

## **SECTION 17: ADDITIONAL COUNTY POLICIES**

### **17.1 Operation of Motor Vehicles and County Equipment by County employees.**

- a. **Purpose:** The operation of County vehicles and County Equipment is necessary in conducting the day-to-day business of the County. The use of County vehicles represents one to the greatest liabilities facing the County. Recognizing this, it is imperative that the County take reasonable steps to manage the use of County and privately owned vehicles used while performing County business. This policy sets forth the guidelines and policies governing the operation of vehicles used in the performance of official County business, Department Heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department.
- b. **Scope:** This policy applies to all County owned motor vehicles operated on public road and includes specialty-use vehicles such as construction and excavation equipment designed to operate primarily off-road, driven on public roads to a job site. For emergency personnel responding to emergency situation, their departmental regulations will take precedence over this policy.
- c. **Definitions:** For purposes of this policy, a "motor vehicle" is defined as a self-propelled wheeled conveyance, such as a car or truck, which does not run on rails.
- d. **General Guidelines:**
  - Except as outlined below, only County employees are authorized to operate County vehicles. Persons volunteering services to the County are considered employees of the County for purposes of this policy and may operate County vehicles when their duties require the use of a vehicle and as long as the use of a vehicle is under the approval and direction of the Department Head and necessary in the course of performing official County business.
  - Intentional abuse, moving violations, reckless operation or negligent actions while operating any County vehicle may result in the suspension of the employee's driving privileges and is grounds for further disciplinary action.
  - Employees shall obey all applicable laws while operating county vehicles.
  - County vehicles and County equipment are to be used only for official County business and shall not be used by employees for personal reasons.
  - Only persons being transported in connection with official County business shall be passengers in any county vehicle, this provision does not apply to the transpiration of passengers as a part of a County run bus operation.
    - When cargo, material, or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the vehicle or trailer. All passengers must be seated and secured prior to the vehicle moving.
  - No person shall be allowed to ride anywhere on a vehicle which is not designed or approved by the vehicle manufacturer for passenger seating.

- The driver shall not operate any vehicle when normal vision is obstructed for any reason.
- A qualified operator must be at the vehicle's controls at any time it is running, unless otherwise approved by the vehicle manufacturer. No vehicle shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting parking brake, and locking the doors or otherwise securing the vehicle to prevent theft, vandalism and unintentional movement.
- The County shall not be responsible for personal property in County owned vehicles or personal vehicles used on official County business.

**e. Vehicle Inspections:**

- An employee who operates a County vehicle, regardless of frequency, is responsible for the proper care and operation of that vehicle. Before operating, or at least once a day, the driver will check the vehicle for any damage to the body or the interior that may have occurred since the last operation. Any change in vehicle condition should be reported to the Supervisor or Department Head.
- Fluid levels, including brake, transmission, engine oil and coolant shall be checked each time the vehicle is fueled.
- Any defects which will affect the safe operation of the vehicle will be promptly reported to the driver's Supervisor or Department Head. No employee shall operate a County owned vehicle in an unsafe condition. Any vehicle damage, which is beyond normal wear and tear, must be documented and reported to the driver's Supervisor or Department Head.

**f. Operator's License:**

- A valid Kansas vehicle operator's license must be in the employee's possession at all times while operating a County owned vehicle. In the case of commercially rated vehicles, the proper Commercial Driver's License (CDL) for the vehicle's weight and class must be in the possession of the driver at all times.
- Any employee who operates a vehicle in the performance of official County business, and whose operator license is suspended or revoked, shall immediately report this fact to their Department Head.

**g. Cellular Phones:**

- For incoming calls while operating a motor vehicle: the employee should answer the call while observing traffic, but only if it is safe to do so. The vehicle should then be stopped in a safe location to continue the call.
- For outgoing calls: the employee should stop the vehicle where it is safe and legal to do so, and then initiate the call.
- If the employee has a hands free device, it is acceptable to operate the motor vehicle while speaking on the phone. However, the employee is still required to stop the vehicle in a safe and legal manner prior to dialing a phone number.

**h. Training:**

All County drivers are required to attend defensive driving classes as requested by the county and/or its auto insurance carrier.

- i. Out of town Travel and Meeting Attendance:** With Department Head approval, an employee may take a County vehicle home prior to leaving for an out of town trip or attending a late evening or early morning meeting which would require a return to the work place after normal duty hours. The employee may use the County vehicle only for travel necessary to accomplish official County business.

**j. Trailers and Towing:**

- A driver whose vehicle is towing a trailer, dolly, or other equipment shall assure that the trailer hitch is securely latched, adequate for the load being towed, properly installed on the towing vehicle and that safety chains are securely latched.
- The driver shall assure that the trailer or other towed equipment is supplied with proper lighting including brake lights, turn signals and running lights.
- Any vehicle having a load that extend more than four (4) feet beyond the rear shall have the end of the load marked with a red flag that shall be at least twelve (12) inches square.
- All trailers and dump trucks that are carrying loose material such as gravel are required to have the top of the trailer/bed covered with a tarp to prevent material from escaping from the container during transport.

**k. Leased/rented Vehicles:**

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

**l. Parked Vehicles:**

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

**m. Accident Reporting Requirements:**

- Any accident involving a County owned, leased, rented or privately owned vehicle used in the performance of County duties shall be reported as follows:
  1. Summon medical care for any injured parties.
  2. Notify appropriate law enforcement authorities.
  3. Notify employee's immediate Supervisor.

- The Supervisor shall immediately notify the Human Resources Officer or Insurance Coordinator, who will in turn notify the County's auto insurance carrier.
  - The Supervisor shall be responsible for obtaining a written statement from the involved employee(s), completing all required County reports, and recommending any follow-up preventative actions.
  - When the County employee is determined to be more than 50% at fault in an accident by the County's liability insurance carrier, or has violated any or the provisions of this policy, the Supervisor shall conduct the following disciplinary actions:
    1. First offense in a three (3) year period-written reprimand.
    2. Second offense in a three (3) year period-written reprimand and a one week suspension without pay.
    3. Third offense in a three (3) year period-termination or reassignment to a new non-driving position that does not require vehicle/equipment operation.
- n. Use of safety Restraints:**
- All occupants of County vehicles must properly wear seat belts, when so equipped, anytime the vehicle is in motion.
  - The operator of construction, excavation, and other off road equipment shall use the occupant restraint system anytime the vehicle is in operation.
  - Employees are prohibited from removing, deactivating, modify or otherwise defeating any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.
- o. Motor Vehicle Driving Record Review:**
- As a conditional offer of employment to a prospective County driver, a Motor Vehicle Record (MVR) must be requested for that driver and a copy forward to the County's insurance carrier for review.
  - At least annually, the Human Resources Office, with employee authorization shall request a copy of the transcript of driving record from the Harper county 9-1-1 Department for each employee who position requires operation of a County vehicle and will forward those documents to the county's auto insurance carrier for review.
  - An accumulation of eight (8) or more points on the Motor Vehicle Report Program shall be cause for disciplinary action up to and including suspension of County driving privileges and/or termination.
  - Refusal to submit to a lawful roadside sobriety test shall, for the purposes of this policy, constitute a conviction for DUI.
  - An employee who is suspended from driving privileges under this policy, who is in a position that requires driving, may be assigned to a non-driving position at the Department Head's discretion, at the new positions rate of pay.
  - The employee will be considered for the open position along with other applicants, and no preferential treatment will be given to the employee. If the employee is not offered a non-driving job within thirty (30) days of his/her removal from the driving position, he/she

shall be terminated. If the employee is offered and accepts a non-driving position within the thirty-day period, the employee's service record will remain unbroken.

**p. Motor Vehicle Report Program:**

<b>Conviction</b>	<b>Points</b>
Minor Citation, not involving an accident	1
At-Fault accident	2
Major conviction (last three (3) years)	8
Major conviction (4 to 5 years old)	6
<b>IN ADDITION</b>	
Two incidents within last 18 months	2
<b>OR</b>	
Three incidents within last 18 months	3

**q. Definitions:**

- Minor citation: Any moving citation received unless it qualifies as a "Major Conviction" as defined below.
- Major conviction: Any conviction that involves:
  1. DUI.
  2. Homicide, manslaughter, or assault arising out of the operation of a motor vehicle.
  3. Reckless Driving.
  4. Driving with a suspended or revoked license.
  5. Possession of an open container.
  6. Attempting to elude an officer of the law.
- At-Fault Accident: Any accident where the County driver was determined to be more than 50% at fault by the County's liability insurance carrier and the total of all damages exceeds \$500.00.
- Incident: Includes minor citation, major conviction, and at fault accident as defined above.

**17.2 Take Home Vehicles**

Occasionally, the best interest of Harper County are served by assigning certain County employees to take home County vehicles to be used during non-working hours, to respond to being called out to perform County duties. Take home vehicles shall be assigned within the following conditions:

- a. Assignment of employees to take a County vehicle to and from work shall be based upon the written request of the Department Head to the Board of County Commissioners.
- b. Only persons in a Supervisory position or emergency response position shall be assigned to take a county vehicle to their place of residence.
- c. No vehicle assigned to an employee as a take home vehicle shall be driven or used in any way except to drive to and from work or to respond to a call to duty during regular non-working hours.
- d. Persons violating 17.1d and 17.2c of these Personnel Rules shall be required to leave the County vehicle assigned to them at their normal County work site or County

Courthouse and not permitted to take a County vehicle home, or lose the use of a County vehicle altogether. Any exceptions to this policy shall require written approval of the Board of County Commissioners.

- e. Some employees for Harper County are paid a cash vehicle allowance in lieu of being provided a County owned vehicle for use during the work day. A cash vehicle allowance is considered taxable compensation and will be paid through the payroll system.
- f. Employees assigned to take a County vehicle to and from work shall be subject to an U.S. internal Revenue Service regulation pertaining to the use of a County vehicle by a County employee. (Reference IRS Publication 15b)

Vehicles owned by Harper County are provided to employees for the convenience of the County and allow the employees to perform their duties in a safer environment. Personal use of County owned vehicles is not permitted (including commuting from home to work) unless approved, in advance by the Board of County Commissioners. Any personal use of County owned vehicles is considered taxable compensation and will be paid through the payroll system. Harper County will use the Cent-Per-Mile Rule in the IRS Regulation to determine the value of the benefit. Use of county vehicles for personal use other than for commuting (such as a stop for a personal errand on the way between a business delivery and the employee's home) is prohibited. Personal use of a vehicle is all use that is not for your trade or business. (IRS Publication 15B) A commuting log is to be submitted with payroll.

\*\*See below for insert of IRS Publication 15B Non-Personal use definition.

*A non-personal use vehicle is defined in the IRS 15B as the following:*

- *Clearly marked police and fire vehicles.*
- *Unmarked vehicles used by law enforcement officers if the use is officially authorized.*
- *An ambulance or hearse used for is specific purpose.*
- *Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.*
- *Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.*
- *A passenger bus with a capacity of at least 20 passengers used for its specific purpose.*
- **School Buses.**
- *Tractors and other special purpose farm vehicles. A pickup truck with a loaded gross vehicle weight of **14,000** pounds or less is a qualified non-personal use vehicle if it has been specially modified so that it is not likely to be used more than minimally for personal purposes. For example, a pickup truck qualifies if it clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and meets either of the following requirements.*
  1. *It is equipped with at least one of the following items:*
    - *A hydraulic lift gate.*
    - *Permanent tanks or drums.*
    - *Permanent side boards or panels that materially raise the level of the sides of the truck bed. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles and other vehicles).*

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

### 17.3 Information Systems

- a. E-mail, computer, Internet and voice mail systems are County Property. Anything created or loaded on the County's computer system becomes the property of the County.
- b. These systems are in place to facilitate an employee's ability to efficiently and productively accomplish their jobs. To that end these systems are solely for business purposes. Only "incidental personnel use," as defined by state law, is allowed.
- c. The County reserves the right to intercept, monitor, copy, review and download any communications or files created or maintained on the County's computer system, at any time, without prior notice to the employee.
- d. When using the Internet, an employee should not send materials of a sensitive nature or which constitute "confidential information" unless the information is appropriately encrypted to prevent interception by third parties. Treat all "confidential information" as if it was written in "memo" form. Do not access "Confidential Information" that you are not authorized to see.
- e. Communications and use of e-mail, computer, Internet and voice-mail systems will be held to the same standard as all other County business communications, including compliance with anti-discrimination and anti-harassment policies. Receipt of unsolicited, offensive materials on any County information systems should be reported to a Supervisor or Department Head. In the event the offensive material is received from the employee's Supervisor or Department Head, the employee should report the incident to Human Resource Department.
- f. In the event the County is placed in a severe thunderstorm warning or a tornado warning while the employee is at their work station, they are responsible for shutting down the computer, turning off the monitor and all other attached peripherals.
- g. When leaving the computer workstation for the evening or the weekend, the employee is responsible for shutting down the computer, turning off the monitor and all other attached peripherals.
- h. Consent to and compliance with these Information Systems Policies is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing and downloading of any communications or files, is grounds for discipline, up to and including termination.

## **Mobile Device Acceptable Use Policy**

### **General Information**

The purpose of this policy is to define acceptable use, standards, procedures, and restrictions for end users conducting official Harper County business on mobile devices. This mobile device policy applies, but is not limited to, all devices and accompanying media, both personal and County-issued, which fit the following classifications:

- Cellular Devices (smartphones)
- Tablet computers
- Portable media devices
- Any mobile device capable of storing Harper County data and connecting to a County network.

The overriding goal of this policy is to protect the integrity of all confidential, sensitive and operational data that resides with Harper County's technology infrastructure to comply with State mandated Kansas Open Records Act (KORA) and Freedom of Information Act (FOIA) regulations and to protect Harper County's network from malware/viruses.

### **Policy**

This section applies to both County-issued cellular devices and personal devices being used to conduct County business.

- a. The County expects appropriate and responsible use. Employees are responsible for understanding and following this policy.
- b. Harper County business conducted on mobile devices must comply with all Harper County policies concerning professional conduct, harassment, discrimination and other work conduct policies. Use must also comply with all State of Kansas Laws and Federal Laws.
- c. Every user of a mobile device with access to the Harper County network must use reasonable care to protect Harper County data and to prevent unauthorized access to the Harper County network.
- d. Employees must use discretion in relaying confidential or sensitive information over cellular devices. Cellular transmissions are not secure.
- e. Mobile devices provided by Harper County will be configured to lock after a brief period of inactivity, requiring a password to access. Employees using personal devices to conduct County business are strongly encouraged to enable the lock screen on their device.
- f. Conducting County business on a cellular device including making voice calls, text messaging or emailing is considered to be "on the clock". Non-exempt Staff shall be compensated for time spent required to read/respond to an email, text message or call pursuant to Section 3.4 of the handbook (Overtime Pay).
- g. Department Heads/Elected Officials are responsible for confirming that employees comply with the intent of this policy and any additional policy restrictions imposed by the Department or office.

### **Text Messaging**

County business is not to be conducted via text message. Not only is this an unsecure means of communication, but it is unprofessional and difficult to document. There are, however,



instances where County business may be initiated by a text message. This section applies to those circumstances.

Communications sent and received as text messages from cell phones or tablet devices in the conduct of Harper County business must be archived in order to preserve the communication records. These records may rise to the level of an open record based on recent changes to the Kansas KORA laws.

Employees utilizing County-issued devices are to refrain from deleting any text message sent or received in the course of doing business for the County. Employees are encouraged to utilize the Google Hangouts app whenever possible, due to its archiving capabilities.

#### Personal Devices

- 1) Employees must have prior approval before connecting to Harper County resources with personal devices. Employees shall complete the attached Appendix A: Request form and submit to the appropriate Department Head. All requests will then be directed to the Information Technology Department, and approved by the Board of County Commissioners.
- 2) There must be a demonstrable business need for access to the Harper County network on a personal device, including, but not limited to the following:
  - Employee is a Department Head.
  - Employee position does not provide regular access to an office land line or County voice mail.
  - Employee must conduct essential job functions requiring immediate attention while out of the office;
  - Aspects of employee position require contact outside of regular business hours, and immediate response;
  - Employee is essential to some type of emergency response role or required to be available for 24/7 "On Call" support;
  - The authorization benefits Harper County for budgetary and/or convenience reasons;
- 3) The IT staff may deny access to Harper County resources for particular devices. This includes, but is not limited to devices that are not compatible with Harper County systems, devices that have been "rooted" or "jailbroken" or devices that contain malicious apps.
- 4) Employees granted access to Harper County network resources on their personal devices shall allow the IT Department to have the ability to manage some aspects of the device.
- 5) When using a personally owned device for Harper County business, information contained on that device could be the subject of a Kansas Open Records request, court discovery or other legal investigation. If this occurs, the employee will be required to relinquish the device and provide all necessary passwords to fulfill the Open Records request, court discovery or legal investigation.

#### County-Issued Devices

- 1) The need for a County-issued device will be determined by each Department Head/Elected Official and approved by the IT Department and Board of County

Commissioners.

- 2) County cellular devices shall be used to conduct official County business. Personal calls on County-provided cell phones are highly discouraged. The County recognizes that brief personal calls for family or emergency matters may occur. An infrequent or occasional personal call or text, short in duration that does not interfere with the performance of official duties and which results in no cost to the County, is an allowable use of County resources.
- 3) Use of cellular devices for illegal, unethical, sexual or any use that interferes with or adversely affects that ability of the employee to perform their duties is expressly prohibited. Any conduct which violates this policy may result in disciplinary action up to and including termination.
- 4) The IT department may, at its discretion, limit, restrict, or allow the capability for County-issued devices to download and use commercially available applications. No applications shall be downloaded to any device that may result in a charge, invoice, withdrawal, etc. to any County funding mechanism.
- 5) The County and its employees may be required to disclose phone records, text messages and other electronic data and documents (including cell phone user locations at particular times, phone numbers called or texted or from whom the County employee received calls, text messages or contents of text messages sent or received) pursuant to the Kansas public records laws, court order or State and Federal laws.
- 6) Harper County has the authority to take necessary measures to manage the use of mobile devices used in the conduct of Harper County business and is not responsible for the loss of personal information nor costs that may result from the management and control activities needed to ensure acceptable use of such devices.
- 7) Devices that are lost or stolen must be reported to Harper County IT staff.

### **Harper County Responsibilities**

- 1) Harper County does not provide technical support for personal equipment.
- 2) Harper County does not accept any liability for claims, charges or disputes between the service provider and the employee.
- 3) Any device that stores Harper County information is subject to KORA, FOIA, and eDiscovery. While Harper County will take necessary action to provide information as requested, individuals authorized under this policy will be required to surrender their devices as needed to provide the requested information. Individuals using an authorized personal device shall cooperate fully in responding to any FOIA request.

- 4) Any employee found to have violated this policy may be subject to disciplinary action up to and including termination of employment.
- 5) Harper County reserves the right to reduce the number of personal devices authorized to connect to Harper County network at any time and shall have the authority to reduce the number of personal devices authorized to connect to Harper County network based on IT needs.
- 6) The County reserves the right to change this policy at any time.

Approved by the Harper County Board of Commissioners, effective 3/1/2019

## **Telecommuting Policy and Process**

### **General Information**

Harper County occasionally permits employees to telecommute when the employee's Department Head (or other designated official) evaluates the telecommute request and approves it.

When evaluating the request, the Department Head must determine that the employee can effectively perform the job duties of the position while telecommuting. The Department Head must also determine that the telecommuting arrangement conforms with applicable regulations and policies.

Telecommuting may be appropriate for some employees and positions but not for others. Telecommuting is not an entitlement, it is not a Countywide benefit, and it in no way changes the terms and conditions of employment with Harper County.

Requests to telecommute as a disability accommodation are handled through a separate process.

### **What is telecommuting?**

For the purpose of this policy, telecommuting refers to an arrangement where an employee occasionally works from home or from a location away from the normal workplace.

Arrangements may be made on an as-needed basis for circumstances such as inclement weather, special projects, business travel, family and medical leave, and other temporary situations as deemed appropriate by the Department Head and Board of County Commissioners.

All telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the County. The arrangement is intended to benefit the employee without putting undue burden on the County.

## Eligibility

Individuals requesting telecommuting arrangements must be employed with the County for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record.

Before entering into any telecommuting arrangement, the employee and Department Head, with the assistance of the Director of Human Resources, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability: The employee and Department Head will assess the needs and work habits of the employee. Considerations include how well the employee has demonstrated the kind of skills and work habits that working from home will require.
- Job responsibilities: The employee and Department Head will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workplace design considerations and scheduling issues.
- Department readiness for telecommuting: Ensure that the teleworking employee will continue to get work done effectively. Determine the following:
  - How will the Department Head and co-workers stay informed about the employee's productivity?
  - How will the department and employee communicate?
  - When is in-person attendance required?
- Other practical details, including technology access, equipment needs, time and leave accounting, and any safety concerns.

## Related policies and practices

Both Department Heads and employees must understand and comply with the following policies:

- Security: Consistent with the County's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential county information, including, but not limited to:
  - Personal and financial information belonging to county residents and employees
  - Other confidential information belonging to, or in the care of, the County
  - **Certain documents containing sensitive information should not be removed from the business office, including but not limited to:**
    - ✓ Protected Health Information.
    - ✓ Financial records belonging to the County, employees, or residents.
    - ✓ Other sensitive information as determined by the Department Head and/or Board of County Commissioners.

- Public Records Disclosure: The work employees do while telecommuting remains subject to County and other applicable regulations including the Kansas Open Records Act (KORA), regardless of the use of a County-issued device, or a personal device.
- Overtime eligible employees: For non-exempt employees, work performed off site is compensable and subject to Fair Labor Standard Act (FLSA) overtime regulations. It is the responsibility of the employee to accurately track and report their time worked. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.
- Workers' Compensation: Telecommuting employees are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the telecommute site is in the home, workers' compensation does not cover injuries that are not job related.

Approved by the Harper County Board of Commissioners, effective 3/1/2019

#### 17.4 Personnel Records and Privacy Policy

- Policy:** Access to personnel files is restricted to authorized employees of the Human Resource Department, Supervisors, and Department Heads on a need to know basis. Request for information from employee files received from other departments and inquiries from outside the County, including request for references of former employees will be directed to the Human Resources Office, Supervisors and other employees are prohibited from providing personal or employment references on former or current employees.  
The following information will be provided by the Human Resources Office via telephone or Computer inquiry"
  - Date of employment and separation
  - Job title
- Written Inquires:** if the request for information is in writing, all the above information will be verified. This verification will be in writing and a copy retained in the employee's personnel file,
- References with Written Approval:** With written approval of the current employee: salary, job chronology, performance information may be released in writing only.
- Examination of an employee's Personnel File:** Inspection of an employee's personnel file may be accomplished at reasonable times during office hours under the following conditions:
  - **Employee:** All Harper County employees have the right to view the contents of their personnel file. Any request made by the employee to view their personnel file will be during working hours. The employee may request to inspect his or her personnel file and may do so in the presence of the Human Resources Officer. The employee is

NOT allowed to remove or alter the contents of the file.

- **Department Head:** Should a Department Head outside the employee's chain-of-command need access to the employee's personnel file, (i.e. in the case of a hiring situation) the employee must first give written approval.
- **Government Inquires:** The County will cooperate with federal, state, and local government agencies investigating an employee if the investigators furnish written request, proper identification and proof of legal authority to investigate. The Human Resource Officer may permit a government investigator to review a personnel file on County premises, but the investigator will not be allowed to remove or reproduce this information without the consent of the employee.
- **Subpoenas:** In the event that an employee file is subpoenaed, the County will provide all information that it is legally required to provide in the subpoena.

### **17.5 Outside employment.**

Outside employment constitutes a County employee holding a second job with another employer. Outside employment is permitted only when the outside employment is considered secondary to public service, does not interfere with the performance of duties in the employee's position with the County, and no legal, financial or ethical conflicts of interest exist concerning the dual employment.

A county employee shall not use any County property for outside employment. The only exception is that of Sheriff's Deputies will be permitted to wear their uniforms off-duty to work security for schools, County functions, etc. All security activity involving wearing a County uniform will be pro-approved by the Sheriff.

### **17.6 Right to Search.**

Harper County has the right to inspect and search County property at any time, including, but not limited to lockers, desks, vehicles, files, computer files and other County owned property that may be assigned to a particular employee. Search of personally assigned areas must be authorized by the Board of County Commissioners.

### **17.7 Clothing and Cash Allowances**

#### **Uniforms**

Harper County will provide uniforms for the Police and Jail Department, EMS Department, NX Weed Department, and Mechanics as a condition of employment. These uniforms are not intended to be worn or be adaptable to general usage as ordinary clothing. The uniforms are specifically required as a condition of employment, they help to readily identify personnel as a County employee, and help them to perform their duties in a safer environment. All uniforms will be returned to the department at the conclusion of employment with Harper County. The value of these uniforms is excludable as taxable compensation to these employees.

### **Non-Uniform Clothing**

Harper County may provide non-uniform clothing, such as t-shirts, sweatshirts, and outerwear, to some employees to wear while working. These articles of clothing will be clearly display the name and/or logo of Harper County and are not intended to be worn or be adaptable to general usage as ordinary clothing. This non-uniform clothing is specifically required as a condition of employment, helps to readily identify personnel as a County employee, and help them to perform their duties in safer environment. This non-uniform clothing is excludable as taxable compensation to these employees.

### **Other Clothing and Cash Clothing Allowances**

Harper County may provide other clothing or cash clothing allowances to some employees. This other clothing may be of a nature that it is impractical to display the name and /or logo of Harper County (such as footwear). Reimbursements for this type of clothing and cash clothing allowances are considered taxable compensation and will be paid through payroll system.

Per Kansas State statute 19-823, the Sheriff's Department and Jail employees will receive a \$10.00 cash allowance for uniforms, which will be paid through payroll as a taxable benefit.

The Special Bridge Department will be provided with coveralls as a condition of employment for use during inclement weather, which will remain on site.

## **17.8 Social Media Policy**

The County recognizes that the Internet provides unique opportunities to participate in interactive discussions and share Information on particular topics using a wide variety of social media, including, but not limited to, Facebook, MySpace, Twitter, blogs, and wilds. However, employee misuse of social media can pose risks to the County's confidential and proprietary information, its reputation, jeopardize the County's compliance with applicable rules and laws, and harm the County's employees, affiliated organizations, citizens, business partners, suppliers and vendors. To minimize these business and legal risks, the County expects its employees to adhere to the following guidelines and rules regarding the use of social media. If a department head allows employees to utilize a County computer or other device to access social media, this policy and the County policies relating to electronic communications and use of the County's equipment are applicable.

Social media, used either at or away from work, should never be used in a way that violates any County policy or employee obligations. If a social media posting would violate any County policy in another forum, it will also violate it in an on-line or other electronic forum. For example, employees are prohibited from using social media to:

1. Violate the County's policies, including, but not limited to, those addressing Personal Conduct, Productive Work Environment (Anti- Harassment), Equal Employment Opportunity, Workplace Violence and Weapons, Confidentiality, and Solicitation;
2. Defame or disparage the County or Its other employees, affiliates, citizens, business partners, suppliers, vendors, or other stakeholders;
3. Harass other employees in any way or otherwise violate the County's Policies; Circumvent the County's policies prohibiting unlawful discrimination against current employees or applicants for employment;
4. Make statements or post other information that is not reflective of, or is damaging

- to, the County's mission; or
5. Violate any other laws or ethical standards,

Employees are prohibited from representing the views of the County **in** social media unless they are specifically assigned by management to do so as part of their job. Employees should make it clear that any personal opinions expressed through social media are those of his or her individual capacity, not as a representative of the County, or on behalf of the County. The County's customers, suppliers and vendors should never be identified in social media either by name or implication.

If employees become aware of social media content that violates this policy or disparages or reflects poorly on the County or its stakeholders, they should report the content to Human Resource. Protecting the County's goodwill and reputation is every employee's job,

Employees should never provide references for County employees or former employees on social or professional networking sites, as such references, positive and negative, can be attributed to the County and create legal liability for both the employee and the County.

Since technology advances so rapidly, this policy does not attempt to list each and every element of the County's policy on the use of social media. If employees are uncertain or concerned about the appropriateness of any social media posting, they must refrain from making the posting until they discuss the concern with Human Resources.

Violations of this policy, or any *use of* social media determined to be inappropriate by the County, may, subject to governing law, result in disciplinary action, up to and including immediate termination, notwithstanding the above, this policy is not intended to, nor will it be applied to interfere with any employee's lawful rights of the National Labor Relations Act.

### **17.9 Amendments of personnel Rules and Regulations.**

The Harper County Personnel Rules and Pay Plan are adopted by Resolution of the Board of County Commissioners and shall be amended from time to time in the same manner in which they were originally adopted. No County department shall be exempt from the rules and regulations in this personnel manual.