resources.

Authorization to regularly take home a County vehicle may be granted under certain circumstances. The request must be in writing, approved by the County Commission, and placed in the employee's personnel file. Employees must meet at least one of the following requirements in order to receive authorization to regularly take a County vehicle home:

- (a) The employee has demonstrated, and continues to demonstrate, a need to respond to an average of five emergency situations or call-outs to work per month. This must be documented, submitted to their supervisor and presented to the County Commission.
- (b) The employee's nature of work requires immediate response to situations that require a vehicle with specific capabilities or specific safety or emergency equipment that cannot reasonably be carried in the user's personal vehicle.
- (c) The employee may be called or sent to locations other than where his/her County vehicle is normally parked.

In compliance with IRS Publication 15-B, authorized employees under this Section who use the County vehicle to commute to and from work will be assessed \$1.50 each way (\$720.00 per year) for 48 weeks out of the year. This assessment takes into consideration two weeks of vacation and two weeks of holiday time away from work. The assessment will be reported on the employee's annual W-2.

Duchesne County

Government Manual

Government Manual

Vehicle Use

Travel to and from the home will not be considered work time unless the employee is responding to and from an emergency as part of the employee's duties or is departing from their residence to travel to an off-site work training or event.

405.5.1 TAKE-HOME VEHICLE AGREEMENT

Employees shall sign a take-home vehicle agreement annually that outlines how the vehicle shall be used vehicle maintenance responsibilities, and any other appropriate requirements. The agreement should minimally provide that:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal reasons, unless special circumstances exist and the County Commission or the authorized designee gives prior authorization.
- (b) If the vehicle is not secured inside a locked garage, all removeable county equipment shall be removed and properly secured in the residence.
- (c) Vehicles are to be secured at the employee's residence or the appropriate county facility, at the discretion of the employee's supervisor, when an employee will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the employee's residence, the County shall have access to the vehicle.

[See attachment: Vehicle Use Request.pdf](#)

405.6 DAMAGE, ABUSE, AND MISUSE

When any county vehicle is involved in a traffic accident or otherwise incurs damage, the involved employee(s) or persons on duty and actively engaged in county business shall:

- (a) Request that all parties concerned remain and render assistance at the scene of the accident, if possible, until a law enforcement representative has arrived and released them.
- (b) File a report with the appropriate law enforcement agency.
- (c) Refrain from making statements regarding the accident to anyone other than the investigating law enforcement representative, appropriate county officials, and representatives of his or her own insurance company if the employee's privately-owned vehicle is involved. Statements made to investigating authorities should be factual information and statements made to the other party or parties involved in the accident should be confined to the exchange of driver's license and insurance information.
- (d) Immediately inform the department head, Clerk Auditor and Human Resources Director of the accident.
- (e) Forward a copy of all police reports, any statements attached there to and two bids for repair (unless the bid is from a designated UCIP preferred vendor, in which case only that one bid is required) to the Clerk Auditor's office immediately after completion of the investigation. The Clerk Auditor will report such accidents to the County Accident Review Board and to the county's insurance carrier.

Duchesne County

Government Manual

Government Manual

Vehicle Use

Damage to any county vehicle that was not caused by a traffic accident shall be immediately reported during the shift or workday in which the damage was discovered and documented, which shall be forwarded to the Clerk Auditor or the authorized designee. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

Any damage to the vehicle caused by negligence or non-compliance with fleet management rules shall be repaired and the cost of the repair shall be charged to the responsible department. If the vehicle operator is found to be negligent, he/she will be subject to discipline.

405.7 TOLL ROAD USAGE, FUEL, AND MILEAGE

Employees operating vehicles for county business shall pay the appropriate toll charge or utilize the appropriate tollway transponder.

With the exception of take-home vehicles driven to and from the employee's residence, employees may submit for reimbursement from the County for toll fees and expenses incurred in the course of official business. Employees may submit for reimbursement for mileage accrued on personal vehicles used for county business at the rate set by the IRS.

Vehicle Safety Restraints/Safety Belts

406.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all employees operating or riding in county vehicles and other authorized passengers. (See Vehicle Use Policy)

Individual department policies may provide additional guidance.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

406.2 POLICY

It is the policy of the County that employees use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

406.3 WEARING OF SAFETY RESTRAINTS

All employees shall wear properly adjusted safety restraints at all times when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this county, or in any privately owned vehicle when conducting county business. The employee driving such a vehicle shall ensure that all other occupants, including those who are not employees of the County, are properly restrained.

406.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with federal and state law.

406.5 INOPERABLE SAFETY BELTS

County vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

County vehicle safety belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the County Commission or the authorized designee.

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

406.6 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

Duchesne County

Government Manual

Government Manual

Vehicle Safety Restraints/Safety Belts

406.7 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Personal Protective Equipment

407.1 PURPOSE AND SCOPE

This policy addresses the use of personal protective equipment (PPE) provided by the County.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

407.2 POLICY

The County endeavors to protect employees by supplying certain PPE as provided in this policy.

407.3 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for identifying and making available PPE appropriate for the work environment.

407.4 EMPLOYEE RESPONSIBILITIES

Employees are required to use PPE pursuant to their training.

Employees are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any employee who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

407.5 EQUIPMENT PROCUREMENT AND USE

PPE shall meet or exceed any applicable requirements. Federal or other nationally recognized standards should be used as a guide for the procurement, use, maintenance, and storage of the following safety-related equipment in the absence of other mandatory requirements:

- (a) Hearing protection (29 CFR 1910.95)
- (b) Eye protection (29 CFR 1910.133)
- (c) Respiratory protection (29 CFR 1910.134)
- (d) Head protection (29 CFR 1910.135)
- (e) Foot protection (29 CFR 1910.136)
- (f) Electrical protective equipment (29 CFR 1910.137)
- (g) Hand protection (29 CFR 1910.138)
- (h) Personal fall protection systems (29 CFR 1910.140)

Duchesne County

Government Manual

Government Manual

Personal Protective Equipment

407.6 RECORDS

Supervisors are responsible for maintaining records of all:

- (a) PPE training.
- (b) PPE procurement and distribution.
- (c) Fit tests and medical evaluations related to respiratory protection equipment, when applicable. Medical evaluation questionnaires and any physical examination results related to respirator use shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the county records retention schedule.

407.7 TRAINING

Employees should be trained in the hazards to which they may be potentially exposed during routine and emergency situations.

All employees should be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove, and adjust PPE; how to care for PPE; and the limitations of each device (29 CFR 1910.132).

Employees issued respiratory PPE should attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134).

Physical Asset Management

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for maintaining a system of inventory and accountability over the county's physical assets. This policy does not address management of intangible assets (e.g., intellectual property), fluid assets (e.g., cash, stocks, marketable securities), real property, or natural assets (e.g., water, air quality, minerals).

Individual department heads may have additional policies for department-specific assets.

408.1.1 DEFINITIONS

Definitions related to this policy include:

Physical assets – All tangible items of value, including but not limited to materials, machinery, tools and equipment, vehicles, office supplies, and furniture.

408.2 POLICY

It is the policy of this county to accurately inventory, maintain, and dispose of its physical assets in a manner that controls costs, avoids waste, and promotes the mission of the County.

408.3 RESPONSIBILITIES

The County Clerk Auditor should assign a person or persons to be responsible for the inventory, maintenance, and disposal of county physical assets, including:

- (a) Maintaining compliance with federal, state, and local laws regarding physical asset management, inventory control, and reporting requirements.
- (b) Developing procedures for the implementation of this policy, including:
 1. Procedures for disposal of all county-owned physical assets in accordance with federal, state, and local law.
 2. Procedures for safe disposal of hazardous waste.
 3. Procedures for inter-department transfers of physical assets.
 4. Procedures for each department to inventory assets as according to internal reporting deadlines (e.g., quarterly, annually).
- (c) Developing a physical asset management plan to track the county's physical assets and maintain accurate and complete records related to these assets. The plan should include:
 1. A minimum value of the physical assets that are subject to this policy, the plan, and the implementing procedures.
 2. An inventory control and recordkeeping system to account for the movement, storage, maintenance and use, loss, damage, destruction, and disposal of the county's physical assets.
 3. Routine internal and external audit practices.

Duchesse County

Government Manual

Government Manual

Physical Asset Management

4. Procedures to access physical assets for re-use, transfer, recycle, or disposal.
- (d) Designating custodians within each department, as appropriate, for inter-department communication and to serve as inventory liaisons under the physical asset management plan.
- (e) Annual physical asset acquisition planning.

408.4 IDENTIFICATION AND TAGGING

Physical assets with a minimum value of \$5000.00 and all technology assets should be tagged using a bar code or other system to identify and locate the items. Tags should be affixed in the same manner and location on each item, when feasible. The following information regarding the tagged item should be maintained using the inventory control system and method of recordkeeping established in the physical asset management plan:

- (a) A description of the item, may include but is not limited to:
 1. Make, model, and serial number
 2. Warranty and/or recall information, if any
- (b) The department and specific location where the item can be found
- (c) The acquisition date of the item, as well as the amount and funding source for the acquisition (e.g., grants)
- (d) The intended and actual use of the item
- (e) The expiration of an item's lease or loan terms

408.5 SURPLUS OR OBSOLETE ASSETS

A department that no longer utilizes a physical asset should have the asset identified as surplus or obsolete. If the physical asset retains value that may be utilized by another department, the item should be stored as surplus or transferred in accordance with the procedures established pursuant to this policy. If the physical asset is deemed obsolete, the item shall be disposed of in accordance with this policy.

408.5.1 STORAGE

When practicable, physical assets that retain value but are not being utilized should be stored in lieu of disposal. Physical assets in storage are subject to routine inventory and revaluation. If the physical asset's value is less than the cost of storage, the County should pursue disposal of the item in accordance with this policy.

408.5.2 TRANSFERS

When a physical asset is transferred from one department to another, the value of the physical asset should transfer with the asset. Inter-department transfers shall be documented through the inventory control and recordkeeping system implemented by the physical asset management plan.

Duchesne County

Government Manual

Government Manual

Physical Asset Management

408.6 LOSS, DAMAGE, OR DESTRUCTION

Circumstances surrounding loss, damage, or destruction of the county's physical assets shall be promptly reported to and investigated by the Department Head and County Clerk Auditor or the authorized designee for purposes of inventory, valuation, and recordkeeping. Otherwise, loss, damage, or destruction of such assets shall be handled in accordance with the Local Government-Owned and Personal Property Policy.

408.7 USAGE MONITORING

Physical asset performance should be regularly monitored for functionality, utility, wear-and-tear, and cost-effectiveness.

408.8 MAINTENANCE

Routine maintenance of physical assets should be proactive to limit interruption of the county's daily operations. Employees should report any physical asset performance issues to a supervisor.

Maintenance requests and reports shall be recorded and maintained by each Department Head. The County Clerk Auditor or the authorized designee in conjunction with the Department Head shall routinely evaluate maintenance expenditures to determine whether continued maintenance is beneficial.

408.9 INVENTORY AND REPORTS

Routine inventory of physical assets should be conducted for purposes of loss control, revaluation, retagging, documenting asset movement and condition, disposition and acquisition planning, and obtaining adequate insurance coverage.

All internal controls and inventories related to physical asset management shall be accurately documented and subject to both internal and external audit. Inventory reports should include an explanation of any discrepancies from the previous period.

All inventory documentation shall be retained and stored in accordance with the records retention schedule.

408.10 TRAINING

Employees and supervisors accountable for the proper care, use, transfer, maintenance, storage, loss, and disposition of all county physical assets should receive training regarding their responsibilities under the physical asset management plan.

Chapter 5 - Records and Documents

Protected Information

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by employees of the County. This policy addresses the protected information that is used in the day-to-day operation of the County and not the public records information covered in the Records Maintenance and Release Policy.

500.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored, or accessed by employees of the County and is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information contained in federal, state, or local databases that is not accessible to the public.

500.2 POLICY

Employees of the County will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

500.3 RESPONSIBILITIES

The County Commission or authorized designee will coordinate the use of protected information, including:

- (a) Overseeing employee compliance with this policy and with requirements applicable to protected information.
- (b) Developing, disseminating, and maintaining procedures necessary to comply with any requirements for the access, use, dissemination, release, and security of protected information.
- (c) Developing procedures to ensure training and certification requirements are met.
- (d) Resolving specific questions that arise regarding authorized recipients of protected information.
- (e) Implementing security practices and procedures to comply with requirements applicable to protected information.

500.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, use agreement, county policy, or training. Only those employees who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the employee has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited.

Duchesne County

Government Manual

Government Manual

Protected Information

500.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a lawful right to know and need to know.

An employee who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Clerk Auditor for information regarding a formal request.

500.6 SECURITY OF PROTECTED INFORMATION

The County Commission or authorized designee will oversee the security of protected information, including:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Maintaining compliance with any federal, state, and local requirements pertaining to the security of protected information.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including cyberattacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the County Commission and appropriate authorities.

500.6.1 EMPLOYEE RESPONSIBILITIES

Employees accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes not leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

500.7 TRAINING

All employees authorized to access or release protected information shall complete the training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

Personnel Records

501.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual employee's name.

501.2 POLICY

It is the policy of the County to maintain personnel records and preserve the confidentiality of personnel records pursuant to the United States Constitution and the laws of this state.

501.3 PERSONNEL FILE

A personnel file shall be maintained as a record of a person's employment/appointment with this county. The personnel file may contain, at a minimum but is not limited to:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status.
- (d) Original performance evaluations.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Commendations and awards.
- (g) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

501.4 DEPARTMENT, DIVISION, OR AGENCY FILE

Department files may be separately maintained internally by an employee's supervisor for the purpose of completing timely performance evaluations. The file may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

501.5 TRAINING FILE

An individual training file should be maintained for each employee whose position requires specialized training or certification. Training files should contain records of all training; original or photocopies of available certificates, transcripts, diplomas, and other documentation; and education and firearms qualifications, as applicable. Training records may also be created and stored remotely, either manually or automatically.

- (a) The involved employee is responsible for providing an immediate supervisor with evidence of completed training/education in a timely manner.
- (b) Supervisors should ensure that copies of such training records are placed in the employee's training file.

Duchesne County

Government Manual

Government Manual

Personnel Records

501.6 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the employee's medical condition and history, including but not limited to

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries, and related documents.
- (d) Medical release forms, doctor's slips, and attendance records that reveal an employee's medical condition.
- (e) Any other documents or materials that reveal the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

501.7 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy, or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the County Commission or representatives of the County in connection with official business.

501.7.1 REQUESTS FOR DISCLOSURE

Any employee receiving a request for a personnel record shall promptly notify the Human Resources Director or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected employee as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to an employee's personnel records shall be logged in the corresponding file.

501.7.2 REQUESTS FOR APPLICANT INFORMATION DISCLOSURE

The County may

- (a) Provide an Applicant's Personal Information upon request to a government official if required to be disclosed by order of a governmental agency, legislative body, or a court of competent jurisdiction, or to a representative of the Utah Labor Commission's

Duchesne County

Government Manual

Government Manual

Personnel Records

Division of Anti-discrimination and Labor in a formal investigation of the County's compliance with UESPA;

- (b) If the Applicant is hired as an employee, use the Applicant's Personal Information for a performance review or promotion application review that is similarly conducted and applied to other employees in a similar position.

501.8 EMPLOYEES' ACCESS TO THEIR PERSONNEL RECORDS

Employees may request access to their own personnel records during the normal business hours of those responsible for maintaining such files. Employees seeking the removal of any item from their personnel records should file a written request to the Human Resources Director. The County should remove any such item if appropriate, or within 30 days provide the employee with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the employee's request and the written response from the County should be retained with the contested item in the employee's corresponding personnel record.

Employees may be restricted from accessing files containing certain information (e.g., ongoing investigations to the extent that it could jeopardize or compromise the investigation).

501.9 RETENTION AND PURGING

Personnel records shall be maintained in accordance with the established records retention schedule.

Chapter 6 - Personnel

Recruitment and Selection

600.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements other county rules governing employment practices.

600.2 POLICY

In accordance with applicable federal, state, and local law, the County provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The County does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The County will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

It is the County's policy to comply with the Utah Employment Selection Procedures Act (UESPA) with regard to obtaining, using, and maintaining personal information of applicants for employment with the County.

600.3 RECRUITMENT

The Human Resources Department shall employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive county website and the use of county-managed social networking sites, if resources permit.
- (b) Expanded outreach through partnerships with media, community groups, local colleges, universities, and the military.
- (c) Posting and outreach within the County for internal candidates, when applicable and/or required.
- (d) Use of local, state, or national professional organizations (e.g., National League of Cities, National Association of Counties, American Society for Public Administration).

The County should avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The County strives to facilitate and expedite the interview and selection process, and should periodically inform candidates of their status in the recruiting process.

Duchesne County

Government Manual

Government Manual

Recruitment and Selection

600.3.1 PROMOTIONS WITHIN A DEPARTMENT

Department Heads may desire to promote from within their respective departments before seeking employees from other County departments or the general public. Part-time, Temporary, and Stand-by Employees who have previously worked or are currently working for the County in the same or a similar position within the hiring department may be promoted or rehired without advertising the position so long as the employee hired meets the minimum requirements of the position to be filled.

600.3.2 OPEN POSITIONS

Where a position has not been filled from within a department as described above and the Department Head of the particular department so desires, the County may advertise the availability of employment internally to all County employees for one week prior to advertisement to the public. If the Department Head is unable to fill the position with a suitably qualified applicant from another County department or believes in his or her discretion that additional advertising would be beneficial, the availability of employment shall be advertised to the general public.

600.3.3 SALARY UPON TRANSFER

If an employee is promoted within or rehired into a department or is hired from another department as described above and the salary in to which he or she transfers has lesser salary and/or benefits, the employee is obligated to accept the lesser salary and/or benefits of the new position.

600.4 SELECTION PROCESS

The County should actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. The County shall employ a comprehensive screening, background investigation, and selection process that assesses the candidates' aptitude for the position and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
- (b) Driving record (if applicable to the position)
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes
- (e) Local, state, and federal criminal history record checks
- (f) Medical and/or psychological examination, as applicable and legally permissible (may only be given after a conditional offer of employment)
- (g) All sworn peace officers will be required to submit to and pass a psychological evaluation as a condition to appointment as a peace officer. The evaluation and/or examination shall be conducted by a provider selected by the Sheriff's Office. An

Duchesne County

Government Manual

Government Manual

Recruitment and Selection

exception to this requirement may be made at the sole discretion of the Sheriff for applicants:

1. Who are currently employed on a full-time basis for any other Law Enforcement Agency for which there was a full-time personnel/human resource department and
 2. Where the applicant has received a satisfactory background check.
- (h) Review board or selection committee assessment - The primary decision on employee selection belongs to the Department Head and/or Elected Official; however, the Human Resources Director has the right to veto a selection only if the Human Resources Director determines that the selection will violate law or policy. In such a circumstance, the Board of County Commissioners shall make the final hiring decision in departments not headed by an Elected Official.
- (i) The Human Resources Director may request to be present at all hiring interviews and the County Commission reserves the right to be present at any interview.

600.4.1 VETERAN PREFERENCE

The County will provide any veteran preference required by law.

600.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a background investigation to verify the candidate's application information and ability to perform duties relevant to the position.

600.5.1 NOTICES

Background investigators should ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and applicable state law (15 USC § 1681d).

600.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the County should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The County Commission or the authorized designee should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

600.5.3 RECORDS RETENTION

The County will maintain this Recruitment and Selection Policy and will make it available for review to an applicant immediately upon request by such Applicant, including before Duchesne County obtains or Applicant provides Applicant's Personal Information.

If the County does not employ the Applicant, it will not retain Applicant's Personal Information for more than two years after the date on which Applicant provides the information to the County as part of the application process.

The background report and all supporting documentation should be maintained in accordance with the established records retention schedule.

Duchesne County

Government Manual

Government Manual

Recruitment and Selection

600.6 EMPLOYMENT STANDARDS

All candidates shall meet any minimum standards required by state and local law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the County and the community.

Validated, job-related, and nondiscriminatory employment standards should be established and maintained for each job classification and should minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation.

600.7 JOB DESCRIPTIONS

The Human Resource Department should maintain a current job description for each position in the County.

600.8 PROBATIONARY PERIODS

The **Human Resource Director** should coordinate with supervisors to identify positions subject to a probationary period procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Performance Evaluations

601.1 PURPOSE AND SCOPE

This policy provides guidelines for the County performance evaluation system.

601.2 POLICY

The County shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The County evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

601.3 TYPES OF EVALUATIONS

The County shall use the following types of evaluations:

Regular - An evaluation completed at regular intervals by the employee's immediate supervisor, minimally, on the anniversary of the date of hire or the last promotion.

Special - An evaluation that may be completed at any time the supervisor and Human Resource Director determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

601.4 EVALUATION PROCESS

Supervisors shall meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor shall discuss the tasks of the position, standards of expected performance, and the evaluation criteria with each employee.

Performance evaluations cover a specific period and shall be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are highly encouraged. Supervisors should document all discussions in the prescribed manner.

Duchesse County

Government Manual

Government Manual

Performance Evaluations

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

601.5 EVALUATION FREQUENCY

Supervisors shall evaluate all employees they supervise at least once every year on the anniversary, or as close as possible, to the employee's date of appointment or hire.

Those employees who are required to successfully complete a probationary period shall be evaluated monthly at the end of the probationary period.

601.6 EVALUATION INTERVIEW

When the supervisor has completed an evaluation, a private discussion of the evaluation shall be scheduled with the employee. The supervisor shall discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions, and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance shall be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

The supervisor and employee shall sign and date the evaluation.

601.7 CHAIN OF REVIEW

The signed performance evaluation should be forwarded to the Human Resource Department. The Human Resource Department shall review the evaluation for fairness, impartiality, uniformity, and consistency, and shall consider any written response or appeal made by the employee.

601.8 RETENTION AND DISTRIBUTION

The original performance evaluation and any original correspondence related to an appeal shall be maintained in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee.

Discriminatory Harassment

602.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent county employees from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

602.2 POLICY

The County is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The County will not tolerate discrimination against an employee in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The County will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the County may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject an employee to discipline.

602.3 DEFINITIONS

Definitions related to this policy include:

602.3.1 DISCRIMINATION

The County prohibits all forms of discrimination, including any employment-related action by an employee that adversely affects an applicant or employee and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making, sharing, or posting indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or county equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to county policy and to a work environment that is free of discrimination.

Duchesne County

Government Manual

Government Manual

Discriminatory Harassment

602.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

602.3.3 SEXUAL HARASSMENT

The County prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or an employee because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the employee.
- (c) Such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

602.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and any related state agency guidelines.
- (b) Bona fide requests or demands by a supervisor that an employee improve work quality or output, that the employee report to the job site on time, that the employee comply with County or department rules or regulations, or any other appropriate work-related communication between supervisor and employee.

602.4 RESPONSIBILITIES

This policy applies to all county employees, who shall follow the intent of these guidelines in a manner that reflects county policy, professional standards, and the best interest of the County and its mission.

Employees are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any employee who is not comfortable with reporting violations of this policy to an immediate supervisor may make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Human Resource Director.

Any employee who believes, in good faith, that the employee has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Duchesne County

Government Manual

Government Manual

Discriminatory Harassment

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

602.4.1 QUESTIONS OR CLARIFICATION

Employees with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, or the Human Resource Director for further information, direction, or clarification.

602.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Human Resource Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

602.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the County and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent employees.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining assignments, evaluating or counseling employees, or issuing discipline in a manner that is consistent with established procedures.

602.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the course of any such investigation, the supervisor of the involved employee should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. All complaints of discrimination, retaliation, or harassment should be fully documented and promptly and thoroughly investigated.

Duchesne County

Government Manual

Government Manual

Discriminatory Harassment

602.5.1 SUPERVISORY RESOLUTION

Employees who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the employee feels uncomfortable or threatened or has difficulty expressing the employee's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

602.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted by the Human Resource Director or authorized designee.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any employees involved. No influence will be used to suppress any complaint and no employee will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Employees who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to file a complaint with their immediate supervisor but may also file a complaint directly with the Human Resources Director.

602.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the County. Employees who believe that they have been harassed, discriminated, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

602.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Human Resource Director. The outcome of all reports shall be maintained in accordance with the established records retention schedule.

602.6.1 NOTIFICATION OF DISPOSITION

In accordance with applicable law and this policy, the complainant and/or victim will be notified in writing of the conclusion of the investigation and, if applicable, the action that has been taken to remedy or address the circumstances giving rise to the complaint.

Duchesne County

Government Manual

Government Manual

Discriminatory Harassment

602.7 TRAINING

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify that the employee has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the employee's term with the County.

All employees shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Anti-Retaliation

603.1 PURPOSE AND SCOPE

This policy prohibits retaliation against employees who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of employees.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit employees' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of an employee pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance, or current written employment agreement. All employees should review their rights under Utah Code 67-21: [See attachment: Utah Protection of Public Employees Act.pdf](#)

603.2 POLICY

The County has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation employees who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

603.3 RETALIATION PROHIBITED

No employee may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Unjustified extension of the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

Anti-Retaliation

603.4 COMPLAINTS OF RETALIATION

Any employee who feels retaliated against in violation of this policy should promptly report the matter to any supervisor, or the Human Resource Director.

Employees shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Employees shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting employee is known, thereby allowing investigators to obtain additional information from the reporting employee. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting employee's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the employee are part of the investigative process.

603.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring complaints of retaliation are investigated.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Human Resource Director or the authorized designee, and explaining to the employee how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any employee making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of an employee to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by an employee who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

603.6 COMPLAINT PROCESS

The Human Resource Director should communicate to all supervisors the prohibition against retaliation.

Duchesne County

Government Manual

Government Manual

Anti-Retaliation

Supervisors shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all employees the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

603.7 WHISTLE-BLOWING

Employees who believe they have been the subject of retaliation for engaging in protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the County Commission or the authorized designee for investigation.

603.8 RECORDS RETENTION AND RELEASE

The Human Resource Director shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

603.9 TRAINING

This policy should be reviewed with each new employee.

All employees should receive periodic refresher training on the requirements of this policy.

Discipline Policy

604.1 PURPOSE AND SCOPE

This policy provides guidance and outlines the procedures to be followed when imposing discipline on employees. Any Executive Employee, Part-Time Employee, Temporary Employee, Stand-by Employee, or Probationary Employee may be terminated at the will of the County. Such employees have no expectation of continuing employment and have no expectation that they will be subject to any notification prior to discharge. Additionally, no Executive Employee, Part-Time Employee, Temporary Employee, Stand-by Employee, or Probationary Employee is entitled to any progressive discipline unless these policies and procedures and/or applicable provisions of federal, state, or local law expressly provides for such progressive discipline.

604.2 POLICY

It is the policy of Duchesne County to provide and enforce a system of progressive discipline to employees. The goal of any progressive discipline is a modification of behavior.

604.3 PROCEDURES

(a) Levels of Progressive Discipline

1. The usual sequence of progressive discipline shall be oral warning, written warning, suspension and termination. Demotion may also be used in the progressive discipline process. Deviations from procedure may be justified depending on the severity and circumstances of the action(s) to be disciplined. If, in the judgment of the supervisor, the facts show serious or repetitive misconduct, disciplinary action may proceed directly to suspension or termination after the procedures in Section B are followed.
 - (a) Behavior that includes, but is not limited to, those listed in Policy 102: Standards of Conduct for all Employees may warrant discipline up to and including termination.
2. Oral Warning: A written record detailing the following information should be kept as evidence that an oral warning was given. The record should be forwarded to Human Resources to be kept in the employee's personnel file. An oral warning is not considered a disciplinary action that can be grieved.
 - (a) Name of employee
 - (b) Date of oral warning
 - (c) Date, time, place and type of violation
 - (d) What action is required to correct the situation
 - (e) Employee's response to violations communicated in the oral warning
3. Written Warning: A copy of the written warning, including the following information, should be given to the employee for signature and then forwarded to Human Resources for placement in the employee's personnel file. A written warning is not considered a disciplinary action that can be grieved.

Duchesne County

Government Manual

Government Manual

Discipline Policy

- (a) Name of employee
 - (b) Notification that the letter is a written warning
 - (c) Date of warning
 - (d) Date, time, place and type of violation
 - (e) Number and types of previous warnings
 - (f) What action is required to correct the situation
 - (g) Probable consequences of not correcting the violation
 - (h) The employee's response to violations contained in the warning
 - (i) A place for the employee to sign evidencing the receipt of the letter. The signature of the employee shall not be an admittance of or agreement with the contents of the warning, or an admittance of guilt, but shall only be used to document that a warning was received.
4. Disciplinary Actions: Before any type of disciplinary action is decided upon, the procedures in Section B: Pre-Determination MUST be followed. When imposing a suspension, demotion or termination, authorization from the disciplinary committee must be obtained.
- (a) a. The disciplinary committee shall include the employee's supervisor, department head or elected official responsible for the department, Human Resources Director, and Deputy County Attorney.
 - (b) A suspension is a defined period without pay.
 - 1. An employee may not be suspended for more than 30 calendar days for a single incident nor for more than 60 calendar days in a calendar year.
 - (c) A demotion is a disciplinary action that results in a reduction in grade, pay, or both grade and pay. The salary of the demoted employee will not exceed the maximum of the pay range of the position they were moved into.
 - (d) A termination, as used in this policy, is when an employee is separated from county employment for disciplinary reasons.
- (b) Pre-Determination
- 1. Before any type of disciplinary action is taken against an employee, the supervisor or department head will provide the employee the opportunity to participate in a pre-determination meeting. The purpose of the pre-determination meeting is to give the employee an opportunity to be heard and provide new or additional information that might be cause to prevent disciplinary action.
 - (a) The supervisor may place the employee on paid administrative leave until the pre-determination process is complete.
 - (b) The employee should be given a written notice of the claims against him or her and the notice should advise the employee of their opportunity to participate in a pre-determination meeting, along with the date, time and

Duchesne County

Government Manual

Government Manual

Discipline Policy

location of the meeting. The employee should indicate by signature that the information presented in the written notice is understood.

- (c) The employee may obtain assistance of a personal representative, at the employee's expense, to advise the employee. The representative may attend the pre-determination meeting. However, the personal representative will not be permitted to speak during the meeting. During the meeting, the employee may request a recess to confer with the representative in another room.
- (d) At the meeting, the employee will have the opportunity to present to the disciplinary committee any and all information or evidence, orally or in writing, which they feel may mitigate or explain their actions.
- (e) After the employee and the disciplinary committee have completed a discussion on the claims and the employee's explanation for such, the meeting shall be adjourned without any decision concerning discipline being made.
- (f) An audio recording of the pre-determination meeting will be made and kept by the agency until all formal disciplinary proceedings are completed.
- (g) If, after reflection upon the claims against the employee and the employee's explanation for such, the disciplinary committee decides no discipline is warranted, or to impose discipline, this decision will be communicated either in person or in writing to the employee no later than five working days following the pre-determination meeting.
- (h) If the claim is deemed unfounded or it results in non-disciplinary action no record will be kept in the offending employee's permanent personnel file.
- (i) Any decision to suspend, demote, or terminate an employee will first be authorized by the disciplinary committee. In such a case, the Human Resources Director will prepare a notice of disciplinary action and submit it to the Deputy County Attorney for review. The notice should contain the following information:
 - 1. Name of employee
 - 2. Notification that the letter is a notice of disciplinary action
 - 3. Date of notice
 - 4. Date, time, place, and type of violation(s)
 - 5. Number and type(s) of previous warnings
 - 6. Effective date of disciplinary action
- (j) The supervisor shall meet with the employee to deliver the notice and discuss its contents. At this time the employee should be informed of their grievance rights if applicable and shall be given a copy of that policy.

Duchesne County

Government Manual

Government Manual

Discipline Policy

- (k) A copy of the disciplinary notice shall be given to the employee, a copy forwarded to the Human Resources office for placement in the employee's personnel file, and a copy retained by the supervisor.

Grievances

605.1 PURPOSE AND SCOPE

This policy provides an equitable method of administering and resolving employee grievances, in compliance with Utah Code Ann. § 17-33-10.

605.2 POLICY

For purposes of the Duchesne County Human Resources policies, an employee grievance is defined as a written complaint made by an employee alleging a violation of a county policy, or an appeal of a decision made by the County, in one of the circumstances described in this paragraph. It is the policy of Duchesne County to allow employees to file grievances in an environment free from harassment, discrimination or retaliation. An employee may file a grievance about any perceived work-related injustice or oppression resulting from an act, occurrence, omission, condition, or unfair labor practice; or appeal the suspension, disciplinary transfer, demotion, or dismissal of employees. This policy covers the process for appealing cases of employees suspended, disciplinarily transferred, demoted, or dismissed.

605.3 PROCEDURES

(a) Grievance Procedure

1. Grievances should be resolved at the lowest administrative level possible. Employees and their Immediate Supervisors shall attempt to resolve grievances informally by discussing the grievance issues before any formal written grievance is filed. Each employee pursuing a formal grievance must prepare and submit a separate written grievance/appeal to the appropriate responding official (listed in Section 5 of this procedure). Written grievances shall contain, at a minimum, the following information:
 - (a) Name of the employee
 - (b) Date the occurrence or action underlying the grievance occurred
 - (c) Nature of the grievance
 - (d) Historical information related to the grievance
 - (e) Requested resolution
 - (f) Signature of the employee filing the grievance and date filed
2. Time for Filing Grievance. Employees will be allowed a reasonable amount of time during work to prepare written grievances. Employee grievances must be filed within ten working days of the occurrence or event giving rise to the grievance, or within ten working days of when the employee acquires knowledge of the occurrence or event giving rise to the grievance. In the event that an employee determines to move to the next grievance level, the employee's grievance must be filed within ten working days of the response that the employee received from the preceding level of grievance. In the event that the

Duchesne County

Government Manual

Government Manual

Grievances

responding official failed to respond within the time allotted, the ten working days begins to run from the date that the response was due.

3. Time for Response to Grievance. At each level of the grievance process, after a responding official has received an employee grievance, the responding official shall have ten working days to respond in writing to the grievance.
 - (a) Permissible Extension. If a responding official is unable to answer the grievance within the specified time period due to extenuating circumstances, the official may take an additional ten working days to answer the grievance if they notify the employee in writing of the exigent circumstances and that the extension is being exercised. If the grievance remains unresolved or the decision is considered unacceptable, the employee may grieve the decision to the responding official at the next level of the grievance process.
 - (b) Failure to Respond. Absent exigent circumstances, if the responding official fails to respond within the allotted time, the employee may proceed to the next level of grievance.
 4. Issues Subject to Grievance. Only the issues presented in the original grievance may be considered throughout the grievance process.
 5. Chain of Grievance. A grievance shall be processed through the following chain of responding officials, if applicable:
 - (a) Immediate Supervisor
 - (b) Department Head
 - (c) Human Resource Director
 - (d) Board of County Commissioners
 6. Board of County Commissioners Decision is Final. The decision of the Board of County Commissioners constitutes the final grievance level. The Board of County Commissioners shall issue a decision within forty-five days of the filing of the grievance with it. If the Commission fails to respond within forty-five days, the grievance is deemed to be denied by the Commission.
 7. Record of Grievance. No document relating to a grievance shall be placed in the employee's personnel file.
- (b) Procedure Prior to Appeal Hearing
1. An employee who is suspended, disciplinarily transferred, demoted, or terminated shall have the right to file an appeal to the Career Service Council (the "Council").
 - (a) Such appeals shall be filed in writing using the Employee Grievance Form no later than five working days after the decision of the supervisor as outlined in the Duchesne County Discipline Policy. Employees who are dismissed may appeal to the Career Service Council no later than five working days after notice of termination is given.

Duchesne County

Government Manual

Government Manual

Grievances

- (b) This five-day limitation may be waived by the Human Resources Director if, through no fault of the employee, the employee was unaware of the action in question before the time limit expired. However, in no case shall an employee submit an appeal more than thirty days after the event giving rise to the appeal.
2. The employee's appeal must include information, statements, or claims that support the appeal. The appeal shall also include a preliminary list of the witnesses whom the employee expects to introduce at the hearing in support of the appeal, and whether the employee intends to present the case personally or through a representative. If the notice of appeal does not satisfy the requirements of this paragraph, it will be considered incomplete, and the Human Resources Director shall notify the employee. If the employee fails to submit a complete appeal within five working days after that notification, the appeal will be denied and no hearing will be held.
3. When a complete appeal is received, the Human Resources Director shall forward a copy of the appeal to the members of the Council, the department head, and the county attorney's office. If the appeal will not be assigned to an administrative law judge, as described later in this policy, then the Director shall also forward a copy of the notice of discipline and a copy of this policy to the members of the Council.
4. The Council shall schedule a formal hearing no less than 10 nor more than 20 working days after receipt of such appeal, unless the parties agree on another schedule, or unless a party requests a different schedule and the Council agrees that there is good cause to approve the request.
5. For a hearing before the Council, the Human Resources Director shall do the following no later than five working days before the hearing:
 - (a) Notify the employee, the department, and the county attorney's office of the time and place the hearing is to be held, and provide them access to the employee's personnel file upon request.
 - (b) Furnish each member of the Council access to the employee's personnel file.
6. If an appeal is assigned to an administrative law judge, then the administrative law judge may order different deadlines and timelines from what is stated in paragraphs 4 through 6 above.
7. Each party shall be responsible for notifying its witnesses of the time and place of the hearing and for any witness expenses incurred. The Council or administrative law judge may issue subpoenas, as needed, to compel witnesses to attend and testify.
8. Appeals shall not include disputes over oral or written warnings or other matters for which a grievance or appeal is not available under county policy. These matters shall be handled through an informal written request to the direct supervisor or Department Director, who shall review the request and provide a written decision. Human Resources may assist if requested by either party.

Duchesne County

Government Manual

Government Manual

Grievances

(c) Hearing Procedure

1. The following procedure is intended to be a guide for conducting each Career Service Council hearing in an orderly manner.
2. An administrative law judge may establish different hearing procedures. If an administrative law judge does not establish different hearing procedures, then hearings conducted by the administrative law judge shall also follow this procedure.
3. The procedures of the hearing are not rigid and inflexible; the Council may modify the procedures, as long as the modifications do not interfere with the purposes of the hearing, which are to bring out all the facts and to provide due process to the employee.
4. The employee may present their case personally or through a representative of their choice. The hearing shall not be bound either by legal procedures or by legal rules of evidence. A record shall be kept of the proceedings. Reference to the hearing and the Council's decision shall be entered in the minutes of the next Council meeting.
5. The Council Chairperson shall open the hearing by naming the parties and stating the nature of the action of the department.
6. Presentation of the department's case
 - (a) The department representative may make an opening statement.
 - (b) When the department representative has finished with the opening statement or has stated that they have none to make, they may introduce witnesses and evidence in support of the department's action. **PARTIES INTRODUCING DOCUMENTS INTO EVIDENCE MUST SUBMIT FIVE COPIES:** One for each Council member, one for the Council's hearing record, and one for the other party.
 - (c) After a witness has testified, the employee or employee's representative may ask questions of the witness. Each Council member shall then be given the opportunity to ask questions of the witness. Then, the department representative shall be given the chance to ask follow-up questions regarding any questions that anyone else asked the witness. If requested, one additional round of questioning may be allowed at the discretion of the Chairperson, ending with the department representative.
7. Presentation of the employee's case
 - (a) The procedure here shall be the same as that for the presentation of the department's case, except that the roles of the department representative and witnesses and those of the employee and their witnesses shall be reversed.
8. Rebuttal witnesses may be called by the department representative to address information presented by the employee. The department representative shall not be allowed to bring up new evidence which does not address the information provided by the employee.

Duchesne County

Government Manual

Government Manual

Grievances

9. The Council shall allow the employee or employee's representative, and then the department representative, to make closing arguments.
- (d) Decision of the Career Service Council. The Career Service Council shall, within 15 working days after the end of the hearing, make its decision in writing and transmit copies of the decision to the interested parties.
1. A person adversely affected by a decision of the Council may appeal the decision to the district court under Utah Code 17-33-4.
 2. By State law, an appeal to the district court is barred unless it is filed within 30 days after the Council issues its decision.
- (e) Administrative Law Judge. The Career Services Council may refer an appeal to an administrative law judge to hear appeals referred by a career service council under this section and if the career service council determines that the referral is in the parties' best interest.
1. The administrative law judge shall make findings of fact and a recommendation to the career service council.
 - (a) After receiving the administrative law judge's recommendation, the career service council may request the administrative law judge to hold a further factual hearing before the career service council issues a decision.
 - (b) The career service council may adopt or reject the administrative law judge's recommendation, whether before or after a further hearing.
 2. The career service council shall refer an appeal to an administrative law judge if the county employee or the county official assigned by the governing body to manage personnel functions requests that the appeal be referred. In an appeal described in this subsection, the administrative law judge, not the career service council, shall issue a final decision.
 3. Referrals to an administrative law judge shall be governed by Utah Code Ann. § 17-33-4-5.
 4. Each administrative law judge shall be trained and experienced in personnel matters.

Drug-and Alcohol- Free Workplace

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

606.2 POLICY

It is the policy of the County to provide a drug- and alcohol-free workplace for all employees.

606.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on county time can endanger the health and safety of county employees and the public.

Employees who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for work. Affected employees shall notify an appropriate supervisor as soon as they are aware of an inability to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the employee is adversely affected while at work, the employee shall be immediately removed and released from work (see the Work Restrictions section in this policy).

If an employee in a safety sensitive position is called to work outside the regularly scheduled work period, the employee has the right to refuse to go to work if the employee has consumed alcohol. The employee must notify his or her supervisor if he or she has consumed any alcohol in the last four hours prior to being called in. There will be no adverse job consequences for employees who exercise their right under this policy.

Safety Sensitive Employees may be required to adhere to more specific guidelines and includes employees who work as public safety officers, those who are required to comply to DOT regulations as CDL holders, and employees who have access and permissions to operate a county owned vehicle.

606.3.1 USE OF MEDICATIONS

Employees should not use any medications, including medical cannabis, that will impair their ability to safely and completely perform their work. Any employee prescribed medication that could impair their ability to operate a vehicle or equipment shall provide documentation from their physician to their immediate supervisor. An employee who is medically required or needs to take any such medication may be prohibited from operating a County vehicle or equipment at the discretion of their supervisor and Human Resources Director.

606.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis during work hours is prohibited and may lead to disciplinary action. Additionally, safety sensitive employees who work as public

Duchesse County

Government Manual

Government Manual

Drug-and Alcohol- Free Workplace

safety officers or are required to adhere to federal DOT guidelines may not use medical cannabis outside of work hours.

606.4 EMPLOYEE RESPONSIBILITIES

Employees shall report for work in an appropriate mental and physical condition. Employees are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on county time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Employees shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow employee is impaired during work hours due to drug or alcohol use.

Employees are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

606.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Human Resource Department, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

606.6 WORK RESTRICTIONS

If an employee informs a supervisor of having consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the employee may be required to obtain clearance from a physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall ensure that the employee is safely transported away from the workplace.

606.7 SCREENING TESTS

Each employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident and reasonable suspicion testing upon selection or request of management.

All employees who require a CDL license to perform their job function will be tested following the controlled substances and alcohol use and testing for the Federal Highway Administration, 49 CFR part 382 (Copy on file in Human Resources Office). All collections will be performed according to 49 CFR part 40.

A supervisor may require an employee to submit to a screening under any of the following circumstances:

Duchesne County

Government Manual

Government Manual

Drug-and Alcohol- Free Workplace

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform work safely and efficiently.
- (b) The employee uses property owned or approved by the County in a manner that results in injury, death, or substantial property damage.
- (c) The employee drives a motor vehicle in the performance of the employee's work and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

606.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Guidelines - Procedures -For reasonable suspicion testing the employee may be transported, by a member of management, for testing to be performed by a designated contract consultant.

- Employee must sign a consent form agreeing or refusing to be tested for drugs and/or alcohol.

606.7.2 TESTING GUIDELINE PROCEDURES

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines.

606.7.3 DISCIPLINE

An employee may be subject to disciplinary action if the employee

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, of having taken the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

Employee testing post-accident may be suspended from work with pay, pending receipt of results of lab tests within 48 hours unless: The physical clearly states in writing that the employee is fit for duty following a Fitness for Duty Examination; OR: The direct supervisor determines the accident did not endanger persons or property and the cause was not the result of any action of the employee.

Duchesne County

Government Manual

Government Manual

Drug-and Alcohol- Free Workplace

606.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving an employee, the County will take appropriate disciplinary action, up to and including dismissal, and/or requiring the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

606.9 CONFIDENTIALITY

The County recognizes the confidentiality and privacy due to its employees. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process.

Records produced or received by the County or other related entities as part of the drug-free workplace program, including drug and alcohol testing results, are classified as “protected” under the Government Records Access and Management Act (GRAMA) and available for review only by the administrator or designee on a need to know basis. Records produced, received, or generated by the County as part of the drug free workplace program will be maintained in a secure, confidential file by the Human Resources Office and will not be kept in the employee’s personnel file unless the record is used as basis for disciplinary action. Any protected documents under this policy may be produced to law enforcement individuals as part of an investigation or when ordered by a judicial officer. Any protected documents under this policy may also be produced as part of clarification or explanation of discipline or termination.

Communicable Diseases

607.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of employees contracting and/or spreading communicable diseases.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, or tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to an employee's position with the County. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

607.2 POLICY

The County is committed to providing a safe work environment for its employees. Employees should be aware that they are ultimately responsible for their own health and safety.

607.3 EXPOSURE PREVENTION AND MITIGATION

607.3.1 GENERAL PRECAUTIONS

All employees are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (29 CFR 1910.1030:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or county vehicles, as applicable.
- (b) Wearing county-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

Duchesne County

Government Manual

Government Manual

Communicable Diseases

- (g) Decontaminating non-disposable equipment (e.g., clothing, shoes, work equipment) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials should be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.
- (k) Properly using chemical substances and products in accordance with training and best practices.

607.3.2 IMMUNIZATIONS

Employees who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030). Additional immunizations may also be required or provided.

607.4 POST EXPOSURE

607.4.1 INITIAL POST-EXPOSURE STEPS

Employees who experience an exposure or suspected exposure shall in accordance with (29 CFR 1910.1030):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

607.4.2 REPORTING REQUIREMENTS

Supervisors should investigate every exposure or suspected exposure that occurs as soon as possible following the incident. Supervisors should document the following information (29 CFR 1910.1030):

- (a) Identification of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure

Duchesne County

Government Manual

Government Manual

Communicable Diseases

- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

Supervisors should advise their employees that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. Supervisors should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

607.4.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

County employees have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The Human Resources Director should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030):

- (a) Whether the employee has been informed of the results of the evaluation.
- (b) Whether the employee has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.
- (c) When the employee has been medically cleared to return to work.

No other information should be requested or accepted by theThe Human Resources Director.

607.4.4 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed employee or when it is otherwise appropriate. Source testing is the responsibility of the Human Resources Director. If the Human Resources Director is unavailable to seek timely testing of the source, it is the responsibility of the exposed employee's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Requesting assistance from local health authorities to obtain testing.
- (c) Acquiring a court order in accordance with state law.

Since there is the potential for overlap between the different manners in which source testing may occur, the Human Resources Director is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The Human Resources Director should seek the consent of the individual for testing and consult the Attorney's Office to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

Duchesne County

Government Manual

Government Manual

Communicable Diseases

607.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (29 CFR 1910.1030).

607.6 TRAINING

Training regarding communicable diseases should be provided to employees commensurate with the requirements of their position. The training (29 CFR 1910.1030):

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Should be provided whenever the employee is assigned new tasks or procedures affecting potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

608.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by employees and others during work hours or while in county facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

608.2 POLICY

The Duchesne County Commission supports an environment where County employees and visitors are not exposed to secondhand smoke. Therefore, indoor smoking, and tobacco use is not permitted in any county owned vehicle or on any county owned property, except in designated areas.

608.3 SMOKING AND TOBACCO USE

Department Heads and Supervisors will be responsible for informing employees of this policy and directing employees and visitors to designated smoking areas when applicable. All employees shall direct visitors to designated smoking areas if they witness smoking/tobacco use in non-designated areas.

It is the responsibility of employees to ensure that no person under their supervision or control smokes or uses any tobacco product inside county facilities and vehicles.

No employee shall smoke or vape near any entrance, window, or other location where other persons may be subject to breathing smoke or vapor. Outdoor areas where smoking is allowed on county property shall be at least 25 feet away from the building and will be identified by "Designated Smoking Area" location signs.

608.4 POSTING

Signs or other notices should be posted at appropriate locations to notify employees and the public where smoking and tobacco use is prohibited.

Meal Periods and Breaks

609.1 PURPOSE AND SCOPE

This policy provides general guidance regarding meal periods and breaks for employees.

609.2 POLICY

It is the policy of the County to provide breaks to employees at the discretion of the Elected Official or Department Head.

609.3 MEAL PERIODS

Employees shall take meal periods at times approved by their supervisors. The time spent for meal periods shall not exceed the authorized time allowed.

Employees will have one half hour for lunch, which will be taken at a time determined by the Department Head in conjunction with the other employees, preferably between the hours of 12:00 noon and 2:00 p.m. The lunch break is not compensated.

Emergency response employees shall remain on-duty subject to call during meal periods and will therefore be compensated for that time. All other employees are not on-duty during meal periods unless directed otherwise by a supervisor.

609.4 BREAKS

Breaks are for the purpose of providing the employee with a respite from work during the middle of a work shift. Break time shall not be used immediately after a shift begins or immediately before a shift ends for the purpose of leaving work early or arriving at work late.

A rest break is required for minors (employees under the age of 18) of at least ten minutes for every three hour period or part thereof that is worked in accordance with Utah State labor laws. Employees may be compensated for two 15 minute breaks during an eight hour shift if such breaks are granted to them by the Department Head.

Emergency response employees shall remain on-duty subject to call during breaks. All other employees are not on-duty during breaks unless directed otherwise by a supervisor.

Lactation Breaks

610.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

610.2 POLICY

It is the policy of the County to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any nonexempt employee desiring to express breast milk for a nursing child for up to one year after the child's birth (29 USC § 207).

610.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt county operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

610.4 PRIVATE LOCATION

The County will attempt to make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location will be shielded from view and free from intrusion from coworkers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

Duchesne County

Government Manual

Government Manual

Lactation Breaks

610.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area shall clearly label it as such and shall remove it when the employee's workday ends.

Payroll Records

611.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of county employees who are eligible for the payment of wages.

611.2 POLICY

The County maintains timely and accurate payroll records.

611.3 RESPONSIBILITIES

Employees are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records of employees under their supervision.

611.4 TIME REQUIREMENTS

Employees who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted as established by the county payroll procedures.

611.5 RECORDS

The County shall maintain accurate and timely payroll records as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation

612.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

612.2 POLICY

The County will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

612.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(o)(1)).

- (a) For law enforcement personnel, including patrol, dispatch, and correctional, all hours worked within a 14 day work period which exceed 85 hours are overtime hours.
- (b) For all other county employees, all hours worked in excess of 40 hours in one work week are overtime hours.
 1. Workweek - The designated work week of the County begins each Saturday at 23:59:59 and ends 168 hours and one second later (e.g.; midnight of the second Sunday after.)

Short periods of overtime worked at the end of the normal workday (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent adjustment of work time within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(o)).

Knowingly violating the overtime law by not paying or arranging for comp time for employees for hours worked in excess of the standard 40 hour work week, will subject the County and potentially create individual liability of Elected Officials and Department heads. This includes penalties of back pay to the employee, liquidated damages, fines up to \$10,000 against the County and/or Elected Officials and Department heads. In some cases, a second violation conviction may result in imprisonment. Repeated violation of overtime pay requirements are subject to civil money penalties of up to \$1,100 per violation. (29 USC §201 et seq.; 29 CFR Parts 510 to 794).

612.4 REQUESTS FOR OVERTIME COMPENSATION

612.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable.

Nonexempt employees shall:

Duchesne County

Government Manual

Government Manual

Overtime Compensation

- (a) Obtain supervisory approval, verbal or written.
- (b) Record the reason and actual time worked in an overtime status using the county-approved form or method. Informal notations on reports, logs, or other forms not approved for overtime recording are not acceptable.

612.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
 - 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of county resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 - 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an internal investigation by contacting the Human Resources Director.

Supervisors may not authorize or approve their own overtime.

612.5 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt county operations (29 USC § 207(o)). Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time banks will have a maximum accrual amount depending on the needs of the department and as approved by the Human Resources Director and the County Commission. Once an employee exceeds the maximum accrual amount, overtime hours will automatically be paid out. Employees who wish to be paid out for hours in their comp time bank must request that pay out through the payroll system.

Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

Paid Time Off

613.1 PURPOSE AND SCOPE

This policy defines the terms, conditions and processes under which eligible employees may be granted leave from work, with pay. The purpose of leave will be at the discretion of the employee for the reasons of illness, funeral, emergencies, vacation or any other personal leave..

613.2 POLICY

It is the policy of the county to provide eligible employees with paid time off to support our employees efforts in achieving a healthy work-life balance.

613.3 PAID TIME OFF ACCRUALS

- (a) The County awards Paid Time Off (PTO) to all eligible employees. PTO is accrued based on the number of designated hours worked and the years of continuous employment with Duchesne County. For the purpose of this policy, “designated work hours” is defined as 40 hours a week for non-public safety employees or 80 hours in a 14-day work period for public safety employees.

1. FLSA-Exempt Positions:

- (a) Employees who are exempt under the Fair Labor Standards Act (‘FLSA’) are paid a salary for any week in which they work, regardless of the hours worked. However, all full-time employees are generally expected to complete a 40-hour week. Reasonable time-off guidelines for FLSA-exempt positions are the PTO guidelines found in this policy. FLSA-exempt employees will be compensated 100% of their wage during medical leave qualifying for short term disability.

2. Regular full-time employees shall accrue PTO at the rates designated in the following PTO Chart:

| Completed Years of Service | Full- Time 40 hrs a week | Yearly Accrual (8 hour days) |
|-------------------------------------|---|--|
| 0 thru 2 years | 4.62 hrs per pay period | 15 days (120.12 hrs) |
| 2 thru 5 years | 7.38 hrs per pay period | 24 days (191.88 hrs) |

Duchesne County

Government Manual

Government Manual

Paid Time Off

| | | |
|-------|--------|---------|
| 5 | 8.31 | 27 |
| thru | hrs | days |
| 10 | per | (216.06 |
| years | pay | hrs) |
| | period | |
| 11+ | 9.23 | 30 |
| | hrs | days |
| | per | (239.98 |
| | pay | hrs) |
| | period | |

3. As indicated in the PTO Chart, with 0 thru 2 years of continuous service, working the designated work hours, an employee may accumulate 4.62 hours per pay period. An employee, who has completed 2 years of continuous service and beginning with 2 years and one day of service, will begin accumulating 7.38 hours per pay period, etc. Part-time employees (less than 40 hours per week) will not be eligible for PTO accrual.
 4. PTO accrual begins with the first day of full-time employment.
 5. PTO accrual rates will increase according to the table above and will change with the payroll period in which the employee's anniversary date occurs. The Commission retains the right to change the accrual rates of PTO in accordance to all applicable requirements and standards.
 6. PTO does not accrue during unpaid leave, or leave during which an employee receives compensation from any County sponsored program, such as FMLA, disability, or military leave..
 7. Employees that are rehired to County employment will not receive prior service credit for the calculation of leave accrual unless negotiated and approved by the County Commissioners.
 8. Elected Officials are not eligible for Paid Time Off (PTO) accrual.
 9. The Payroll and Benefits Administrator keeps the official record of accrued PTO.
- (b) Maximum Accrual: Unused accrued PTO may be carried forward to succeeding years up to a maximum of 320 hours. Once the 320 hour cap is reached, no additional PTO will accrue until the hours drop below the 320 mark.

613.4 GENERAL PAID TIME OFF RULES

- (a) Employees are not permitted to use PTO for any period of time before it is accrued.
- (b) Advanced notice is required for known, planned absences such as vacation, medical appointments, or other personal reasons. Employees are encouraged to provide at least 2 weeks advanced notice and obtain approval from their supervisor in light of the department's scheduling requirements. An employee may enter PTO without advanced notice in cases of sudden illness or emergency, if approved by the employee's supervisor.
- (c) Employees may not use PTO to work a different assignment within the County employment.

Duchesne County

Government Manual

Government Manual

Paid Time Off

- (d) Elected officials and/or department managers may deny requests for leave based on workload or business needs. Otherwise, leave should be approved on a first- come first-serve basis.
- (e) The fact that an employee may have available PTO time does not justify tardiness or unexcused absences. Unscheduled absenteeism and tardiness are grounds for disciplinary action, regardless of the availability of PTO. Repetitive failure to notify the County of an absence may result in disciplinary action up to and including termination. Failure to notify the County within the first two (2) workdays of absence may be considered an abandonment of the employee's position.

613.4.1 NOTIFICATION OF ILLNESS OR EMERGENCY

All employees should notify the appropriate supervisor as soon as they are aware that they will not be able to report to work and if possible, no less than one hour before the start of their scheduled shift. If, due to an emergency, an employee is unable to contact the supervisor, every effort should be made to have a representative for the employee contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the employee shall, whenever possible and practicable, provide the County with no less than 10 days notice of impending absence.

613.4.2 REPORTING PAID TIME OFF

- (a) All leave taken must be reported on a time sheet. If not reported correctly, employees may be subject to disciplinary action.
- (b) PTO may be taken in the same pay period it is accrued.
- (c) At no time may PTO be used during a pay period, including when there is a holiday, that would put your hours over your regularly scheduled work week. All sworn officers are allowed up to 85 hours per pay period and 40 hours per week for civilian staff. As an example, you work 72 regular hours during a pay period with 2 holidays, which totals 88 hours. PTO hours may not be used in this example as 88 hours is \geq to your standard scheduled work hours per pay period.
- (d) PTO will accrue if the employee is using PTO for a full pay period.

613.4.3 PAID TIME OFF/CALL-IN/GUIDELINES

- (a) Work Hours Over Regular Hours:
 - 1. If an employee works more hours than their designated work hours, they may not put any PTO or comp time on their timesheet. The only time an employee may have more hours than their designated work hours is if they have actually worked more than their designated work hours.
- (b) Work Hours Under Regular Hours:

Duchesne County

Government Manual

Government Manual

Paid Time Off

1. All full-time employees eligible for PTO are expected to report time equal to their designated work hours. Employees who do not actually work their full designated work hours will use PTO or comp time to make up the remaining hours to equal their total designated work hours. Employees who fail to do so are at risk of losing benefits, PTO time earned, and other reductions of benefits.
- (c) Emergency Management Call-In and/or Grant Shifts:
1. Call-in time pertains to hours that an employee is called into work by a supervisor, department head, or elected official on a scheduled day off. An Elected official, department head or their designee must approve all call-in shifts, and only when there is a necessity. An elected official or department head makes the final determination as to whether the time is justified. When approved by the proper authority, these hours will be paid at 1.5 times regular pay.
 2. Sheriff Deputies - This does not include scheduled overtime (shift coverage when a known coverage shortage is going to happen prior during the current pay period).
 3. Grant Shifts: (Sheriff Office) pertains to all special project grants that reimburse the County for overtime hours at 1.5 times regular pay. When approved by proper authority, these hours will be paid at 1.5 times regular pay.
- (d) Call-in and Grant Shifts with PTO: (Sheriff Office)
1. The call-in and grant hours count toward the employee's designated work hours but the call-in and grant hours are paid at 1.5 times regular pay. In this scenario the employee will reduce the number of PTO hours in order to not exceed the employee's designated work hours.
- (e) Call-in and Grants Shifts without PTO: (Sheriff Office)
1. When an employee works their designated work hours but also has an emergency call-in or works a grant shift, the employee will not use PTO and will move any hours over their designated work hours from the call-in grant line of the timesheet to the overtime line for payroll purposes. These hours will be entered with a comment explaining the reason for the overtime, ie., call-in, grant shift, etc.
- (f) Extended Shifts:
1. If an employee stays longer than their regular daily shift schedule in order to complete their work, this is not considered an emergency call-in unless the extended shift is due to an emergency call-in situation approved by the appropriate supervisor. If an employee has extended shift(s) in a pay period and has also used PTO in that same pay period, they will reduce the number of PTO hours taken in order to not go over their designated work hours.

613.4.4 SELL BACK (PTO)

- (a) Employees who have accumulated at least 240 hours of Paid Time Off (PTO) are eligible to sell back up to five days or 40 hours at the end of each year.

Duchesne County

Government Manual

Government Manual

Paid Time Off

- (b) To receive payment of PTO, an employee:
 - 1. Must request payment by completing a 'Sell Back Request' form and submit it to the Human Resources Director by November 30 of each calendar year; and
 - 2. Must have a remaining PTO balance of 240 hours or more at the conclusion of the payroll period which includes November 30.
- (c) The approved request will be paid to the employee in the next regular paycheck or deposited into the employee's HSA account, whichever the employee prefers, following the payroll period which included November 30.
- (d) The County will buy back accrued PTO hours under this policy at the employee's current base rate of pay.

613.4.5 PAID TIME OFF PAYOUT

- (a) An employee who changes employment status and is not classified as a full-time employee or terminates employment will receive payment for any unused accrued PTO and will be subject to all normal payroll taxes.
- (b) PTO will also be paid out to employees who have a change in job status when the new position is not eligible for PTO accrual. Payment will be made at the employee's base rate of pay for the job held before the change of job status.
- (c) Generally, an employee's last physical day worked will be considered the termination date. If the termination date is in the middle of a pay period, PTO may only be used to extend the termination date to the end of the pay period.
- (d) PTO accrual will be given for the final pay period providing the employee works the entire pay period.
- (e) When an employee terminates employment with the County, all County equipment and supplies assigned to an employee must be returned and all debts or outstanding balances owed to the County will be payroll deducted from their final paycheck which may include the PTO payout.

613.4.6 EXTENDED ILLNESS BANK (EIB) HOURS AND CONVERSION OF VACATION AND SICK LEAVE BANKS

- (a) The County has discontinued sick leave accrual and has included sick leave as part of the Paid Time Off (PTO). However, some employees may still have accrued sick leave hours remaining. Current County employees who were hired prior to April 1, 2019 (PTO policy implementation), will have 75% of their accrued sick leave hours converted to the employee's individual Extended Illness Bank (EIB).
 - 1. The county will convert all of a current (hired before July 1, 2019) employee's vacation time and 25% of their current Sick leave balance into a Paid Time Off (PTO) bank.
- (b) The EIB hours will be available for use under the following circumstances and only until all EIB hours are exhausted:
 - 1. EIB hours may be used for an extended personal illness or to care for a family member (spouse, child, or parent) with an extended illness.

Duchesne County

Government Manual

Government Manual

Paid Time Off

2. EIB may be used for bereavement leave upon their supervisor's approval.
 3. Extended illness may be used for maternity or paternity leave but must be pre-approved by their supervisor and the Human Resources Director, and Family Medical Leave paperwork must be completed to determine eligibility.
 4. The employee is absent from work for more than five (5) days or 40 hours consecutively for a single illness that has been verified by a physician.
 5. The first five (5) days or 40 hours missed due to illness shall be counted as PTO or leave without pay if PTO is exhausted.
- (c) Employees who change employment status and are not classified as full-time employees or terminate employment shall forfeit any unused hours in the Extended Illness Bank (EIB). Any hours remaining in an employee's EIB bank will be forfeited December 31, 2027.

613.5 DONATION OF LEAVE

- (a) Purpose: To establish a leave donation program to assist those full-time, non-probationary employees who have responsibly managed their PTO, but who nevertheless face a medical emergency that requires a prolonged absence from work with no accrued PTO left. Employees who have abused or misused the County's PTO program, according to their immediate supervisor, are not eligible to receive donated PTO time. The donation policy is entirely voluntary, and no employee is required to donate.
- (b) No Coercion: Donation of leave is completely voluntary by each employee, and it is up to his/her discretion whether to donate. No employee, elected official or department manager shall threaten, coerce, or attempt to threaten or coerce an employee for the purpose of interfering with rights involving leave donation, receipt of leave donation, or the use of donated leave.
- (c) To Receive PTO leave donations, the recipient employee must:
1. Have a continued absence due to a non-occupational, personal or immediate family medical emergency for which they have sufficient information for the Human Resource Director to reasonably determine whether the condition applies to the leave request;
 2. Have exhausted all PTO (and EIB) leave;
 3. Submit a written request to the Human Resource Director including medical certification of the personal or immediate family member's serious health condition and an expected return date to work;
 4. Have a family member or designee file the request, with proper documentation on the employee's behalf, if an employee is physically or mentally unable to make a request for leave donation;
- (d) To Donate PTO leave to an eligible recipient, the donor employee:
1. Must be an employee of Duchesne County who is eligible to accrue PTO leave.

Duchesne County

Government Manual

Government Manual

Paid Time Off

2. Must submit the Donor Agreement to the Human Resource Director specifying how many hours of PTO and/or compensatory time they wish to donate and to whom they wish to donate this leave and/or time.
 3. Must not donate an amount which will cause the donating employee's PTO balance to fall below 80 hours of PTO leave.
 4. Donors with compensatory time available may donate all of their compensatory time.
 5. Extended Illness Bank (EIB) hours may not be donated as PTO or for any other purpose.
- (e) The following general conditions apply to the PTO leave donation policy:
1. A recipient employee's donated hours will remain in an account that will be administered by the Human Resources Director and disbursed to the employee requesting the leave as needed each payroll period.
 2. A donor employee's decision to donate PTO and/or compensatory time is irrevocable, and the total amount of donation will be reduced from their accrued PTO and/or compensatory time balances upon receipt and approval of their Donor Agreement by the Human Resources Director.
 3. When the employee receiving the leave receives more hours than needed, upon returning to work, the balance of donated hours remaining in the leave account will revert back to the donors on a percentage basis.
 4. If the employee receiving paid leave hours has a different pay rate, the leave time is converted based on the recipient employee's pay rate, so that the dollar value of the surrendered leave remains the same, but leave taken by the recipient employee is always paid at the recipient employee's regular rate of pay. For example, if an employee is regularly paid \$15.00 per hour and surrenders eight hours of paid leave to a recipient employee who is regularly paid \$10.00 per hour, the recipient employee will receive 12 hours of paid leave, paid at \$10.00 per hour (8 hours x \$15.00 = \$120 value, and \$120.00 value/ \$10.00 per hour = 12 hours).
 - 5.
- (f) Mis-stated Leave: If an employee was granted donated leave and it was found that the employee received such leave on the basis of mis-stated, erroneous, or false statements, the employee will be required to reimburse the donated leave and may be subject to discipline. Any potential misuse of donated leave shall be reported to the Human Resources Office for investigation.

See [Rev. Rul. 90-29, 1990-1 CB 11, IRC Sec\(s\). 61](#)

613.6 COURT OR JURY LEAVE

- (a) Employees who have been summoned to jury duty or who have been subpoenaed (as opposed to being retained) to appear as a juror or witness by the Federal Government,

Duchesne County

Government Manual

Government Manual

Paid Time Off

State of Utah, or political subdivision thereof, are entitled to leave with pay under the following conditions:

1. Payment does not apply to court appearances falling on the employee's personal time, or to court appearances when an individual is appearing in court on their own behalf.
 2. Any compensation received by employees for jury or witness duty while they are being paid by the County, shall be returned to the County along with a copy of the subpoena, with the exception of any mileage expenses paid by the court to reimburse the employee for travel to and from the courtroom.
 3. If it is reasonable to be at work prior to or immediately after court, employees shall complete the regularly scheduled shift on a court day. For example, if an employee serves as a juror from 8:00 am to 12:00 pm, they are expected to return to work for the remainder of the scheduled workday.
- (b) Employees have the option to use PTO or compensatory time while on jury duty. Employees who choose this option are entitled to keep any juror's fees paid to them.

613.7 BEREAVEMENT LEAVE

The county will grant three paid work days of bereavement leave to employees who are affected by a miscarriage or stillbirth in accordance with Utah Code Ann. § 17-33-5.

613.8 MILITARY LEAVE

- (a) A military unpaid leave shall be granted to employees who enlist, are drafted, or are recalled to active service in the Armed Forces of the United States in accordance with the provision of the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), 38 U.S.C. §§4301 et seq., which provides enhanced leave rights and job protections for employees absent for military duty. Former employees may be permitted to return to Duchesne County employment pursuant to the conditions and guidelines set forth in USERRA.
- (b) Benefit accruals such as Paid Time Off (PTO) will be suspended during the leave if the leave is longer than two (2) weeks and will resume upon return to active employment.
- (c) Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or in a comparable position depending on the length of military service in accordance with USERRA.

613.9 LEAVE WITHOUT PAY (LWOP)

Leaves of absence without pay may only be granted for purposes normally covered by Paid Time Off (PTO) when said leave has been exhausted, or for additional justifiable circumstances approved by the Board of County Commissioners. Normally, such leave shall not exceed the total of 12 weeks as a combined total of all leave used over a rolling 12-month period and may also be governed by the provisions of the Family Medical Leave Act (FMLA).

613.10 DISASTER SERVICE VOLUNTEER LEAVE

Duchesne County will comply with all applicable requirements of Utah Code.

Duchesne County

Government Manual

Government Manual

Paid Time Off

613.11 ABSENCE FOR WORKPLACE INJURY

- (a) An employee who sustains a bodily injury in the course of employment and who qualifies for Workers Compensation as having received a workplace injury shall not be denied any of the regular employment benefits he or she was receiving at the time of the injury. Such benefits will continue to accrue for the benefit of the injured employee during that period of time in which the employee is disabled as a result of the workplace injury and unable to return to work for the County. Such benefits include health insurance, accidental death and disability insurance, paid time off and paid holidays.
- (b) For PTO granted to an employee for a period of disability which is compensable under the provisions of the Workers Compensation Act, payment to the employee shall be reduced by the amount of the workers compensation benefit received.
- (c) All other provisions of the PTO policy apply to these types of illnesses and injuries.

613.12 COUNTY'S NEEDS

- (a) If (a) an employee has exhausted all of his or her FMLA leave but still has PTO or EIB remaining or (b) an employee is not entitled to FMLA leave but has unused accumulated paid leave, the County may dismiss the employee, despite his or her remaining accumulated paid leave, if, because of the employee's continued absences, the County or the Department for which the employee works will suffer undue hardship.
 - 1. Undue Hardship. Undue hardship includes, but is not limited to, increased and unreasonable costs to the County or Department caused by the employee's continuing absences, inability to maintain adequate staffing because of the employee's continuing absences, unreasonably increasing co-workers' workloads as a result of the employee's continuing absences, disruption to the County or Department's operations caused by the employee's continuing absences, fundamental alteration of the nature or operation of the County or Department caused by the employee's continuing absences, and/or inability of the employee to fully perform the functions of his or her job despite reasonable accommodation.
- (b) Dismissal Non-disciplinary. Dismissal in such a circumstance is considered non-disciplinary. An employee dismissed under these circumstances is entitled to receive the same cash conversion of PTO as other employees as detailed in these policies and procedures.

613.13 FRAUD

A person who abuses these policies or in any way fraudulently claims to be sick is engaged in prohibited conduct that will subject him or her to disciplinary action up to and including termination.

Disability Leave

614.1 PURPOSE AND SCOPE

The County provides short term disability and long term disability insurance to its full-time employees. The purpose of this policy is to provide guidance for employees using disability benefits.

614.2 SHORT TERM DISABILITY LEAVE

- (a) Duchesne County's short-term disability plan is a benefit that provides partial pay (66.7% of an employee's salary for up to 13 weeks) for employees who are unable to work due to illness, injury, or disability, after an absence of more than seven consecutive calendar days. Benefits begin on the eight day of disability and continue for related absences up to a maximum of 13 weeks.
- (b) A disability claim form can be obtained from the Human Resources Department. A short-term disability leave must be certified by a physician's or licensed health care professional's statement identifying the nature of the disability and stating or estimating the date when the employee will be able to return to work. If the employee cannot return on that date, another statement from a physician or licensed health care professional, with a new return date, will be required. Employees will not be able to return to work without submitting to Human Resources a note from a physician or licensed health care professional authorizing the employee's return.
- (c) Duchesne County reserves the right to confirm the necessity for disability leave by requiring the employee to receive a second or third opinion by a doctor of the County's choice. Duchesne County will assume any costs for additional examinations that are not paid by the insurance carrier.
- (d) Any FMLA leave to which an employee may be entitled runs concurrently with time off granted under this policy. In other words, an employee cannot take his/her full short term disability benefits, and then take three months off under the FMLA; any time spent on short term disability counts as part of an employee's FMLA leave.
- (e) Duchesne County will attempt to return an employee who is returning from a short-term disability leave to the same or similar job, at the same salary that the employee held prior to the leave. Under some circumstances, however, permanent replacement during a leave may be required, or in some instances, staffing requirements may change. Therefore, unless an employee is entitled to return to the same or an equivalent position under the Family and Medical Leave Act, a job cannot be guaranteed when the employee is ready to return to work from a short-term disability leave. In the event the employee is not entitled to return to the same or an equivalent position under the Family and Medical Leave Act and a position is not available or if the employee chooses not to return to work upon the expiration of the disability leave, the employee will be terminated. If an employee does not return from a short-term disability leave, the termination date is the last day that the employee was authorized to return or the date the employee notifies his/her supervisor that he/she is not returning whichever is sooner. Such employees may be considered for reemployment. An employee who

Duchesne County

Government Manual

Government Manual

Disability Leave

returns to work following a short-term disability leave will be considered as having continuous service.

614.3 LONG TERM DISABILITY LEAVE

- (a) Employees who are determined to be eligible for the long-term disability Program (LTD) will be allowed to continue receiving insurance benefits through the Duchesne County group plan:
 - 1. Until they have exhausted their paid leave, and
 - 2. For an additional 120 days.
- (b) Employees will be responsible for paying for their portion of the premium each month. The amount owed will be communicated to the employee by the Human Resources Office and must be received by the fifth day of each month or paid in full upon LTD approval.
- (c) After the additional 120 days of benefit eligibility, if the employee is unable to return to work, the employee will no longer be benefit eligible and will receive written notification regarding the continuation of their health, dental and vision benefits through COBRA.
- (d) If after six months the employee is still unable to return to work, the employee will be administratively terminated.
- (e) The employee's accrued paid leave shall be used during the short-term and long-term disability period to supplement their disability benefits and to cover benefit-related payroll deductions
- (f) The LTD benefits for an employee who is determined to be eligible for the program will be handled in accordance with the rules and regulations of the Utah State Long-Term Disability Program.

Holidays

615.1 PURPOSE AND SCOPE

The purpose of the policy is to define the number of Holiday hours provided to benefited employees in addition to which Holidays the county observes.

615.2 POLICY

It is the policy of the county to provide 108 hours of holiday leave (based on 13 and ½ holidays) to its employees working 40-hour workweeks.

615.3 HOLIDAYS

It is the County's intention to provide 108 hours of holiday leave (based on 13 and ½ holidays) to its employees working 40-hour workweeks. All benefited employees who work less than a 40-hour workweek shall receive a pro-rated amount of holiday time consistent with their normal workweek. Additionally, for those departments who work alternative schedules (such as 10-hour days), the Elected Official or Department Heads shall adjust work schedules in order to meet the needs of the departments and the County with the goal of providing the holiday hours to its employees. The days listed below shall be recognized and observed as Holidays. In addition, the Board of County Commissioners may, from time to time, declare additional days as Holidays. Days so declared entitle employees to the same benefits as if the day were part of the list.

- NEW YEARS DAY; the 1st day of January.
- HUMAN RIGHTS DAY, the 3rd Monday of January.
- PRESIDENT'S DAY, the 3rd Monday of February.
- MEMORIAL DAY, the last Monday of May.
- JUNETEENTH, the 19th of June or Monday thereafter.
- INDEPENDENCE DAY, the 4th day of July.
- PIONEER DAY, the 24th day of July.
- LABOR DAY, the 1st Monday of September.
- COLUMBUS DAY, the 2nd Monday in October.
- VETERAN'S DAY, the 11th Day of November or the Monday thereafter.
- THANKSGIVING DAY, the 4th Thursday in November.
- FRIDAY AFTER THANKSGIVING.
- CHRISTMAS EVE, December 24th (1/2 day)
- CHRISTMAS DAY, the 25th Day of December

Duchesne County

Government Manual

Government Manual

Holidays

615.4 HOLIDAYS OBSERVED

When one of the above-listed days falls on a Saturday, the day before shall be considered the Holiday. If it falls on a Sunday, the Monday after shall be considered the Holiday. If Christmas Eve falls on either a Saturday or Sunday, it shall be observed on the preceding Friday.

615.5 COMPENSATION FOR WORK ON HOLIDAYS

Benefited employees shall be compensated for work on holidays at straight time. However, it is the County's policy to discourage such work on holidays, and supervisory personnel should organize their department workload to avoid the same as much as possible.

615.6 EMERGENCY PERSONNEL

It is the County's duty to provide a safe community for its citizens therefore Emergency Personnel (including Sheriff's Office and Roads Department employees) may be required to work on observed holidays. In the event that any employee works on the Holiday, the employee will be paid straight time in addition to receiving (8) hours (4 hours for Christmas Eve) of straight Holiday pay.

Affordable Health Act

616.1 PURPOSE AND SCOPE

The purpose of the policy is to ensure compliance and understanding of the Affordable Care Act.

616.2 AFFORDABLE CARE ACT

The Affordable Care Act refers to two separate pieces of legislation — the Patient Protection and Affordable Care Act (P.L. 111-148) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

In compliance with the Affordable Care Act (ACA), Duchesne County offers health insurance benefits to employees working an average of 130 hours or more per month. Employees' hours will be tracked using the standard look-back measurement method. Duchesne County's look-back cycle begins on November 1st and ends on October 31st each year. Every employee who has worked an average of 130 hours or more per month during this 12-month measurement period will be offered health insurance benefits for the following 12 months. Employees may contact the Human Resources Office regarding ACA guidelines and eligibility.

Family and Medical Leave

617.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for managing unpaid leave for eligible employees for qualified medical and family reasons, including (29 USC § 2612):

- The birth, adoption, or foster care placement of a child.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition.
- When an employee is unable to work because of the employee's own serious health condition.
- To care for a spouse, son, daughter, parent, or next of kin who is a service member of the United States Armed Forces and who has a serious injury or illness incurred in the line of duty.

This policy does not address all possible situations and circumstances that may arise when an employee requests leave for family or medical reasons. As these leave situations arise, supervisors should consult with the County Commission or authorized designee to obtain specific guidance regarding leave rights and obligations.

Nothing in this policy supersedes any provision of any employment agreement, civil service or other local rule, or any law that provides greater family or medical leave rights.

617.1.1 DEFINITIONS

Definitions related to this policy include:

Child - A child under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (29 USC § 2611; 29 CFR 825.102; 29 CFR 825.122). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, or foster child; stepchild; or a child for whom the employee is standing in loco parentis (in place of a parent).

FMLA - The federal Family and Medical Leave Act (29 USC § 2601 et seq.).

Qualified health care professional - A physician, surgeon, doctor of osteopathy, podiatrist, dentist, psychologist, optometrist, nurse practitioner, nurse midwife, clinical social worker, or physician assistant duly licensed and authorized to practice medicine; chiropractors for some purposes; any health care provider from whom the county benefits plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits (29 CFR 825.125).

Spouse - The person with whom an employee has entered into a marriage defined or recognized by the location in which the marriage was entered into (29 USC § 2611(13); 29 CFR 825.102; 29 CFR 825.122).

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

617.2 POLICY

It is the policy of the County to manage unpaid leave for eligible employees for qualified medical and family reasons in compliance with federal law and any applicable employment agreement.

617.3 ELIGIBLE EMPLOYEES

Employees are eligible for FMLA after working for the County for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611; 29 CFR 825.110).

617.4 TYPE AND DURATION OF LEAVE

Generally, eligible employees are entitled under FMLA to 12 workweeks of unpaid leave during a 12-month period (29 USC § 2612; 29 CFR 825.100). Up to 26 weeks of unpaid leave during a single 12-month period may be available to care for certain injured military service members. The 12-month period is measured backward from the date leave is taken and continuously with each additional leave day taken.

617.4.1 SERIOUS HEALTH CONDITIONS

Eligible employees may take up to 12 weeks of leave to care for a spouse, child, or parent with a serious health condition or when the employee is unable to work because of the employee's own serious health condition (29 USC § 2612(a)(1); 29 CFR 825.200).

If both spouses are employed by the County, the combined number of workweeks to care for a sick parent is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.201).

Generally, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves (29 USC § 2611; 29 CFR 825.113):

- An overnight stay in a hospital, hospice, or residential medical care facility (29 CFR 825.114).
- Continuing treatment by a qualified health care professional due to a serious health condition of more than three full consecutive calendar days (29 CFR 825.115(a)).
- Any period of incapacity due to pregnancy complications or prenatal care (29 CFR 825.115(b)).
- A chronic condition that requires treatment (29 CFR 825.115(c)).
- A permanent condition for which treatment may not be effective (such as Alzheimer's or the terminal stages of a disease) (29 CFR 825.115(d)).
- Any period of absence to receive multiple treatments, including any recovery period, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days without medical intervention or treatment (such as cancer chemotherapy or physical therapy for arthritis) (29 CFR 825.115(e)).

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

617.4.2 BIRTH OR PLACEMENT OF A CHILD

Eligible employees may take up to 12 weeks of leave for the birth, adoption, or foster care placement of a child of the employee (29 USC § 2612; 29 CFR 825.200). The leave must be concluded within one year of the birth or placement of the child (29 CFR 825.120; 29 CFR 825.121).

If both parents are employed by the County, the combined number of workweeks of leave is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.120; 29 CFR 825.121).

617.4.3 MILITARY EXIGENCY LEAVE

Eligible employees may take service member leave of up to 12 weeks for qualifying exigencies occurring because a spouse, child, or parent is on covered active duty or has been notified of an impending order to active duty (29 USC § 2612(a)(1)(E); 29 CFR 825.200). This type of leave is available to a family member of a person in the National Guard, Reserves, or members of the regular Armed Forces deployed to a foreign country. Qualifying exigencies include (29 CFR 825.126):

- Addressing issues that arise from a short notice (seven or less days) deployment.
- Attending military events related to the active duty or call to duty.
- Attending family support or assistance programs.
- Making child care or educational arrangements or attending school activities arising from active duty or a call to active duty.
- Making financial and legal arrangements.
- Spending time with a military member who is on short-term rest-and-recuperation leave during a period of deployment.
- Attending post-deployment activities.
- Addressing issues that arise from the death of a military member, such as making funeral arrangements.
- Caring for a military member's parent who is incapable of self-care, such as providing care on an immediate-need basis or arranging for alternative care.

617.4.4 MILITARY CAREGIVER LEAVE

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform work (29 USC § 2612; 29 CFR 825.200).

Military caregiver leave is also available to family members of covered veterans who were members of the Armed Forces, including the National Guard or Reserves, at any point in the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy (29 USC § 2612; 29 CFR 825.127).

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

During the single 12-month period, employees are entitled to no more than a combined total of 26 weeks of FMLA leave. In any case in which both spouses are employed by the County, the combined number of workweeks of leave is limited to 26 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.127).

Service member FMLA leave runs concurrent with other leave entitlements provided under federal, state, and local law. Where FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.

617.4.5 INTERMITTENT LEAVE

An employee may take leave for the employee's own serious health condition, for the serious health condition of the employee's spouse, child, or parent, or to care for a covered service member with a serious injury or illness, intermittently or on a reduced schedule if medically necessary, and if that medical need can best be accommodated by an intermittent schedule as defined in federal law (29 USC § 2612(b); 29 CFR 825.202; 29 CFR 825.124).

Leave due to a military exigency may be taken on an intermittent or reduced leave schedule (29 CFR 825.202).

Intermittent leave for the birth, adoption, or foster care placement of a child is only available if granted at the discretion of the County Commission, unless the employee has a serious health condition in connection with the birth or if the newborn child has a serious health condition (29 CFR 825.120; 29 CFR 825.121).

Intermittent leave for any employee shall be tracked and calculated.

617.4.6 PREGNANCY DISABILITY LEAVE

Pregnant employees who are disabled by pregnancy may be entitled to a disability leave in addition to any FMLA leave. The duration of leave is dependent on the circumstances. The County Commission shall defer to a pregnant employee's qualified health care professional in assessing the employee's ability to work.

617.5 EMPLOYMENT BENEFITS WHILE ON LEAVE

While on leave, employees will continue to be covered by any group insurance to the same extent that coverage is provided while the employee is on the job (29 USC § 2614(c); 29 CFR 825.209).

Employees are responsible for any insurance employee contributions while on leave (29 CFR 825.210). Employee contribution rates are subject to any change in rates that occurs while the employee is on leave. If an employee fails to return to work after the leave entitlement has been exhausted or expires, the County may recover its share of plan premiums for the entire leave period unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would entitle the employee to leave, or because of circumstances beyond the employee's control (29 CFR

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

825.213). The County may recover premiums through deduction from any sums (e.g., unpaid wages, vacation pay).

Employees may not earn additional time off while on unpaid leave.

617.6 SUBSTITUTION OF PAID ACCRUED LEAVES

Subject to applicable employment agreements and civil service rules, employees are required to exhaust all applicable paid accrued leave before taking unpaid leave. Paid accrued leave includes paid time off and compensatory time earned in lieu of overtime, pursuant to the Fair Labor Standards Act, during FMLA leave. Employees may not use paid accrued leave to extend FMLA leave beyond 12 workweeks per year.

617.7 USE OF FMLA LEAVE

If an employee takes a leave of absence for any reason that is FMLA qualifying, the County may designate that non-FMLA leave as running concurrently with the employee's 12-week FMLA leave entitlement.

617.8 PROCEDURES

The following procedures will apply for all employees requesting leave under FMLA:

- (a) When a leave is requested for a medical or other FMLA-related treatment appointment, the employee must make a reasonable effort to schedule the appointment at a time that minimizes disruption to county operations (29 USC § 2612; 29 CFR 825.302).
- (b) An employee who wishes to take FMLA leave must provide the employee's supervisor with 30 days' advanced notice when the leave is foreseeable or as soon as practicable if the need for leave is not foreseeable (29 USC § 2612; 29 CFR 825.302; 29 CFR 825.303).
- (c) At the time of the request, the employee must complete an FMLA request form.

Requests for medical leave shall be accompanied by a qualified health care professional statement, including the date on which the serious health condition began and the estimated date of return to work (29 USC § 2613; 29 CFR 825.302).

Once the leave is requested or designated by the County, the supervisor should forward the request and any medical certifications to the Human Resources Director and ensure the employee is provided the necessary forms and FMLA information and required notices within five business days (29 CFR 825.300).

Employees are required to provide medical certification of a qualified health care professional or military documentation, if requested (29 CFR 825.305; 29 CFR 825.308; 29 CFR 825.309; 29 CFR 825.310).

Employees shall be required to periodically report on their status and intent to return to work (29 USC § 2614; 29 CFR 825.311). This may assist in avoiding a delay in reinstatement when the employee is ready to return to work.

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

Employees returning from a medical leave for the employee's own serious health condition will be required to present medical verification from a qualified health care professional of the employee's ability to return to work and a list of any restrictions that need to be accommodated (29 USC § 2614; 29 CFR 825.100; 29 CFR 825.312).

617.9 REINSTATEMENT FOLLOWING LEAVE

Generally, employees returning from FMLA leave within the qualified period will be restored to their original job or to an equivalent job with equivalent pay and benefits (but not seniority), unless the employee would not otherwise have been employed at the time reinstatement is requested (e.g., in the case of a layoff) (29 USC § 2614; 29 CFR 825.214; 29 CFR 825.216).

If the same position is no longer available, such as in a layoff, the employee will be entitled to a position that is comparable in pay, job content, and promotional opportunities and geographic location, if such a comparable position exists.

If upon return from leave an employee is unable to perform the essential functions of the job because of a physical or mental disability, the supervisor should work with the Human Resources Director to engage in an interactive process with the employee to identify a potential reasonable accommodation.

After exhausting paid FMLA leave, non-paid leave will continue until the conclusion of the protected 12- or 26-week time limit. Following the protected leave, the Human Resources Director in consultation with the legal counsel will determine whether non-FMLA leave should apply.

617.10 RESPONSIBILITY

The responsibilities of the Human Resources Director include but are not limited to (29 CFR 825.108; 29 CFR 825.110; 29 CFR 825.112; 29 CFR 825.300; 29 CFR 825.301):

- (a) Attempting to determine whether an employee absence of four or more days may qualify as FMLA leave.
- (b) Determining if an employee is eligible for FMLA leave.
- (c) Determining if leave is for an FMLA-qualifying reason.
- (d) Granting or denying a request for FMLA leave and providing designation notice to the employee within five business days of designation.
- (e) Providing eligibility notice to the employee within five business days of the request for FMLA leave or when acquiring knowledge that an employee's leave may be for FMLA.
 1. If the employee is not eligible for FMLA leave, the notice must state at least one reason why the employee is not eligible.
- (f) Providing a written rights and responsibilities notice each time the eligibility notice is provided to an employee.

The Human Resources Director should work with legal counsel regarding questions relating to leave or reinstatement from leave under this policy.

Duchesne County

Government Manual

Government Manual

Family and Medical Leave

617.11 RECORDS

The County will maintain leave-related records as required by 29 CFR 825.500 for at least three years and in compliance with the county's established records retention schedule.

Records and documents related to doctor certifications and other medical information created for purposes of complying with FMLA and this policy shall be maintained as confidential medical records in separate files from employee personnel files.

617.12 NOTICE TO EMPLOYEES

The Human Resources Director should ensure that a notice explaining the FMLA's provisions and procedures is prominently posted in conspicuous places in the County where it can be readily seen by all employees and applicants for employment. Electronic posting is sufficient as long as the other posting requirements have been met as provided by 29 CFR 825.300 (29 CFR 825.300).

Work-Related Illness and Injury Reporting

618.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related conditions such as a physical injury or an occupational illness.

618.1.1 DEFINITIONS

Definitions related to this policy include:

Work-related condition - Any significant medical or mental condition suspected to have been caused by an employee's service to the County. Any condition that would reasonably require some form of treatment should be considered significant.

618.2 POLICY

The County will address work-related conditions and will comply with applicable state workers' compensation requirements.

618.3 RESPONSIBILITIES

- (a) **Reporting injuries** - Any injury occurring on the job must be reported to the employee's supervisor immediately, but no later than the end of the employee's regular shift. An employee Accident / Incident form must be completed and submitted to the Human Resources Department within 24 hours of the injury. All necessary forms can be obtained from the Human Resources Department or the [County website](#). Failure to report work-related illness or injury in compliance with this policy may lead to disciplinary action up to and including termination.
- (b) **Record of Accidents** - An accurate record of all accidents involving an injury to an employee while on duty shall be kept in the Human Resources and Clerk Auditors Office.
- (c) **Injury Report Procedure** -
 1. Report the injury- no matter how slight – to your supervisor immediately. (You may lose your worker's compensation rights if your injury is not reported promptly.)
 2. The employee is required to fill out the employer's first report of injury form. A copy of this report is to be given to you, your supervisor and the Human Resources Department.
 3. If medical treatment is necessary – Report to the Uintah Basin Medical Center work-med walk-in clinic located in Roosevelt, Utah. An employee may report to the emergency room, ONLY if the accident occurs during hours in which the clinic is closed or if the injury is life threatening.
- (d) Tell the doctor HOW, WHEN AND WHERE the accident happened. The doctor will fill out a medical report form.

Duchesse County

Government Manual

Government Manual

Work-Related Illness and Injury Reporting

618.4 OTHER ILLNESS OR INJURY

Work-related conditions that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Human Resources Director or the authorized designee.

An affected employee that does not desire medical treatment shall sign and indicate that intention on the form.

618.5 SETTLEMENT OFFERS

When an employee experiences a work-related condition that is caused by another person and is subsequently contacted by that person, that person's agent, an insurance company, or an attorney and offered a settlement, the employee shall take no action, until notice of such contact has been provided to a supervisor.

618.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to a work-related condition, the employee shall provide the County Commission or the authorized designee with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing written notice to the County Commission or the authorized designee. The purpose of such notice is to permit the County to determine whether the offered settlement will affect any claim the County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the work-related condition, and to protect the county's right of subrogation, while ensuring that the employee's right to receive compensation is not affected.

Temporary Modified- Duty Assignments

619.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, county rules, or applicable employment agreements. For example, nothing in this policy affects the obligation of the County to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

619.2 POLICY

Subject to operational and business considerations, the County may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the County with a productive employee during the temporary period.

619.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or state law shall be treated equally, without regard to any preference for a work-related injury.

No new position should be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational and business needs of the County. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational and business needs and the employee's ability to perform in a modified-duty assignment.

The County Commission or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, operating a county vehicle, or engaging in outside employment.

Employees who refuse a temporary modified-duty assignment offer are permitted to use available approved leave, if eligible.

619.4 PROCESS

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their immediate supervisors or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.

Duchesne County

Government Manual

Government Manual

Temporary Modified- Duty Assignments

- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

Supervisors will make a recommendation to the Department Head and Human Resources Director regarding temporary modified-duty assignments that may be available based on the needs of the County and the limitations of the employee.

619.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate county operations and the employee's medical appointments, as mutually agreed upon by the employee and the employee's supervisor.

619.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

619.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor should monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors include but are not limited to:

- (a) Periodically apprising the Human Resources Director of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Human Resources Director and ensuring that the required documentation facilitating the employee's return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

619.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

Duchesne County

Government Manual

Government Manual

Temporary Modified- Duty Assignments

The County may require a fitness-for-duty examination prior to returning an employee to full-duty status.

619.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other employee on temporary modified duty (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Reasonable accommodations regarding modified duty assignments will be made in accordance with Utah Code § 34A-5-106(7)(a) (2016).

619.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the county's personnel rules and regulations regarding family and medical care leave.

619.8 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Teleworking

620.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the requirements for teleworking opportunities for hourly employees.

Due to the nature of the business needs of Duchesne County, the County does not allow teleworking to hourly employees in most instances. Teleworking is neither a universal employee right nor a universal employee benefit; teleworking is a management option for an alternative work arrangement- only under special extraneous circumstances and only for a very limited time.

620.2 POLICY

- (a) Teleworking is not appropriate for all employees and jobs, nor all employees in the same or similar jobs, and should be considered on a case by-case basis.
- (b) Teleworking may be approved on a time-limited basis and exceptions may be required to meet department needs.
- (c) The Board of Commission must be involved when department heads or elected officials consider authorizing and making arrangements for an hourly employee to telework.
- (d) Teleworking work arrangements must be mutually agreed to by the employee, department head, and the Board of Commission with the understanding that the arrangements may be discontinued by the County at any time.
- (e) Elected Officials and Department Heads shall notify Human Resources when a teleworking agreement has been requested regarding the parameters of the agreement.

Speech, Expression, and Social Networking

621.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of employee speech and expression with the needs of the County.

This policy applies to all forms of communication, including but not limited to film, video, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of an employee group, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

621.2 POLICY

Employees of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the County. Due to the nature of the work and influence associated with local government employees, it is necessary that county personnel be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the County will carefully balance the individual employee's rights against the needs and interests of the County when exercising a reasonable degree of control over its employees' speech and expression.

621.3 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

Employees should demonstrate sound judgment in speech, expression, and conduct that relates to or affects the County. In order to meet the safety, performance, and public-trust needs of the County, the following are prohibited and may be subject to disciplinary action unless the speech is otherwise protected (e.g., an employee is speaking as a private citizen, including acting as an authorized member of an employee group, on a matter of public concern):

- (a) Speech or expression that is disruptive to the work environment, undermines authority, and is destructive to working relationships.
- (b) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the County or its employees.
- (c) Knowingly or recklessly false speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the County and tends to compromise

Duchesne County

Government Manual

Government Manual

Speech, Expression, and Social Networking

or damage the mission, function, reputation, or professionalism of the County or its employees. Examples may include:

1. Making a false accusation of wrongdoing without exercising reasonable caution to verify the truth of the matter.
 2. Intentionally misrepresenting on social media actions taken by the County that would damage the county's reputation.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of county employees. Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment or appointment with the County for financial or personal gain, or any disclosure of such materials without the express authorization of the County Commission or the authorized designee.
- (e) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses or images of county logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the County on any personal or social networking or other website or web page, without the express authorization of the County Commission or the authorized designee.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

621.3.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of employee groups, employees may not represent the County or identify themselves in any way that could be reasonably perceived as representing the County in order to do any of the following, unless specifically authorized by the County Commission or the authorized designee:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose any product, service, company, or other commercial entity.
- (d) Appear in any commercial, social, or nonprofit publication; in any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that an employee, acting in an individual capacity or through an outside group or organization, including as an authorized member of an employee group, is affiliated with this county, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the County.

Employees retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of employee groups on political subjects and candidates at all times during non-work hours. However, employees

Duchesne County

Government Manual

Government Manual

Speech, Expression, and Social Networking

may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

621.4 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook, Twitter, LinkedIn) that is accessed, transmitted, received, or reviewed on any county technology system (see the Information Technology Use Policy for additional guidance).

However, the County may not require an employee to disclose a personal username or password or to open a personal social website, except when legally permitted and relevant to the investigation of allegations of work-related misconduct.

621.5 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the County Commission or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the County or the efficiency or morale of its employees.
- (c) Whether the speech or conduct would reflect unfavorably upon the County.
- (d) Whether the speech or conduct would negatively affect the appearance of impartiality in the performance of the employee's duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the County.

621.6 TRAINING

Subject to available resources, the County should provide training regarding the limitations on speech, expression, and use of social networking to all employees.

Policy Regarding News Media

622.1 PURPOSE AND SCOPE

Duchesne County is frequently contacted by the news media for information associated with County programs; to inquire about a recent unexpected event such as natural disasters; arrests; accidents or injuries; customer or employee complaints; or federal, state or local regulatory actions. The media may contact the County to get general information on a topical story in the community, such as changes in county governmental officials or policies, problems or issues specific to the communities we serve. The County has a responsibility to be open and responsive to media information requests because media reports are among the many ways our clients and the public build their individual perceptions of the County.

622.2 POLICY

This policy has been adopted to ensure that information disclosed by Duchesne County employees or officials is timely, accurate, comprehensive, authoritative and relevant. Adherence to this policy is intended to provide an effective and efficient framework to facilitate the timely dissemination of information in response to new media requests.

This media policy applies to all employees of Duchesne County, including appointed or elected officials, members of committees or commissions, contractors and volunteers. This policy covers communication with all external news media, including radio and television broadcast media, print media and electronic media.

622.3 DESIGNATION OF SPOKESPERSON(S)

The official spokesperson or media contact for Duchesne County is the Duchesne County Commissioner or other Elected Official who oversees the department or program about which information is being sought. The County Commissioner or other Elected Official may delegate authority to provide a response to a media information request, on a case-by-case basis, to a Department or Division Head (or a County Attorney if there is potential, pending or active litigation associated with the request). The County Commissioners, other Elected Officials or their designees are best suited to weigh each media inquiry to determine the best way to provide information in relationship with other information that is not yet public. The County Commissioners, other Elected Officials or designees are best suited to express the official County position on issues of significance or situations that are particularly controversial or sensitive in nature.

622.4 GUIDELINES FOR TALKING WITH THE MEDIA

Refer all media contacts to the County Commissioner's Office or to the Elected Official in charge. Do not say that you are not allowed to talk to the media or that you have to get permission to do so. Instead, tell the media representative that "it is the policy of Duchesne County to refer all media inquiries to the Duchesne County Commission office or to the Elected Official in charge." Provide a telephone number for the media to use.

Duchesne County

Government Manual

Government Manual

Policy Regarding News Media

Whenever taking a call from the media, the same courtesy and professionalism which we offer the public shall be displayed to the media. Our policy is to act quickly when approached by the media to ensure that reporter deadlines are met. This is very important as the way this call or contact is handled may be the reporter's first impression of the County and that first impression may end up in the story published or broadcasted. In order to promote the County's positive customer service image, it is important to respond to media contacts quickly, courteously and professionally.

Immediately contact the County Commissioner's Office or the Elected Official in charge if and when you have been approached by the media. Immediately contact the County Attorney's office if you have been approached by the media regarding a matter that is associated with potential, pending or active litigation. Do not allow a member of the media to compel you to answer questions on the spot. Everything that you say and do may be observed and reported by the news media.

Even though you have referred the media to the County Commissioner's, other Elected Official or County Attorney's Office, the Commissioners, Elected Officials or Attorneys may need your assistance to prepare a response. Be prepared to supply any documentation associated with the media inquiry upon the Commissioner's, Elected Official's or Attorney's request.

622.5 MEDIA PHOTOS OR FILMING

A reporter with camera or video crew may arrive unannounced at county facilities and may or may not request permission to take photographs or film. The First Amendment protects the right of the media and individuals to record audio and video regardless of whether County officials consent. If permission is requested, such permission should be granted only by the County Commissioners, Elected Officials, Department Heads or a County Attorney. Permission shall not be denied when indoor or outdoor public spaces are proposed to be used. In granting permission for the media to take photographs or film, care should be taken to ensure that such activity does not interfere with public access to County facilities and services.

622.6 GUIDELINES FOR SEEKING MEDIA COVERAGE

In circumstances in which you believe that you have a positive news story to share with the public, contact the County Commissioners or other Elected Official for permission to proceed. Authority to grant such permission may be delegated to Department or Division Heads. These individuals are the only persons authorized to distribute news releases, seek coverage of particular events or hold news conferences. Do not call a news media representative without first receiving permission from the County Commissioners, other Elected Official or your Department or Division Head.

Illness and Injury Prevention

623.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for employees and volunteers (considered for the purposes of this policy) of the County.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, each department within the County may set its own related policies or procedures that do not conflict with this policy.

623.2 POLICY

The County is committed to providing a safe environment for its employees and to minimizing the incidence of work-related illness and injuries. The County shall establish and maintain an illness and injury prevention plan and provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the County to comply with all laws and regulations related to occupational safety.

623.3 ILLNESS AND INJURY PREVENTION PLAN

The County Commission or the authorized designee is responsible for developing an illness and injury prevention plan that should include:

- (a) Workplace safety and health training programs.
- (b) Review of county workplace safety policies and procedures of each department.
- (c) Regularly scheduled safety meetings.
- (d) Posted or distributed safety information.
- (e) Establishing a process to ensure illnesses and injuries are reported as required under state law.

623.4 MANAGER/ADMINISTRATOR RESPONSIBILITIES

The responsibilities of the County Commission or the authorized designee include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of employee illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:
 1. New employee orientation that includes a discussion of safety and health policies and procedures.
 2. Regular employee review of the illness and injury prevention plan.

Duchesne County

Government Manual

Government Manual

Illness and Injury Prevention

- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees.
- (d) Taking reasonable steps to ensure that all employees comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing employees of the illness and injury prevention guidelines.
 - 2. Recognizing employees who perform safe work practices.
 - 3. Ensuring that the employee evaluation process includes employee safety performance.
 - 4. Ensuring compliance with any applicable safety standards related to:
 - (a) Communicable diseases
 - (b) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy)
 - (c) Emergency Action Plan
 - (d) Walking-working surfaces
- (e) Making available a form to document inspections, unsafe conditions or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form or other digital record to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each employee. This form or record will include the employee's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

623.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring employee compliance with illness and injury prevention guidelines and answering questions from employees about this policy.
- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate.
- (c) Establishing and maintaining communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention and submitting such forms and reports to the County Commission.
- (e) Notifying the County Commission or the authorized designee when:
 - 1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.

Illness and Injury Prevention

3. Work-related illnesses and injuries occur.
4. New and/or permanent or intermittent employees are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
5. Workplace conditions warrant an inspection.

623.6 HAZARDS

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed employees from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

The County Commission or the authorized designee will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

623.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The County Commission or the authorized designee should ensure that the appropriate documentation is completed for each inspection.

623.7.1 EQUIPMENT

Employees are charged with daily inspections of their assigned equipment or work environment, as applicable, prior to beginning their workday. Employees should complete the appropriate form if an unsafe condition cannot be immediately corrected and should not operate the equipment if danger is posed. Employees should forward this form to their supervisors.

623.8 INVESTIGATIONS

Any employee sustaining any work-related illness or injury, as well as any employee who is involved in any work-related accident or hazardous substance exposure, shall report such event as soon as practicable to a supervisor and by completing the Accident and Incident Report Form as directed in the Work-Related Illness and Injury Reporting Policy. Employees observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

Duchesne County

Government Manual

Government Manual

Illness and Injury Prevention

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) An interview of the injured employee and witnesses.
- (b) An examination of the workplace for factors associated with the accident/exposure.
- (c) Determination of the cause of the accident/exposure.
- (d) Corrective action to prevent the accident/exposure from reoccurring.

Additionally, the supervisor should proceed with the steps to report a work-related injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

623.9 TRAINING

Employees, including supervisors, should be provided with training on general and job-specific workplace safety and health practices. Training should be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed.
- (b) To all employees with respect to hazards specific to each employee's job assignment.
- (c) To all employees given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the County is made aware of a new or previously unrecognized hazard.

623.9.1 TRAINING TOPICS

Training topics should include, as applicable:

- (a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing, and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which employees could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards.

Duchesne County

Government Manual

Government Manual

Illness and Injury Prevention

- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

623.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Workplace Violence

624.1 PURPOSE AND SCOPE

The purpose of this policy is to make clear that the County does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior that is or can be perceived as threatening, hostile, and/or violent.

624.2 POLICY

It is the policy of the County to provide and maintain a safe work environment for its employees, volunteers, and members of the public.

In responding to any violent behavior in the workplace, the County is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses, and those instigating the harm.

624.3 PROHIBITED BEHAVIOR

No employee shall engage in, encourage, or promote violent behavior toward any person while conducting county business or on county property.

No employee engaged in county business shall brandish or flourish a weapon or possess explosives.

624.4 REPORTING AND INVESTIGATING

624.4.1 EMPLOYEE RESPONSIBILITY

Employees who experience, observe, or have knowledge of prohibited behaviors and actions in the workplace have a responsibility to report the situation as soon as practicable to a supervisor, a manager, or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

624.4.2 SUPERVISOR AND MANAGER/ADMINISTRATOR RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the Sheriff's Office or the authorized designee shall be notified as soon as practicable and appropriate action taken.

Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

624.4.3 INVESTIGATION

The Sheriff's Office or the authorized designee will promptly, impartially, and with as much confidentiality as practicable coordinate the investigation of all reports of violent behavior.

County employees are required to cooperate in any investigation. This provision does not abrogate an employee's constitutional rights. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

Duchesne County

Government Manual

Government Manual

Workplace Violence

624.4.4 REPORTING NON-WORK-RELATED THREATENING OR VIOLENT BEHAVIOR

County employees who are victims of domestic violence or other threatening behavior outside of the workplace, or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisors.

Supervisors receiving any such report shall contact the Sheriff's Office or the authorized designee as soon as practicable so that any appropriate safety measures or plans may be developed.

624.5 RETALIATION PROHIBITED

Any form of retaliation against an employee for making a report concerning violent behavior in the workplace is prohibited.

Any employee who becomes aware of any retaliation or threatened retaliation shall immediately notify a supervisor.

624.6 RESTRAINING ORDERS

Employees who obtain a restraining order listing their workplace, person, or the County property as a protected area must provide a copy of the restraining order to their immediate supervisor or the Sheriff's Office or the authorized designee so the County may provide a safe workplace.

624.7 FOLLOW-UP ACTION

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law and applicable employment agreements.

Actions that may be taken when an employee has been found to have violated this policy include but are not limited to the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution
- Special procedures, such as job relocation or initiation of a court order

If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

624.8 CORRECTIVE ACTIONS

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety.

624.9 WORKPLACE VIOLENCE PREVENTION

All county employees are responsible for assisting in the prevention of violence in the workplace.

Duchesne County

Government Manual

Government Manual

Workplace Violence

The County will provide appropriate training to employees regarding workplace violence.

In the event a violent incident occurs in the workplace, the County Commission or the authorized designee is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.

Outside Employment

625.1 PURPOSE AND SCOPE

This policy provides guidelines for all county employees, full or part-time, who seek to engage in authorized outside employment.

625.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by employees of the County for another employer, organization, or individual when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those employees who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

625.2 POLICY

County employees shall obtain written approval from the County Commission or the authorized designee prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the County Commission or the authorized designee in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment that is prohibited by this policy, may lead to disciplinary action.

625.3 OUTSIDE EMPLOYMENT

625.3.1 REQUEST AND APPROVAL

Employees must submit a written request to engage in outside employment to their immediate supervisors. The request will then be forwarded to the County Commission or the authorized designee for consideration. Employees may use the attached form. [See attachment: Outside Employment Request.pdf](#)

If approved, the employee will be provided with a written notification of approval. Unless otherwise indicated in writing, approval for outside employment will be valid through the end of the calendar year in which the request is approved.

625.3.2 DENIAL

Requests for secondary employment will be denied upon the initial request when it conflicts with county policy or any law, or it creates an actual or apparent conflict of interest with the County.

625.3.3 REVOCATION

Any employee whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the employee's performance is failing to meet standards and the outside employment may be related to the deficient performance.

Duchesne County

Government Manual

Government Manual

Outside Employment

1. Approval for the outside employment may be re-established when the employee's performance has reached a satisfactory level and with a supervisor's authorization.
 - (b) When an employee's conduct or outside employment conflicts with county policy or any law.
 - (c) When the outside employment creates an actual or apparent conflict of interest with the County.

625.3.4 APPEAL

If an employee's request for outside employment is denied or if previous approval is revoked or suspended, the employee may file a written notice of appeal with the County Commission or the authorized designee within 10 days of receiving notice of the denial, revocation, or suspension.

If appealed, a revocation or suspension will only be implemented after the employee has completed the appeal process.

625.4 REQUIREMENTS

625.4.1 PROHIBITED OUTSIDE EMPLOYMENT

An employee shall not work for more than one department of the County where the total working time would exceed normal working hours or require the payment of overtime pay.

The County reserves the right to deny any request for outside employment that involves:

- (a) The use of county time, facilities, equipment, or supplies.
- (b) The use of any county badge, uniform, or influence for private gain or advantage.
- (c) The employee's receipt or acceptance of any money or other consideration for the performance of duties or services required or expected of the employee in the normal course of employment or appointment.
- (d) Demands upon the employee's time that would render the employee's work performance for the County deficient or substandard.
- (e) Activities that may conflict with any other policy or rule of the County.

625.4.2 LOCAL GOVERNMENT RESOURCES

Employees are prohibited from using any county equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against employees using their position with the County to gain access to official records or databases.

625.4.3 REVIEW OF FINANCIAL RECORDS

Unless prohibited by law under the circumstances, prior to approving outside employment, the County Commission or the authorized designee may request that an employee provide a copy of personal financial records for review if it is determined that a conflict of interest may exist. Failure or refusal by the employee to provide such records may result in denial of the outside employment.

Duchesne County

Government Manual

Government Manual

Outside Employment

If, after approving a request for outside employment, the County obtains information that a financial conflict of interest exists, the County Commission or the authorized designee may request that the employee provide a copy of personal financial records for review. Failure or refusal by the employee to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

625.4.4 CHANGES IN OUTSIDE EMPLOYMENT STATUS

Employees who terminate their outside employment shall promptly submit written notification of such termination to their immediate supervisor. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Employees shall also promptly submit in writing to their immediate supervisor any changes in the scope of outside employment, including any change in the number of hours, type of work, or the demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

625.4.5 LEAVE OR RESTRICTED DUTY STATUS

Employees who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the County Commission or the authorized designee regarding whether such employment should continue.

In the event that the County Commission or the authorized designee determines that the outside employment should be discontinued, or if the employee fails to promptly notify an immediate supervisor of the employee's intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the employee and a copy attached to the original outside employment request.

Criteria for revoking approval due to leave or restricted duty status include but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the employee.
- (b) The outside employment requires performance of the same or similar physical ability as would be required in the employee's county job.
- (c) The employee fails to give timely notice of intent regarding outside employment to an immediate supervisor.

When the employee returns to full duty with the County, a written request may be submitted to the County Commission or the authorized designee to approve the outside employment request.

Personal Appearance Standards

626.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of county employees.

Dress code requirements for uniformed and non-uniformed employees are addressed in the Dress Code Policy.

626.2 POLICY

County employees shall maintain their personal hygiene and appearance to project a professional image that is appropriate for public service and for the department in which they work. Personal appearance standards are primarily based on safety requirements, appearance conformity, and the social norms of the community served, while considering matters important to county employees.

626.3 GROOMING

The following appearance standards shall apply to all employees unless the employee's supervisor has granted an exception.

626.3.1 PERSONAL HYGIENE

All employees must maintain proper personal hygiene. Examples of improper personal hygiene include but are not limited to unreasonable dirty fingernails, unreasonable poor dental hygiene, unreasonable body odor, and/or unreasonable dirty or unkempt hair.

Employees should adhere to the following general guidelines in their personal appearance when presenting to work. Employees may be subject to additional personal hygiene standards set forth in supplemental policies established by each department.

- (a) Hair shall be neat.
- (b) Facial hair (e.g., beards, sideburns, mustaches, eyebrows) must be clean and well-groomed. Facial hair for certain employees may be prohibited if it creates a safety hazard (i.e., facial hair for employees who regularly wear certain types of respirators).
- (c) Fingernails should be clean and neatly trimmed to a length that does not present a safety concern.

626.4 APPEARANCE

626.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the employee or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

Duchesne County

Government Manual

Government Manual

Personal Appearance Standards

626.4.2 TATTOOS

At no time while an employee is representing the County in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

626.4.3 BODY ALTERATION

Alteration to any area of the body that is visible while representing the County in any official capacity, that is a deviation from normal anatomical features, and that is not medically required, is prohibited. Such body alteration includes but is not limited to:

- (a) Tongue splitting.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification, or burning to create a design or pattern.

626.4.4 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited during work hours and while representing the County in any official capacity.

626.5 EXEMPTIONS

County employees may request exemptions from portions of this policy when application would affect a disability, a religious practice or belief, or other protected characteristics. Requests for exemptions should be addressed to the Department Head and Human Resources Director. The County Commission should be advised any time a request for accommodation is denied.

Dress Code

627.1 PURPOSE AND SCOPE

This policy provides dress code guidelines for county employees.

Other related topics are addressed in the Local Government-Owned and Personal Property and Personal Appearance Standards policies.

627.2 POLICY

It is the policy of the County that uniformed employees are readily identifiable to the public through the proper use and wearing of county uniforms and that the appearance of all employees is suitable and appropriate for their position.

627.3 WORK ATTIRE FOR NON-UNIFORMED EMPLOYEES

Non-uniformed employees shall dress in a manner appropriate for their position and any department-specific standards. The following guidelines apply to all non-uniformed employees:

- (a) Clothing shall fit properly, be clean and free of stains, and not be damaged or excessively worn.
- (b) Employees assigned primarily to an office environment, including management, administrative, and support positions, shall wear business-casual attire.
- (c) Variations from this policy are allowed at the discretion of the employee's immediate supervisor or the head of the department based upon the employee's assigned job duties.
- (d) No item of civilian attire that would adversely affect the reputation of the County or employee morale may be worn during work hours.
- (e) The following items shall not be worn during work hours or when representing the County in any official capacity:
 1. Clothing that reveals cleavage, the back, chest, stomach, or buttocks
 2. Swimsuits, tank tops, tube tops, or halter tops
 3. Sweatpants and exercise clothing
 4. Spandex-type pants or transparent clothing
 5. Clothing, buttons, or pins displaying racial, sexual, discriminatory, gang-related, or obscene language

627.4 UNIFORMS

The County will provide uniforms for all employees who are required to wear them in the manner, quantity, and frequency agreed upon in the respective employee group's employment agreement, if applicable. The County may provide other employees with uniforms at the direction of the County Commission.

Duchesne County

Government Manual

Government Manual

Dress Code

The County Commission or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by employees as needed. Uniforms shall be worn as described therein and as specified in this policy and any supplemental department policies.

The following shall apply to those employees assigned to wear county-issued uniforms:

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed, as necessary for the position.
- (b) Uniforms shall be worn in compliance with any applicable county specifications.
- (c) Uniforms are only to be worn during work hours, at official county functions or events, while in transit to or from work, or when authorized by the County Commission or the authorized designee.
- (d) Employees are not to purchase or drink alcoholic beverages while wearing any part of county-issued uniforms.
- (e) Supervisors shall monitor employee compliance with this policy through periodic inspections of employees within their department who wear a county-issued uniform.

All uniforms and equipment issued to county employees shall be returned to the County upon termination or resignation.

Tuition Assistance Program

628.1 PURPOSE AND SCOPE

The purpose of this policy is to define the tuition reimbursement program. The Duchesne County Tuition Reimbursement Program provides team members with an opportunity to further their education and acquire new skills and knowledge enabling them to reach their fullest potential. Duchesne County supports the growth and development of team members and promotes from within whenever possible. Team members are encouraged to pursue work and career related studies which are of mutual interest to the team member and Duchesne County. When budget funds are available, Duchesne County will assist with specified costs at recognized and accredited educational institutions in accordance with the guidelines.

628.2 ELIGIBILITY

- (a) When budget funds are available, all full-time active team members with a minimum of six (6) months of employment and working a minimum of 30 hours per week are eligible to participate in the program. Team members must maintain the required full-time status to be eligible to receive assistance.
- (b) Team members must be meeting the expectations of the position to be eligible for the program. Courses must be taken at an accredited college or from an accredited organization (including technical colleges).

628.3 TUITION ASSISTANCE

- (a) Any required coursework toward a degree or approved certificate program where credit is received is eligible under this program. Programs must be related to jobs or careers within the county.
- (b) All courses and course work must be completed on the employee's personal time and not during work hours.
- (c) Individual courses taken outside of a degree or certificate program must be directly related to the team member's current position and his/her established career goals.
- (d) Seminars, workshops, and certificate programs relating to a professional designation, or prep classes for these designations, are not included in this program. These opportunities should be discussed between the team member and his/her manager and should be expensed through departmental training budgets.

628.4 APPLICATION PROCESS

All coursework must be pre-approved by the team member's department head, Human Resources, and the County Commission.

- (a) Duchesne County may cover tuition expenses up to \$5,250 per calendar year.
- (b) If an employee terminates employment, for any reason, with Duchesne County within two years of completion of the course(s) the employee will be required to reimburse the County for all tuition costs. Additionally, employees who receive tuition assistance will only be eligible for county- wide COLA wage increases during this two-year period.

Duchesne County

Government Manual

Government Manual

Tuition Assistance Program

628.5 RESPONSIBILITY OF THE TEAM MEMBER

Before signing up for a class, complete a Tuition Assistance Application. These forms are available through the Human Resources department. The team member's department head must approve the tuition reimbursement form before it is submitted to Human Resources for approval. The Human Resources Director will present approved proposals to the County Commission for final approval.

- (a) At the time of the request the following must be provided:
 1. A copy of the Tuition Assistance Application that was previously approved by the team member's department head and Human Resources.
 2. A fee statement or tuition invoice showing the tuition cost of the course(s). [See attachment: Tuition Assistance Application.pdf](#)

Attachments

Tuition Assistance Application.pdf



Duchesne County Tuition Assistance Program

The Duchesne County Tuition Reimbursement Program provides team members with an opportunity to further their education and acquire new skills and knowledge enabling them to reach their fullest potential. Duchesne County supports the growth and development of team members and promotes from within whenever possible. Team members are encouraged to pursue work and career related studies which are of mutual interest to the team member and Duchesne County. When budget funds are available, Duchesne County will assist with specified costs at recognized and accredited educational institutions in accordance with the guidelines.

Eligibility

When budget funds are available, all full-time active team members with a minimum of six (6) months of employment and working a minimum of 30 hours per week are eligible to participate in the program. Team members must maintain the required full-time status to be eligible to receive assistance.

Team members must be meeting the expectations of the position to be eligible for the program. Courses must be taken at an accredited college or from an accredited organization (including technical colleges).

Tuition Assistance Information

- Any required coursework toward a degree or approved certificate program where credit is received is eligible under this program. Programs must be related to jobs or careers within the county.
- *All courses and course work must be completed on the employees personal time and not during work hours.*
- Individual courses taken outside of a degree or certificate program must be directly related to the team member's current position and his/her established career goals.
- Seminars, workshops, and certificate programs relating to a professional designation, or prep classes for these designations, are not included in this program. These opportunities should be discussed between the team member and his/her manager and should be expensed through departmental training budgets.

Application Process

All classes must be approved by the team member's department head, Human Resources and the County Commission prior to the start of the class. Team members will not receive assistance for classes started or completed prior to receiving written approval.

Duchesne County may cover tuition expenses up to \$5,250 per calendar year.

If an employee terminates employment, for any reason, with Duchesne County within two years of completion of the course(s) the employee will be required to reimburse the County for all tuition costs. *Additionally, employees who receive tuition assistance will only be eligible for county-wide COLA wage increases during this two-year period.*

Responsibility of Team Member

Before signing up for a class, complete a Tuition Assistance Application. These forms are available through the Human Resources department.

The team member's department head must approve the tuition reimbursement form before it is submitted to Human Resources for approval. The team member's supervisor will coordinate approval from the department head/elected official and present the request to the County Commission for final approval.

At the time of the request the following must be provided:

- A copy of the Tuition Assistance Application that was previously approved by the team member's department head and Human Resources.
- A fee statement or tuition invoice showing the tuition cost of the course(s).
- A receipt showing the cost of your textbook(s) if applicable.



Duchesne County Tuition Assistance Application

| Employee Information | | |
|-----------------------------|-------------|---------------|
| Name: | Hire Date: | Today's Date: |
| Position: | Department: | |

| Educational Information | |
|--------------------------------|----------------------------|
| Educational Institute: | Pursuing Degree: Yes No |
| Type of Degree: | Major: |

| Course Information | |
|---------------------------|---------------------|
| Course Title: | Course Number: |
| Course Start Date: | Course End Date: |
| Tuition Cost: \$ _____ | Book Cost: \$ _____ |

| | |
|------------------------|---------------------|
| Course Title: | Course Number: |
| Course Start Date: | Course End Date: |
| Tuition Cost: \$ _____ | Book Cost: \$ _____ |

| | |
|------------------------|---------------------|
| Course Title: | Course Number: |
| Course Start Date: | Course End Date: |
| Tuition Cost: \$ _____ | Book Cost: \$ _____ |

| | | |
|---|-----------------------------|---|
| Are you receiving other educational assistance for the course(s) listed above? (This does not include any loans you must repay) Yes No | If yes, Amount: \$ _____ | The assistance amount will be offset by the amount of other assistance you receive. |
|---|-----------------------------|---|

| Employee Signature | |
|---|-------------|
| This application is submitted for approval of tuition assistance. I understand the Tuition Assistance Program and agree to its provisions. I understand that termination, for any reason; within two years of course completion will result in repayment of all funds that were reimbursed to me. | |
| Signature: _____ | Date: _____ |
| Approval | |
| <i>This application has been reviewed and approved.</i> | |
| Supervisor Signature: _____ | Date: _____ |
| Human Resources Signature: _____ | Date: _____ |
| Commissioner Signature: _____ | Date: _____ |

Vehicle Use Request.pdf

VEHICLE USE REQUEST

| Department | Department Head | Employee's Name | Vehicle |
|------------|-----------------|-----------------|---------|
| | | | |

Department Head Statement of Justification:

405.5 ASSIGNMENT OF TAKE-HOME VEHICLES

Assignment of take-home vehicles should be based on the location of the employee's residence, the nature of the employee's job, whether the employee performs work outside of regular business hours, the employee's employment status, and available resources. Authorization to regularly take home a County vehicle may be granted under certain circumstances. The request must be in writing, approved by the County Commission, and placed in the employee's personnel file. Employees must meet at least one of the following requirements in order to receive authorization to regularly take a County vehicle home:

- (a) The employee has demonstrated, and continues to demonstrate, a need to respond to an average of five emergency situations or call-outs to work per month. This must be documented, submitted to their supervisor and presented to the County Commission.
- (b) The employee's nature of work requires immediate response to situations that require a vehicle with specific capabilities or specific safety or emergency equipment that cannot reasonably be carried in the user's personal vehicle.
- (c) The employee may be called or sent to locations other than where his/her County vehicle is normally parked.

In compliance with IRS Publication 15-B, most authorized employees under this Section who use the County vehicle to commute to and from work will be assessed \$1.50 each way (\$720.00 per year) for 48 weeks out of the year. This assessment takes into consideration two weeks of vacation and two weeks of holiday time away from work. The assessment will be reported on the employee's annual W-2.

The IRS does allow for some exceptions to this assessment dependent on the vehicle alterations or capabilities and intended use. Exceptions to the taxable assessment will be determined by the Board of County Commissioners on a case-by-case basis.

Travel to and from the home will not be considered work time unless the employee is responding to and from an emergency as part of the employee's duties or is departing from their residence to travel to an off-site work training or event.

This employee's responsibilities justify this recommendation for the following reasons:

Department Head Signature

Date

VEHICLE USE REQUEST

Terms and Employee Agreement:

I have read this recommendation for use of a County Owned Vehicle and policy 405 – Vehicle Use. I understand this vehicle is not for personal use and that I may only commute to and from the work location(s) to my place of residence. I agree to these terms and understand that I may face disciplinary action for violating this agreement. I also understand that I will be taxed on an assessed fee of \$3.00 per day and that this taxable amount will be reported on my W-2 statement, unless an exception for my assigned vehicle is approved. If approved, I understand that the benefit of having a county vehicle is to serve the best interest of the county and is provided at the approval of the County Commission which may be revoked at any time for any reason.

Employee's Signature

Date

Commission Approval:

Commissioner

Date

Commissioner

Date

Commissioner

Date

| <i>Vehicle Make/Model</i> | <i>IRS Exemption Classification</i> | <i>Tax Assessment – Y or N</i> |
|---------------------------|-------------------------------------|--------------------------------|
| | | |

Utah Protection of Public Employees Act.pdf

Chapter 21 Utah Protection of Public Employees Act

67-21-1 Short title.

This chapter is known as the "Utah Protection of Public Employees Act."

Enacted by Chapter 216, 1985 General Session

67-21-2 Definitions.

As used in this chapter:

- (1) "Abuse of authority" means an arbitrary or capricious exercise of power that:
 - (a) adversely affects the employment rights of another; or
 - (b) results in personal gain to the person exercising the authority or to another person.
- (2) "Adverse action" means to discharge, threaten, or discriminate against an employee in a manner that affects the employee's employment, including compensation, terms, conditions, location, rights, immunities, promotions, or privileges.
- (3) "Communicate" means a verbal, written, broadcast, or other communicated report.
- (4) "Damages" means general and special damages for injury or loss caused by each violation of this chapter.
- (5) "Employee" means a person who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied.
- (6)
 - (a) "Employer" means the public body or public entity that employs the employee.
 - (b) "Employer" includes an agent of an employer.
- (7) "Gross mismanagement" means action or failure to act by a person, with respect to a person's responsibility, that causes significant harm or risk of harm to the mission of the public entity or public body that employs, or is managed or controlled by, the person.
- (8) "Judicial employee" means an employee of the judicial branch of state government.
- (9) "Legislative employee" means an employee of the legislative branch of state government.
- (10) "Political subdivision employee" means an employee of a political subdivision of the state.
- (11) "Public body" means any of the following:
 - (a) a state officer, employee, agency, department, division, bureau, board, commission, council, authority, educational institution, or any other body in the executive branch of state government;
 - (b) an agency, board, commission, council, institution member, or employee of the legislative branch of state government;
 - (c) a county, city, town, regional governing body, council, school district, local district, special service district, or municipal corporation, board, department, commission, council, agency, or any member or employee of them;
 - (d) any other body that is created by state or local authority, or that is primarily funded by or through state or local authority, or any member or employee of that body;
 - (e) a law enforcement agency or any member or employee of a law enforcement agency; and
 - (f) the judiciary and any member or employee of the judiciary.
- (12) "Public entity" means a department, division, board, council, committee, institution, office, bureau, or other similar administrative unit of the executive branch of state government.
- (13) "Public entity employee" means an employee of a public entity.
- (14) "Retaliatory action" is as defined in Section 67-19a-101.

(15) "State institution of higher education" is as defined in Section 53B-3-102.

(16) "Unethical conduct" means conduct that violates a provision of Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act.

Amended by Chapter 427, 2013 General Session

67-21-3 Reporting of governmental waste or violations of law -- Employer action -- Exceptions.

- (1)
- (a) An employer may not take adverse action against an employee because the employee, or a person authorized to act on behalf of the employee, communicates in good faith:
 - (i) the waste or misuse of public funds, property, or manpower;
 - (ii) a violation or suspected violation of a law, rule, or regulation adopted under the law of this state, a political subdivision of this state, or any recognized entity of the United States; or
 - (iii) as it relates to a state government employer:
 - (A) gross mismanagement;
 - (B) abuse of authority; or
 - (C) unethical conduct.
 - (b) For purposes of Subsection (1)(a), an employee is presumed to have communicated in good faith if the employee gives written notice or otherwise formally communicates the conduct described in Subsection (1)(a) to:
 - (i) a person in authority over the person alleged to have engaged in the conduct described in Subsection (1)(a);
 - (ii) the attorney general's office;
 - (iii) law enforcement, if the conduct is criminal in nature;
 - (iv) if the employee is a public entity employee, public body employee, legislative employee, or a judicial employee:
 - (A) the state auditor's office;
 - (B) the president of the Senate;
 - (C) the speaker of the House of Representatives;
 - (D) the Office of Legislative Auditor General;
 - (E) the governor's office;
 - (F) the state court administrator; or
 - (G) the Division of Finance;
 - (v) if the employee is a public entity employee, but not an employee of a state institution of higher education, the director of the Division of Purchasing and General Services;
 - (vi) if the employee is a political subdivision employee:
 - (A) the legislative body, or a member of the legislative body, of the political subdivision;
 - (B) the governing body, or a member of the governing body, of the political subdivision;
 - (C) the top executive of the political subdivision; or
 - (D) any government official with authority to audit the political subdivision or the applicable part of the political subdivision; or
 - (vii) if the employee is an employee of a state institution of higher education:
 - (A) the Utah Board of Higher Education or a member of the Utah Board of Higher Education;
 - (B) the commissioner of higher education;
 - (C) the president of the state institution of higher education where the employee is employed;or

- (D) the entity that conducts audits of the state institution of higher education where the employee is employed.
- (c) The presumption described in Subsection (1)(b) may be rebutted by showing that the employee knew or reasonably ought to have known that the report is malicious, false, or frivolous.
- (2) An employer may not take adverse action against an employee because an employee participates or gives information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review held by the public body.
- (3) An employer may not take adverse action against an employee because the employee has objected to or refused to carry out a directive that the employee reasonably believes violates a law of this state, a political subdivision of this state, or the United States, or a rule or regulation adopted under the authority of the laws of this state, a political subdivision of this state, or the United States.
- (4) An employer may not implement rules or policies that unreasonably restrict an employee's ability to document:
 - (a) the waste or misuse of public funds, property, or manpower;
 - (b) a violation or suspected violation of any law, rule, or regulation; or
 - (c) as it relates to a state government employer:
 - (i) gross mismanagement;
 - (ii) abuse of authority; or
 - (iii) unethical conduct.

Amended by Chapter 365, 2020 General Session

67-21-3.5 Administrative review of adverse action against a public entity employee.

- (1) A public entity employee who believes that the employee's employer has taken retaliatory action against the employee in violation of this chapter may file a grievance with the Career Service Review Office in accordance with Section 67-19a-402.5 and subject to Section 67-21-4.
- (2) If the Career Service Review Office determines that retaliatory action is taken in violation of this chapter against the public entity employee, the Career Service Review Office may order:
 - (a) reinstatement of the public entity employee at the same level held by the public entity employee before the retaliatory action;
 - (b) the payment of back wages, in accordance with Subsection 67-19a-406(5)(b);
 - (c) full reinstatement of benefits;
 - (d) full reinstatement of other employment rights; or
 - (e) if the retaliatory action includes failure to promote, as described in Subsection 67-19a-101(11)(d), a pay raise that results in the employee receiving the pay that the employee would have received if the person had been promoted.
- (3) A public entity employer has the burden to prove by substantial evidence that the public entity employer's action was justified.
- (4) A public entity employee or public entity employer may appeal a determination of the Career Service Review Office as provided in Section 67-19a-402.5.

Amended by Chapter 390, 2018 General Session

67-21-3.6 Administrative review for political subdivision employees.

- (1)

- (a) A political subdivision may adopt an ordinance to establish an independent personnel board to hear and take action on a complaint alleging adverse action.
- (b) The ordinance described in Subsection (1)(a) shall include:
 - (i) procedures for filing a complaint and conducting a hearing; and
 - (ii) a burden of proof on the employer to establish by substantial evidence that the employer's action was justified by reasons unrelated to the employee's good faith actions under Section 67-21-3.
- (2) If a political subdivision adopts an ordinance described in Subsection (1), a political subdivision employee may file a complaint with the independent personnel board alleging adverse action.
- (3) If an independent personnel board finds that adverse action is taken in violation of the ordinance described in Subsection (1)(a), the independent personnel board may order:
 - (a) reinstatement of the employee at the same level as before the adverse action;
 - (b) the payment of back wages;
 - (c) full reinstatement of fringe benefits;
 - (d) full reinstatement of seniority rights; or
 - (e) if the adverse action includes failure to promote, as described in Subsection 67-19a-101(11)(d), a pay raise that results in the employee receiving the pay that the employee would have received if the person had been promoted.

Enacted by Chapter 427, 2013 General Session

67-21-3.7 Administrative review for state institution of higher education employees.

- (1)
 - (a) As used in this section, "independent personnel board" means a board where no member of the board:
 - (i) is in the same department as the complainant;
 - (ii) is a supervisor of the complainant; or
 - (iii) has a conflict of interest in relation to the complainant or an allegation made in the complaint.
 - (b) A state institution of higher education shall adopt a policy to establish an independent personnel board to hear and take action on a complaint alleging adverse action.
 - (c) The policy described in Subsection (1)(b) shall include:
 - (i) procedures for filing a complaint and conducting a hearing; and
 - (ii) a burden of proof on the employer to establish by substantial evidence that the employer's action was justified by reasons unrelated to the employee's good faith actions under Section 67-21-3.
- (2)
 - (a) An employee of a state institution of higher education may file a complaint with the independent personnel board described in Subsection (1)(b) alleging adverse action.
 - (b) An independent personnel board that receives a complaint under Subsection (2)(a) shall hear the matter, resolve the complaint, and take action under Subsection (3) within the later of:
 - (i) 30 days after the day on which the employee files the complaint; or
 - (ii) a longer period of time, not to exceed 30 additional days, if the employee and the independent personnel board mutually agree on the longer time period.
- (3) If an independent personnel board finds that adverse action is taken in violation of the policy described in Subsection (1)(b), the independent personnel board may order, or recommend to a final decision maker:
 - (a) reinstatement of the employee at the same level as before the adverse action;

- (b) the payment of back wages;
 - (c) full reinstatement of fringe benefits;
 - (d) full reinstatement of seniority rights; or
 - (e) if the adverse action includes failure to promote, as described in Subsection 67-19a-101(11)(d), a pay raise that results in the employee receiving the pay that the employee would have received if the person had been promoted.
- (4) A final decision maker who receives a recommendation under Subsection (3) shall render a decision and enter an order within seven days after the day on which the final decision maker receives the recommendation.

Amended by Chapter 178, 2018 General Session

67-21-4 Choice of forum -- Remedies for employee bringing action -- Proof required.

- (1)
- (a) Except as provided in Subsection (1)(b) or (d), and subject to Subsections (1)(d) through (e), an employee who alleges a violation of this chapter may bring a civil action for appropriate injunctive relief, damages, or both, within 180 days after the occurrence of the alleged violation of this chapter.
 - (b) Except as provided in Subsection (1)(d):
 - (i) an employee of a political subdivision that has adopted an ordinance described in Section 67-21-3.6:
 - (A) may bring a civil action described in Subsection (1)(a) within 180 days after the day on which the employee has exhausted administrative remedies; and
 - (B) may not bring a civil action described in Subsection (1)(a) until the employee has exhausted administrative remedies; and
 - (ii) an employee of a state institution of higher education:
 - (A) may bring a civil action described in Subsection (1)(a) within 180 days after the day on which the employee has exhausted administrative remedies; and
 - (B) may not bring a civil action described in Subsection (1)(a) until the employee has exhausted administrative remedies.
 - (c) Except as provided in Subsection (1)(d), a public entity employee who is not a legislative employee or a judicial employee may bring a claim of retaliatory action by selecting one of the following methods:
 - (i) filing a grievance with the Career Service Review Office in accordance with Section 67-19a-402.5; or
 - (ii) bringing a civil action for appropriate injunctive relief, damages, or both, within 180 days after the occurrence of the alleged violation of this chapter.
 - (d)
 - (i) A claimant may bring an action after the 180-day limit described in this Subsection (1) if:
 - (A) the claimant originally brought the action within the 180-day time limit;
 - (B) the action described in Subsection (1)(d)(i)(A) failed or was dismissed for a reason other than on the merits; and
 - (C) the claimant brings the new action within 180 days after the day on which the claimant originally brought the action under Subsection (1)(d)(i)(A).
 - (ii) A claimant may commence a new action under this Subsection (1)(d) only once.
 - (e) A public entity employee who files a grievance under Subsection (1)(d)(i):
 - (i) may not, at any time, bring a civil action in relation to the subject matter of the grievance;
 - (ii) may seek a remedy described in Subsection 67-21-3.5(2); and

- (iii) waives the right to seek a remedy or a type of damages not included in Subsection 67-21-3.5(2).
- (f) A public entity employee who files a civil action under Subsection (1)(d)(ii) may not, at any time, file a grievance with the Career Service Review Office in relation to the subject matter of the civil action.
- (2) An employee who brings a civil action under this section shall bring the action in the district court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil complaint is filed resides or has the person's principal place of business.
- (3) To prevail in an action brought under this section, the employer shall prove by substantial evidence that the employer's action was justified.

Amended by Chapter 178, 2018 General Session

67-21-5 Court orders for violation of chapter.

- (1) A court, in rendering a judgment in an action brought under this chapter, may order reinstatement of the employee at the same level, the payment of back wages, full reinstatement of fringe benefits and seniority rights, damages, or any combination of these remedies.
- (2) A court shall award the complainant all or a portion of the costs of litigation, which are defined to include reasonable attorney fees and witness fees, if the court determines that the complainant prevails.

Amended by Chapter 427, 2013 General Session

67-21-6 Civil fine.

- (1)
 - (a) A person who violates this chapter is liable for a civil fine of not more than \$500.
 - (b) The person who takes an adverse action against an employee in violation of this chapter, and not the public body that employs the employee, shall, after receiving notice and an opportunity to be heard, pay the civil fine under this Subsection (1).
 - (c) If a person is ordered to pay a civil fine under this Subsection (1), the employer may dismiss the person who took the adverse action in violation of this chapter.
- (2) A civil fine ordered under this chapter shall be submitted to the state treasurer for deposit in the General Fund.
- (3) The civil fine described in this section may be imposed if a violation of this chapter is found by:
 - (a) an independent personnel board described in Subsection 67-21-3.6(1)(a) or 67-21-3.7(1)(a);
 - (b) the Career Service Review Office; or
 - (c) a court.

Amended by Chapter 427, 2013 General Session

67-21-7 No impairment of employee rights under collective bargaining agreement.

This chapter shall not be construed to diminish or impair the rights of an employee under any collective bargaining agreement.

Enacted by Chapter 216, 1985 General Session

67-21-8 No compensation when participation in public inquiry.

This chapter shall not be construed to require an employer to compensate an employee for participation in an investigation, hearing, or inquiry held by a public body in accordance with Section 67-21-3.

Enacted by Chapter 216, 1985 General Session

67-21-9 Notice of contents of this chapter -- Posting.

- (1) An employer shall post notices and use other appropriate means to keep employees informed of their protections and obligations under this chapter.
- (2) An employer shall provide an employee with a copy of this chapter:
 - (a) when the employee is hired;
 - (b) upon a request by the employee; and
 - (c) when the employee files a grievance under this chapter.

Amended by Chapter 178, 2018 General Session

67-21-10 False accusations.

- (1) An employee violates this chapter if the employee knowingly makes a false accusation against an employer under this chapter.
- (2) An employee who violates Subsection (1), is subject to:
 - (a) a fine not to exceed \$5,000; and
 - (b) dismissal from employment.

Enacted by Chapter 427, 2013 General Session

Vehicle Use Request Form.pdf

Vehicle Use Request

| Department | Department Head | Employee's Name | Vehicle |
|------------|-----------------|-----------------|---------|
| | | | |

Department Head Statement of Justification:

I recommend this employee to use a County Owned Vehicle for the personal commuting from home to the work site. This employee's responsibilities justify this recommendation for the following reasons:

Department Head Signature

Date

Terms and Employee Agreement:

I have read this recommendation for use of a County Owned Vehicle. I understand this vehicle is not for personal use. I may commute to and from the work location to my place of residence. I agree to these terms and understand that I may face disciplinary action for violating this agreement. I also understand that I will be assessed a fee of \$3.00 per day and that this fee will be reported on my W-2 statement.

Employee's Signature

Date

Commission Approval:

Commissioner

Date

Commissioner

Date

Commissioner

Date

Outside Employment Request.pdf



Duchesne County Outside Employment Request

Name: _____

Date: _____

Department: _____

Title: _____

I hereby request approval to engage in outside employment as described below:

Nature of employment: _____

Time required for employment: _____

I understand that Duchesne County policy forbids me from engaging in any form of outside employment or business opportunity, for myself or another employer, which would conflict or interfere with my job especially while on company time. Additionally I understand that using company equipment or materials for outside employment is strictly prohibited. I understand that in order to engage in outside employment, I must receive approval from my supervisor and the Board of County Commissioners in advance of performing such outside employment, and that the approval may be withdrawn at any time. I also understand and agree that my outside employment must be suspended if my work status with Duchesne County is FMLA leave, workers compensation leave or restricted duty. I understand that failure to comply with the policy could result in disciplinary action up to and including termination of employment.

Employee signature

Date

DEPARTMENT DIRECTOR ACTION

Request Approved Request Denied

Comments or Special Conditions: _____

Supervisor Signature

Date

Elected Official Signature

Date

Forward completed form to the Human Resource Department

INDEX / TOPICS