

APPROVED

**CACHE COUNTY
COUNCIL MEETING
MINUTES
JULY 08, 2014**

**CACHE COUNTY COUNCIL
JULY 08, 2014**

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CACHE COUNTY COUNCIL MEETING
July 08, 2014

The Cache County Council convened in a regular session on July 08, 2014 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Val Potter absent
Vice Chairman: Kathy Robison,
Council Members: Craig "W" Buttars, G. Gregory Merrill, Jon White, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: Tony Baird

The following individuals were also in attendance: Bill Bower, Debbie Ditton, Sharon L. Hoth, Tiffany Lemon, Dave Nielsen, Director Josh Runhaar, **Media:** Kelly Cannon (Herald Journal).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Buttars gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Yeates to approve the agenda as written. White seconded the motion. The vote was unanimous, 6-0. Potter absent.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the June 24, 2014 Council meeting as written. White seconded the motion. The vote was unanimous, 6-0. Potter absent.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Tony Baird Cache County GRAMA Officer

ACTION: Motion by Council member Buttars to approve the recommended appointment. Zilles seconded the motion. The vote was unanimous, 6-0. Potter absent.

WARRANTS: Warrants for the periods 06-21-2014 to 06-27-2014 and 06-28-2014 to 07-31-2014 were given to the Clerk for filing.

OTHER ITEMS:

- Nordic United** sent an email questioning why they did not receive the funding they requested. Executive Lemon told them the Committee was concerned that

Nordic United advocates single use recreation areas; whereas, the county advocates for multiple use. The Council concurred with Lemon's communication.

ITEMS OF SPECIAL INTEREST

- **Summerfest Report – Debbie Ditton** reported that Summerfest 2014 had 202 visual artists, 130 performers and 23 food vendors. Three scholarships were awarded and the return of the free Art Yard was a great success. Ditton noted the biggest expenses are performers' fees and structures. Sales, in general, are up and the County's support is appreciated.

PENDING ACTION

- ☐ **Resolution No. 2014-15 – Amending Personnel Policy & Procedure Manual Section VIII: Rules and Regulations** – Executive Lemon asked Todd Jenkins, IT, to review the policy on use of passwords. Jenkins thinks the policy is sound.

(Attachment 1)

ACTION: Motion by Council member White to approve Resolution No. 2014-15 – Amending Personnel Policy & Procedure Manual Section VIII: Rules and Regulations. Yeates seconded the motion. The vote was unanimous, 6-0. Potter absent.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Discussion – Items for Joint Council Meeting Agenda**
 - Completing separation of ownership at Fairgrounds
 - Logan RDA's
 - Tour of Utah
 - Report on transfer station and landfill

The Council also discussed a shortage of trash containers at the Fairgrounds and Council member White suggested involving the Solid Waste Advisory Board to help resolve the problem.

Council member Buttars asked if event (races) sponsors can publish proposed routes and times of their events so residents can plan their travel around those places and times.

OTHER BUSINESS

- ✓ **Meeting with USU Extension – July 16, 2014 at 8:00 a.m.** – Chairman Potter, Executive Lemon and Council members Merrill, Yeates, Buttars and Zilles will attend. Executive Lemon suggested asking about Extension's policy on rotation of the Extension Director's seat.
- ✓ **Cache County Employee Summer Party – July 17, 2014 at 6:00 p.m.** – RSVP by July 11, 2014.

- ✓ **North Logan City Pioneer Day Parade – July 24, 2014 at 10:00 a.m.** – Buttars, Potter and Yeates will attend.
- ✓ **Logan City Pioneer Day Parade – July 24, 2014 at 12:00 p.m.** – Buttars, Merrill and Yeates will attend.
- ✓ **Cache County/Logan City Joint Council Meeting – July 29, 2014 at 5:30 p.m.**
– Cache County will host the meeting in Room 109 of the County Administration Building.

COUNCIL MEMBER REPORTS

Cory Yeates said the fence going up at DD Auto & Salvage is looking good.

Yeates asked what all the old vehicles in front of the Sheriff's Complex are. Executive Lemon replied he believes they are surplus vehicles for sale.

Greg Merrill attended the election canvass which went well. Merrill expressed disappointment in the low 8.9% countywide voter turnout. The by-mail precincts had 24% to 30% turnout. Davis County administered their June Primary as a countywide by-mail election and had a record voter turnout.

In response to questions, Clerk Zollinger explained the process of checking voters' signatures on the envelopes in which ballots are returned; how multiple workers process the ballots; how the ballots are separated from the envelopes to maintain anonymity, etc.

Council member White urged consideration of a countywide by-mail election for the November 2014 election based on the higher turnout percentages for by-mail precincts. All the Council members were in favor of the suggestion and asked Clerk Zollinger to bring projected costs, etc. to the next Council meeting for the Council's review.

Jon White asked why the policy of sending First Responders out with every emergency call has changed. The policy saved lives, but White believes that is no longer the policy, at least for the extended Paradise/Avon area. Executive Lemon said he will contact Jay Downs tomorrow.

Kathy Robison announced the Council Summer Social will be Tuesday, August 19, 2014 at 6:00 p.m. Fish will be the main menu item and the location will be decided later.

ADJOURNMENT

The Council meeting adjourned at 6:20 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Kathy Robison
Vice Chair

**CACHE COUNTY
RESOLUTION 2014-15**

**A RESOLUTION AMENDING THE CACHE COUNTY CORPORATION
PERSONNEL POLICY AND PROCEDURE MANUAL
SECTION VIII: RULES AND REGULATIONS**

WHEREAS, the Cache County Council on July 8, 2014, in a regular meeting of which lawful notice had been given, considered amending Section VIII of the Cache County Corporation Personnel Policy and Procedure Manual which describes Rules and Regulations; and

WHEREAS, on July 8, 2014, the Cache County Council approved the proposed amendments to Section VIII of the Cache County Corporation Personnel Policy and Procedure Manual; and

WHEREAS, the Cache County Council finds that it is necessary, appropriate, and in the best interest of the County and its personnel that the Cache County Corporation Personnel Policy and Procedure Manual be amended;

NOW THEREFORE, BE IT RESOLVED that the County Council approves the adoption of the following resolution:

1. **Amendments:** The Cache County Corporation Personnel Policy and Procedure Manual is hereby amended as set forth in the attached Exhibit A.
2. **Application:** The amendment to the Cache County Corporation Personnel Policy and Procedure Manual shall apply to all current and future county employees.
3. **Prior Resolution and Policies:** This Resolution and the amendments specified in Exhibit A to the Cache County Corporation Personnel Policy and Procedure Manual supersede all previously adopted resolutions and policies to the extent that they are in conflict with the specified provisions of this Resolution and the attached Exhibit A.
4. **Effective Date:** This Resolution shall be effective immediately upon its adoption.

Adopted by the County Council of Cache County, Utah, this 8th day of July, 2014.

CACHE COUNTY COUNCIL

By: _____

Kathy Robison, Vice-Chairman



ATTEST:

By: _____

Jill N. Zollinger, County Clerk

CACHE COUNTY

EXHIBIT A

SECTION VIII -- RULES AND REGULATIONS

A. Work Day

The traditional work day for a full-time employee shall be eight (8) hours and the normal work week shall be forty (40) hours, except when it is considered to be in the best interest of the public and the County to work shifts of extended hours. Work shall generally begin at 8:00 a.m. and end at 5:00 p.m. with one hour for lunch, Monday through Friday.

B. Work Week

The work week will be in compliance with the Fair Labor Standard Act (FLSA) which states "a work week is a regular recurring period of one hundred sixty eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods." For payroll purposes, the work week starts on Sunday at 12:01 a.m. and ends on Saturday at 12:00 p.m.

C. Lunch and Rest Periods

Under the guidelines of the FLSA, an employer is not required to provide rest periods or lunch breaks within an eight hour work period. However, as a benefit to our County employees, a one hour lunch break and two (2) daily rest periods may be provided for employees who work eight (8) hours in a work day. Each rest period shall not exceed fifteen (15) minutes. The Department Head should schedule lunch breaks and rest periods as time and the need for services allow.

1. Lunch breaks and rest periods shall not be accumulated to take off at another time, nor are they to be combined in order to leave work early or to satisfy time away from the employee's workstation.
2. An employee will not be paid for a lunch break not taken unless such lunch break was missed due to unusual business circumstances that required the employee to continue to perform duties associated with their job. Such an occurrence must be approved by the Department Head and will be an exception to the policy not the rule.
3. An employee will not be compensated for any missed rest periods.

The Department Head should schedule lunch breaks and rest periods such that all county offices are open during normal business hours.

D. Nursing Mothers Policy

To assist the transition of women from Family Medical Leave back to work following the birth of a child, and in conformance with the Fair Labor Standards Act (FLSA), a nursing mother accommodation is provided. This accommodation allows a nursing mother a reasonable break time to express milk periodically during the work day for her nursing child for up to one (1) year after the child's birth.

Any mother who breastfeeds her child, and who needs to express milk during the working day, will work with their supervisor and if needed, Human Resources to determine how best to accommodate the needs of the mother while still accomplishing job performance.

1. Time for Accommodation: Under the law employers are not required to compensate nursing mothers for breaks taken for the purpose of expressing milk. However, since the county provides two daily rest periods for full-time employees, a nursing mother may use this time to express milk and not be docked in pay. As such, female employees should be

prudent in the amount of time needed to express milk; women may also use lunch times to express milk. If an employee needs to take more than two breaks during the work day to express milk, the employee will need to use personal leave time (PLT).

2. Environment for Accommodation: Human Resources will work with each nursing mother to determine a private area in which they may express milk. Milk should be placed in cooler-type containers and/or may be stored in on-site refrigerators. If an on-site refrigerator is used, employee will use a discreet container with the employee's name clearly marked thereon.

E. Tardiness and Absence Without Leave

Any unexcused tardiness or unauthorized absence of an employee will not be compensated and shall be grounds for disciplinary action. A pattern of tardiness or unauthorized absences will lead to disciplinary action that may include suspension without pay or termination from employment.

1. An employee unable to report for duty on a work day shall notify the Department Head of that fact no later than one (1) hour after the beginning of the work day, unless department rules require an earlier reporting time. Failure to do so may result in disciplinary action.

F. Disclosure

All elected officers and employees are required to comply with the County Officers and Employees Disclosure Act. The Act establishes standards of conduct for county officers and employees and requires the same to disclose conflicts of interest between their public duties and their personal interests. Disclosure will be made to Human Resources, who will coordinate with the County Executive and County Council.

1. Officers and employees shall not:

- Disclose confidential information acquired by reason of their official position or use such information to secure special privileges or exemptions for themselves or others;
- Use or attempt to use their official position to secure special privileges for themselves or others;
- Knowingly receive, accept, take, seek or solicit, directly or indirectly, any gift or loan for themselves or another if the gift or loan tends to influence them in the discharge of their official duties.
- Receive or agree to receive compensation for assisting any person or business entity in any transaction involving the County unless they file a statement, with the County Council, giving the information required and disclosing in an open meeting such information.

2. An officer or employee who is an officer, director, agent, or employee or the owner of a substantial interest in any business entity which is subject to the regulation of the County, shall publicly disclose the position held and the precise nature and value of the interest upon first being appointed or elected and during January of each year thereafter.
3. An officer or employee who is an officer, director, agent, or employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the County shall publicly disclose prior to any discussion on matters relating to such business entity, the nature of their interest in the business entity.
4. An officer or employee will disclose in open meeting any personal interest or investment which creates a potential or actual conflict between personal interests and public duties.
5. If an officer or employee is required to file a disclosure or sign a document for disclosure

and fails or refuses to do so, such failure or refusal shall be a reason for disciplinary action.

6. Any officer or employee who knowingly and intentionally violates or attempts to violate any provision of the County Officers and Employees' Disclosure Act shall be dismissed from employment. Any elected official who violates this act will be subject to discipline as identified in the State of Utah code and statutes.

G. Ethics

Officers and employees are required to comply with the Utah Public Officers and Employees Ethics Act. The Act establishes standards of conduct for county officers and employees in areas where there are actual or potential conflicts of interest between their public duties and their private interests.

1. Officers and employees shall not:

- Accept employment or engage in any business or professional activity which he or she might reasonably expect would require or induce him or her to improperly disclose controlled information which has been gained by reason of his or her official position; improperly disclose or use controlled, private, or protected information acquired by reason of his or her official position or in the course of official duties in order to further the officer's or employee's personal economic interest or to secure special privileges or exemptions for himself or others;
- Use or attempt to use his or her official position to further the officer's or employee's personal economic interest or secure special privileges or exemptions for themselves or others;
- Accept other employment which he or she might expect would impair his or her independence of judgment in the performance of his or her public duties or accept other employment which he or she might expect would interfere with the ethical performance of his or her public duties.

2. No officer or employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation, or loan for themselves or another if:

- It would tend to improperly influence a reasonable person in the officer's or employee's position to depart from the faithful and impartial discharge of the person's public duties;
- The public officer or public employee knows or that a reasonable person in their position should know under the circumstances is primarily for the purpose of rewarding the public officer or public employee for official action taken;
- He or she recently has been, or is now, or in the near future may be involved in any governmental action directly affecting the donor or lender.

3. No officer or employee shall receive or agree to receive compensation for assisting any person or business entity in any transaction involving the County unless the officer or employee files with the County Executive, the head of the other agency or entity, and the State of Utah's Attorney General a sworn written statement in compliance with Section 67-16-6, Utah Code Annotated.

4. No officer or employee shall have personal investments in any business entity which will create a substantial conflict between his or her private interests and his or her public duties.

H. Minor and Major Violations

Disciplinary action may be taken for violation of rules and regulations as contained herein.

The following examples are given to inform an employee as to the nature of the violations.

1. Minor Violations are less serious violations that have some effect on the efficiency of work, safety, and harmony within the work place are considered minor. They typically lead to disciplinary action. Some examples of minor violations are as follows:

- tardiness;
- unsatisfactory job performance;
- absenteeism;
- failure to observe working hours;
- performing unauthorized personal work during working hours;
- failure to notify supervisor of intended absence;
- use of County equipment for personal business.

2. Major Violations are more serious violations that include any deliberate or willful infraction of policies and procedures, or knowingly or intentionally violating or attempting to violate state or federal laws regarding public employees or officers. A major violation by an employee may be cause for disciplinary action which may include suspension without pay or termination of employment. Elected Officials may be dealt with under the law as identified in state or federal statutes. Some examples of major violations are as follows:

- Willfully disregarding policies and procedures;
- Disclosure of confidential information to unauthorized persons;
- Repeated occurrences of related or unrelated minor violations;
- Any act which might endanger the safety or lives of others;
- Having or viewing pornography of any kind on any County electronic device(s);
- Stealing, destroying, abusing, or deliberately damaging County property, tools, or equipment, or the property of another employee or citizen;
- Willfully falsifying a record;
- Willfully concealing yours or any other employee's major or minor violation(s);
- Failing to report to work without excuse or approval for three consecutive days.
- The commission of any criminal offense against the government under Title 76, Utah Code Annotated, or under any other criminal statute, shall be deemed a major violation; minor traffic violations being exempted here from.
- If an employee knowingly and intentionally violates any written county policy, such action shall be a reason for disciplinary action. Examples are: granting a certificate of occupancy on a new structure without inspecting it or granting a tax exemption without going through the required procedure.

3. The Director of Human Resources has the authority to determine if a violation is major or minor in situations where a dispute may arise between the Department Head and an employee. The determination will be based on the criteria referenced above.

I. Officers And Deputies

If a position is one that requires an oath of office, then the employee must give and renew that oath as required. If an employee is a deputy, then the employee's conduct and performance shall be on a level required of the officer for whom that employee is a deputy. A deputy shall be prohibited from taking action which the officer could not take or for which the deputy is not authorized.

J. Outside Employment

An employee shall not engage in any outside employment which in any way interferes with the proper performance of their County duties or which results in a conflict of interest. Employees shall not engage in outside employment activities while on duty. Subject to the provisions of this section, an employee is not prohibited from engaging in outside employment.

1. If the Director of Human Resources, in consultation with the Department Head, determines that outside employment of a County employee is detrimental to his/her performance, or is determined to be a conflict of interest, the employee may be required to either:
 - Terminate or modify outside employment to the satisfaction of the Director of Human Resources and the Department Head; or
 - Terminate employment with Cache County.
2. Cache County is not responsible and shall not be held liable for granting Personal Leave to employees who are injured while engaged in outside employment nor any occupational illness attributable thereto. The county is not required to provide light-duty job duties for an employee who becomes injured or ill while working for outside employment. If any employee becomes injured or ill while working for another employer and claims to be injured or ill while on the job with the county, such employee will be disciplined up to and including suspension without pay or termination of employment.

K. Political Activity

Cache County encourages its employees to accept the personal responsibility of good citizenship, including participation in civic and political activities in accordance with their interests and abilities. Cache County accepts the basic democratic principle that all employees are free to make their own individual decisions in civil and political matters. Therefore, no employee's status with the County will be affected because of participation or non-participation in civic or political activities.

1. Participation in civic and political activities is considered to be a personal matter and shall be carried on outside of normal working hours. No political activities or solicitations shall be carried on by employees while on duty.
2. Political activities are defined for purposes of this policy as activities in support of any partisan political issue or activities in support of, or in concert with, any individual candidate for political office, or a political party, which seek to influence the election of candidates to federal, state, or local offices, including employees who are or may be candidates for political office.
3. No person will be denied the opportunity to become an applicant for a County position by virtue of political opinion or affiliation.
4. Nothing in this rule shall be construed to permit partisan political activity of any county employee who is prevented or restricted from engaging in such political activity by the provision of the federal Hatch Act.

L. Safety Policy

It is the policy of Cache County to minimize the loss of life and property to the County, its employees and the public by taking all practical steps to safeguard the employees and citizens

from accidents. It is the policy of Cache County to strive for the highest possible level of safety in all activities and operations, and to carry out our commitment of compliance with all health and safety laws, by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions. The County will make every effort to provide working conditions that are as healthy and safe as feasible, and employees are expected to be equally conscientious about work place safety, including proper work methods, reporting potential hazards and abating known hazards.

1. Employees, *except for* trained law enforcement, fire, or Emergency Medical Service (EMS) personnel, who encounter an emergency situation, are not authorized to represent the County in administering first aid or treatment.
2. Unsafe conditions in any county work area or county facilities or county properties that might result in an accident should be reported immediately to the Department Head.
3. Cache County's safety policy and practices will be strictly enforced, including possible termination of employees found to be willfully negligent in the safe performance of their duties.
4. General safety rules will apply in all Cache County work places. Each department may prepare separate safety rules applicable to the specific nature of the work in their area but not in conflict with these policies. Proper licensing, proper training on equipment and extreme caution is required of all employees operating any type of power equipment or motor vehicle. Employees from other departments within the county will not be allowed to use county owned equipment such as backhoes, loaders, and/or graders unless they have been properly trained to use the piece of equipment. At no time will county equipment be used for personal purposes or non-county related functions. *At no time will county equipment be used or operated by an individual who is not employed by Cache County unless otherwise approved by the County Executive.*
 - a. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, hard toe shoes, and hard hats, if required or appropriate to the work performed. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines.
 - b. Defective equipment should be reported immediately to the Department Head. Employees will not operate equipment or a motor vehicle or use tools for which proper licensing and training has not been received by a properly trained professional. In all work situations, safeguards as required by State and Federal Safety Orders will be provided.
 - c. All accidents, regardless of severity, are to be reported to the Department Head immediately, with a completed County *Employee Report of Incident* form, and if a County vehicle is involved a County *Accident Report* form submitted to the Director of Human Resources/Risk Management within one (1) working day of the incident.
 - d. Any Public Service projects performed by the county which require Flagger personnel to control the flow of vehicle and pedestrian traffic, such flagging responsibilities will be performed only by Flagger personnel that are trained and certified by a State of Utah approved agency. This training must be consistent with the Manual on Uniform Traffic Control Devices (MUTCD) and any Flagger personnel working for the county must carry their flagging certification card at all times while on duty.
5. What should you do if a visitor to one of the county facilities has an accident? The following guidelines should be followed when possible:
 - a. Approach the person and ask them if they are hurt and if so, where on their person are

they injured; if there is any bleeding, exercise universal medical precautions and apply first aid;

- b. ASK THEM IF THEY WANT YOU TO CALL THEM AN AMBULANCE! If their answer is "YES", do so immediately; if they answer "NO", respect their wishes; if the person is unconscious, call 911 and request an ambulance;
- c. If the person is alone and they refuse medical treatment, ask if there is a family member that can be contacted to come assist them; as needed, assist the person to a location away from the public where they can rest temporarily.
- d. DOCUMENT! DOCUMENT! DOCUMENT! Immediately write down what you saw, what you heard, what was said and what you and others did to render assistance; get name, address, and any other general information from the injured party and send all documentation to the County's HR/Risk Management Office.

M. Safety Committee

Each department may establish a safety committee which will oversee and enforce safety in the work place among the employees, and safe working conditions. The county's Risk Management Committee will coordinate the implementation of the county's insurance provider's Risk Management Program and will oversee and enforce general safety practices for the county.

N. Vehicle Accidents

Employees, or volunteers on county business, who are involved in a vehicle accident while on duty are required to immediately notify their department head or immediate supervisor. The department head is to notify the Director of Human Resources/Risk Management of the incident as soon as possible.

1. Immediately following a traffic accident, the employee, or the volunteer driving a county vehicle, is required to do the following:
 - a. Stop! Do not leave the scene, call 911 report the accident and wait for law enforcement; contact your supervisor immediately.
 - b. When conditions and/or regulations permit, move onto the shoulder or side of roadway to prevent further damage and/or hazards. If you are unable to, ask someone to summon police and medical assistance if needed.
 - c. Do not administer First Aid, unless you are qualified to do so.
 - d. Keep calm. Be courteous. Don't argue. *Make no statements concerning the accident to anyone except law enforcement or your supervisor.* Your supervisor will notify the County Insurance Coordinator immediately (435-755-1472). **Do not admit fault.**
 - e. **Take numerous photographs of the vehicles and accident scene;** you may use cameras provided by the county and located in the glove box of the vehicle or use the digital camera on your phone or a digital camera you use in the course of performing your daily job duties – just take pictures from different angles and viewpoints!
 - f. **While at the scene of the accident, follow/legibly complete the Vehicle Accident Checklist (VAC) in the Accident Reporting Kit envelope** also located in the glove box of the county vehicle and give to your supervisor within one (1) business day or as soon as possible; if the driver is unable to complete the report, the supervisor is required to do so.
 - g. Request witnesses to provide their contact information. Transfer witness and property owner information to the Driver Accident Report.

- h. Make sure you obtained all information necessary to complete the accident report.
 - i. In addition to reporting all accidents immediately to their supervisor, Commercial Driver's License (CDL) holders must:
 - i. Notify their immediate supervisor within 5 days of conviction for any traffic violation (except parking) no matter what type of vehicle you are driving, on or off the job; supervisor is to immediately notify the Director of Human Resources/Risk Management.
 - ii. Notify the motor vehicle licensing agency within 5 days if convicted in any other jurisdiction of any traffic violation (except parking) no matter what type of vehicle you were driving on or off the job.
 - j. Submit photos, law enforcement report, and all other items outlined in the Accident Reporting Kit to Human Resources/Risk Management within 1 business day of the accident or as soon as possible thereafter.
2. ***ACCIDENTS WHICH RESULT IN A DEATH, REGARDLESS OF WHICH PARTY IS AT FAULT, SHALL BE REPORTED IMMEDIATELY TO THE COUNTY'S DIRECTOR OF HUMAN RESOURCES/RISK MANAGEMENT. Accidents resulting in an injury requiring serious medical attention along with all associated paperwork and photos shall be submitted within one (1) working day of the incident, or as soon thereafter as possible.*** Failure to notify the Department Head or supervisor and the County's Director of Human Resources may result in disciplinary action(s).
3. The Cache County Accident Review Board (ARB) will review vehicle accidents involving county vehicles or accidents in a personal vehicle that occur while driving on county business.
- a. It is the county's policy that employees who have, while driving in the course of employment, caused one or more vehicle accidents as determined by the county's Accident Review Board (ARB) within a two-year period of time may lose their driving privileges, be reassigned to a non-driving position, or be terminated from employment.
 - b. Also, based upon the seriousness of any accident in which the employee is involved, the employee's job status and compensation may be affected through reprimand, reassignment, demotion, suspension without pay, or termination.
 - c. Employees who, because they have had their driver license suspended or revoked and thus are no longer able to perform the essential functions of the job may be terminated based on the decision made by the Department Head, the Director of Human Resources, and the County Executive.
 - d. Each incident shall be given case-by-case consideration and eligible employees, who are not on a probationary status, may appeal the decision through the county Accident Review Board Ordinance 2000-14 established by the county council.
 - e. An employee cannot exercise the county grievance policy to grieve the decision(s) issued through the ARB ordinance.

O. Vehicle Safety & Operator Guidelines

Cache County has established standard operating procedures with regard to the operation of county vehicles and equipment. These procedures include:

- 1. Any employee or volunteer who will be driving a county owned vehicle will be required to obtain/maintain the following:
 - a. Hold a current valid Utah driver's license of the correct class for the vehicle they will be operating.

- b. Be age 18 or older.
 - c. Be mentally and physically able to drive safely.
 - d. Obey all traffic laws, rules and regulations and use common sense and good judgment.
 - e. No convictions for driving under the influence of alcohol or drugs or reckless driving offenses within the previous five (5) years.
2. An annual review by Human Resources of the Driver's License Record of employees and volunteers who will be operating county owned vehicles, or driving a personal vehicle while on county business. Eligibility will be in accordance with the county's insurance provider and the county's Risk Management Program.
3. While driving any vehicle on County business, employees and volunteers will be subject to the following:
 - a. If an employee's work requires driving, his or her license will be checked before employment and periodically thereafter. The employee must notify their supervisor immediately upon expiration, suspension or revocation. Failure to report or continuing to drive a County vehicle will result in discipline, including possible termination.
 - b. Drive a personal vehicle on county business that is properly registered and insured in the amounts required by State law.
 - c. Observe and inspect a county vehicle for obvious defects and safety hazards. If a hazard is apparent, the vehicle shall not be operated. No employee shall knowingly operate an unsafe vehicle on county business. This includes county owned vehicles and personal vehicles used on county business.
 - i. All county vehicle maintenance or safety problems shall be reported immediately to the employee's Department Head.
 - d. Drive with courtesy, care, and caution, and make the safety of the driver, passengers, pedestrians, and other drivers, of paramount concern.
 - e. Not drive while impaired by alcohol, prescription drugs, or illegal substances.
 - i. If an employee is suspected of being under the influence or impaired the department head or their designee will have the employee immediately go to WorkMed who will conduct the necessary tests to determine the employee's ability to drive.
 - ii. If a volunteer is suspected of being under the influence or impaired, they will be asked to leave and their services will no longer be accepted.
 - f. Observe all accident reporting procedures.
 - g. Not allow an unauthorized person to have the keys to or operate a County vehicle, unless an emergency requires it.
 - h. Ensure that all vehicle occupants properly use the restraint and other protective devices consistent with applicable laws.
 - i. Cache County will not be liable for injuries or damages arising from activities outside the scope of employment, including but not limited to personal use of rented vehicles by employees during a County-authorized business trip. If a County employee on county business is involved in an accident while driving a personal vehicle, the employee's personal insurance shall provide the primary coverage.
 - j. Drivers of county vehicles shall carry only authorized passengers:
 - a. Persons riding as part of County business;
 - b. Spouse or children of employees traveling to and from an approved office-related out-of-County training session, conference, or seminar.
 - i. Requires written pre-authorization from the Department Head, County Risk

Manager, and County Executive.

- c. Exceptions for public safety personnel may be allowed as per department's policy and procedures.
- k. All employees and volunteers shall abide by Utah State motor vehicle laws including the use of seat belts by all occupants of county owned vehicles. *Any employee who operates a vehicle on County business and does not properly use a seatbelt may be disciplined up to and including termination.*
- l. Any employee or volunteer, with the exception of public safety personnel, and in accordance with public safety policies, who uses a cell phone during the course of county business, including travel time, shall be expected to take the caller's name and phone number and upon safely pulling off the side of the road and parking, then return the call. *If any employee or volunteer is involved in a vehicle accident while talking on a cell phone, while driving on county business, such employee will be subject to scrutiny by the county's Accident Review Board and will merit disciplinary action up to and including termination based on the severity of the accident (see §Q.10.e. - Mobile Computing Device Safety).*
- m. Though the county carries liability and property damage insurance on all county owned vehicles and thereby covers employees while driving county owned vehicles on official county business, accidents which are found to have been preventable or avoidable or to be the fault of the employee may subject the employee to disciplinary action up to and including termination.

P. Harassment Policy

All employees are entitled to a work environment free from harassment. In addition, all individuals applying for employment shall be allowed to do so in an environment free from harassment. Harassment can take the form of a hostile working environment as well as a direct *quid pro quo* demand. Isolated incidents or remarks are strongly discouraged, and such incidents or remarks may meet the legal definition of harassment.

1. Sexual harassment is defined as unwelcome or unwanted conduct or communication of a sexual nature which adversely affects a person's employment relationship or working environment. Sexual harassment includes, but is not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - Such conduct has the purpose or effect of substantially interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.
2. It is the policy of Cache County that sexual harassment in the work place by or against an employee is unacceptable and shall not be condoned or tolerated under any circumstance. Therefore, it shall be the responsibility of all Department Heads to take the necessary steps to ensure and maintain a working environment free of sexual harassment, intimidation, and coercion.
3. An employee who engages in sexual harassment shall be subject to disciplinary action. Intentional sexual harassment is considered to be a major violation of Cache County policy and any employee violating any provision of this policy may be disciplined.

Discipline may include, but is not limited to, disciplinary counseling, probation, suspension without pay, or termination of employment.

4. An employee will not be retaliated against for making a complaint of sexual harassment. Initial procedures for dealing with sexual harassment include the following:
5. Where an employee feels uncomfortable with a potential sexual harassment situation, they may confront the alleged offender and communicate clearly that the behavior is not welcome and should stop immediately.
 - The employee should keep a record of what happened and when and where it took place. Include in the record the names of any witnesses to the incident. All entries shall be made within 24 hours of any incident to assure correctness and completeness of the records.
 - An employee who believes he/she has been sexually harassed as defined by the policy has the right, as well as the obligation, to report the harassment. An employee may make a report of sexual harassment to any of the following: their Department Head; the Director of Human Resources; the County Executive; the County Attorney *or if a female employee prefers to make a report to another female, they may do so by talking with the Human Resource Office Specialist.*
 - The employee should follow the grievance procedure for sexual harassment.
6. The County is an equal opportunity employer and will not tolerate discrimination or harassment on the basis of race, color, religious creed, national origin, ancestry, age, sex or on the basis of physical or mental disability unrelated to ability to perform the work required. If an employee feels such a hostile working environment exists they should follow the steps as outlined above.

Q. Computers, Internet and E-Mail Policy

(PREVIOUSLY APPROVED BY COUNCIL IN MAY OF 2012 AND RE-INSERTED TO POLICY MANUAL)

This policy defines the proper use of Cache County computers, phones, and related technical resources and the disciplinary action(s) that may be taken for violation(s) of the policies set forth in this chapter. Computers and phones are assigned to employees to facilitate effective and efficient performance of their duties. This includes tasks they perform as a direct result of their positions, related activities that promote the interests of the County (i.e. working with the legislature), and assignments associated with professional organizations in which they participate in conjunction with their County duties.

1. DEFINITIONS.

a. Computer

All electronic devices used for computing, communication, or data storage that have processing capability (i.e. desktop computers, laptop computer, mobile computing devices, smart phones, etc.)

b. Communications Devices

Equipment used primarily for voice communications such as telephones, IP phones, cell phones, smart phones, etc. The lines between computing devices and communications devices are blurring and many electronic tools today do both.

c. File

File means all documents, programs, email, and Internet locations, which are created, accessed, stored, or temporarily located on a County computer.

d. IT Department

IT Department means either the IT Department based in the County Administration building or the IT Department based in the Sheriff's Complex.

e. Legal Hold

The retaining of all email, voicemail, or other specified communication(s) required through a legitimate and proper legal proceeding.

f. Mobile Computing Device

Any type of portable computing device, typically battery operated, that may be readily transported and used with or without a network connection (i.e. laptop, netbook, PDA, smart phone, etc.)

g. SPAM

Unsolicited messages or files sent to individuals, groups or organizations that have no prior business relationship with the employee or County and are unrelated to County business.

2. Uses of Computing Resources

EMAIL

a. EMAIL Usage. Employees are encouraged to take full advantage of email for County business. However, the same standards of decorum, respect, and professionalism that guide employees in their fact-to-face interactions apply to the use of email. Employees are required to report inappropriate use of email to their management or to the Human Resources Department (see subsection 3.1.3 PROHIBITED EMAIL ACTIVITY).

b. EMAIL Storage. It is recommended that email be deleted after 30 days, moved to personal folders, or archived in a document management system. Stored email should be reviewed frequently and obsolete items permanently deleted. In the case of legal holds employees are required to keep their email for extended periods of time. In such case of a hold, the employee will not destroy any applicable email until authorized by the Cache County Attorney's Office.

c. Prohibited EMAIL Activity. Examples of email activity that are prohibited include:

i. Unauthorized access, or attempted access, of another's email account;

ii. Using email to harass, discriminate, or make defamatory comments;

iii. Using email to make off color jokes or send offensive messages;

iv. Any illegal activity;

v. Transmitting County records within, or outside, the County without authorization;

vi. Transmitting junk mail or chain letters;

vii. Utilizing county email for personal or commercial gain;

viii. Any other practice which may be adverse to public service or County business.

d. EMAIL Etiquette. Appropriate email etiquette is essential to maintaining a productive and professional work environment. Email can be widely, easily, and quickly disseminated, however items and comments that would be embarrassing if they were in a newspaper or on a television newscast should not be sent by email. Email contains no tone of voice or body language and can be easily misinterpreted. Email is subject to GRAMA requests and other monitoring. Employees should NOT send email if:

i. The information is unnecessary or inappropriate;

ii. The author would take exception to, or be embarrassed by the information;

- iii. The information would be offensive to or misunderstood by anyone, particularly the recipient;
 - iv. Is the receiver likely to forward the information to individuals that should not have, or do not need the information;
 - v. It is likely any attachment(s) contain viruses.
 3. SPAM. Creating SPAM is prohibited. Sending messages or files with the intent to cause harm or damage to the intended receiver or County computing environment is also prohibited.
 4. Internet.
 - a. Internet Usage. Use of the internet is a privilege granted to employees by their Department Head. It is the responsibility of each user of these services to use discretion when making connections and viewing information. All laws, including copyright laws, must be followed. Employees are cautioned that all of the requirements of this policy also apply to Internet usage.
 - b. On-Line Software. Computer software programs may not be copied or downloaded to the County network. If a computer application needs to be downloaded from the Internet, a request should be made through IT indicating the file name and the source providing the application. IT will then download the application after checking for viruses, licensing requirements, and any adverse impact. The application will then be installed in the appropriate area on the network or on the requestor's local personal computer.
 - c. Internet Limitations. Internet bandwidth is limited. Using streaming audio, streaming video or other resource intensive Internet services through the County for personal purposes is prohibited.
 5. Personal Use. Employees may use computers and phones assigned to them for *minimal* personal purposes when not working (i.e. breaks, lunch time, etc.). Excessive use of County equipment for personal reasons is not allowed. Generally, personal information should not be stored on County computers. Exceptions may include an occasional music file, image file, etc. If these are used on a County computer they should be stored locally (i.e. CD, flash drive, local hard drive). Storing or using any file on a County computer must be in strict compliance with all laws including copyright laws. Personal files stored on a County computer are subject to monitoring (see §N.7 – Monitoring of Computers), Government Records Access and Management Act (GRAMA) requests, and legal holds.
 6. Prohibited Uses. Employees are cautioned that entering or maintaining any information that is offensive, threatening, or harassing is prohibited. The following include, but are not limited to inappropriate uses of County computers, phones, and other technology and all are prohibited:
 - a. Unauthorized access to or copying of any files;
 - b. Using another's passwords; (see §N.13.h - PASSWORDS);
 - c. Disclosing passwords; (see §N.13.h - PASSWORDS);
 - d. Entering or maintaining information on a County computer which is contrary to County policies;
 - e. Using a computer for illegal activities;
 - f. Use for self-employment or outside employment purposes;
 - g. Accessing, using, or storing of sexually explicit or pornographic material (except in the case of authorized legal or law enforcement work);

- h. Any use that may be construed as harassment, misuse of company time, or showing disrespect for others;
 - i. Religious proselytizing;
 - j. Use for a political campaign when the employee is personally campaigning for herself or for another county officer or employee;
 - k. Copyright infringement (including loading of unauthorized software);
 - l. Disrupting County business;
 - m. Engaging in conduct that may harm the County's interests;
 - n. Posting information to any public without permission from one's Department Head;
 - o. Maliciously modifying, altering, or damaging computing equipment, security devices, applications, or any other County property;
 - p. Any other practice which may be adverse to public service or County business.
7. Monitoring of Computers. Files created, accessed, or stored on a County computer are County property (this includes voice mail messages). The County reserves the right to monitor any and all files on computers and the usage of computers. Electronic monitoring of file content will only be done with the approval of at least one of the following: the County Executive, the Human Resource (HR) Director, or the employees Department Head. Information stored in computer files or voice mail is subject to GRAMA requests by the public as well as legal discovery. Privacy of employee's files is generally respected, but there is not any guarantee of privacy whatsoever. Any employee witnessing any prohibited use of computers should report the incident to their management or HR.
8. Record Retention. Employees shall comply with all legal guidelines for record retention. Department Heads are responsible for preserving all records under their control as specified by Federal, State, and County laws and ordinances for the required amount of time, then destroying (deleting) them. IT will provide the computer resources for record storage where required. Long term storage (more than 10 years) should be done on micro fiche or other long-term storage media. It is important to understand that preserving data is only part of the retention task. The mechanism (i.e. software and/or hardware) that converts the data into a useable form must also be preserved.
9. Software.
- a. Software License Agreements. Employees shall use computer software only in accordance with the license agreement. Copying software licensed to Cache County for home computer use or any other purpose is prohibited.
 - b. Software Purchasing. Software is generally purchased by the IT department for use by the county. Any software purchased by a department must first be approved by the IT Director for compatibility with the existing computing environment. Cost estimates for software must take into account expenses incurred in the computing environment (i.e. additional servers, disk space, etc.) as part of the total cost of ownership and should be planned in advance of any purchase.
10. Computer Equipment.
- a. Computer Hardware Purchasing.
Computer equipment purchases must be coordinated with IT for compatibility reasons.
 - b. Computer Maintenance.
Prior to moving computers, installing new software, repairing computers, rewiring connections an employee shall notify the IT Department. Portable devices such as

- laptop computers may be moved as required by employees using such devices.
- c. Personal Equipment.
Personal computing equipment used for County business may be subject to GRAMA requests by the public and may be subject to forensic analysis or other examination in legal proceedings. Personal computing equipment is not allowed to be used for County business, nor connected to the County network with the exception of personal communication devices or when connecting to specified designated public access points (i.e. Council Room). Any exceptions must be approved by the employee's Department Head and the IT Department Head.
 - d. Personal Communication Devices.
The IT Director may authorize a personal communication device owned by an employee to be "attached" to a County computer upon request of the employee and with the approval of the Department Head. The employee shall only use properly licensed software on the device and only in accordance with the license agreement. The IT Department Head will approve those models determined to be efficient and compatible with County processes and equipment. The IT Department Head will make the final decision regarding the feasibility or appropriateness of attaching a personal communication device to County computers. The County will not assume any liability for the improper functioning of the device or damage that may be caused to the device, files, or accessories. Employees are reminded that section 3.0 addresses files or information associated with communication devices. The device shall not be used in any manner that causes the County to incur usage, airtime, or other costs unless preauthorized by the employee's Department Head. Any unauthorized costs incurred in the use of the device, including maintenance and repair, shall be borne by the employee. If any associated costs are reimbursed by the County, the device must be used primarily for County business. Any such device must be used in accordance with all other requirements of this policy.
 - e. Mobile Computing Device Safety.
All laws regarding mobile computing devices use, including distracted driving, must be observed. In no case will a County employee operate any electronic computing device when driving on County business with the exception of emergency service personnel pursuant to State and Local ordinances or the emergency services department's policy. If any employee or volunteer is involved in a vehicle accident while in violation of this section, such employee or volunteer will be subject to scrutiny by the County's Accident Review Board and will merit disciplinary action up to and including termination in the case of an employee.

11. Working At Home.

Under special circumstances Department Heads may request that an employee be allowed to use a County computer in their home. The HR Director shall be consulted by the Department Head before approval is granted. If approved, the requests will be forwarded to the IT Director. A County computer may be set up in the employee's home or a laptop computer issued. All sections of this policy will apply to the usage of the computer in the employee's home just as if were being used on County premises. The employee assumes all liability for personal injury or property damage resulting from incidents occurring in or about the employee's home.

12. Telephone Usage.

Telephones are for County Business purposes. Phone etiquette should be practiced at all

times. Occasional personal use for local calls is acceptable while on personal time. In no case are personal toll calls permitted. There are many scams occurring via telephone and employees need to be diligent about not giving out personal or confidential information to callers. Great caution should be exercised in giving out information as part of telephone surveys. Generally, participation in telephone surveys should be declined.

13. Security

a. Security Of The Computing Environment

There are many aspects to security and only the broad security issues will be addressed herein. It is everyone's responsibility to secure their local computer to help protect the overall County computing environment. IT will provide virus protection software and other means to help electronically secure local computers. Employees are not permitted to disable or alter any security software in any way. Employees are responsible for the physical security of their computers and guarding the privacy of their passwords for access.

b. Unattended Computers And Other Electronic Devices

Employees should close applications whenever leaving the area and the computer will be unattended. Employees should power off computers, printers, scanners and any other electronic device when such is not in use for more than a few hours (i.e. overnight, weekends, and holidays).

c. Web Filtering

Cache County subscribes to commercial web filtering products to help guard against inadvertent access to unacceptable web sites. There are times when County business requirements involve accessing sites that are blocked. IT can open many of those sites to individuals on a case by case basis when the need arises. If there is any question about the need to access specific sites, particularly those with inappropriate content, the matter may be referred to the Department Head or HR Director for review. The County reserves the right to track all Internet access.

d. Viruses

County PCs are equipped with virus checking software. However, caution should be exercised, especially when opening email attachments or viewing images received via email. Employees who receive suspicious email from unknown sources should not open the file and may contact IT for advice. Also, plugging in 'thumb' drives, CDs, etc. can inject viruses that affect the whole County. Only such memory devices that come from known reliable sources should be used.

e. General Best Practices

Here are some good practices to follow when using the Internet, email and to some extent, phones. NEVER give out passwords or personal information when requested unless you are very sure the source is legitimate and you are expecting the request. NEVER click on buttons or links from unsolicited sources. NEVER open email attachments from unknown sources. DON'T assume that unsolicited emails are necessarily from the sender shown and be very suspicious of information requests within them. NEVER respond to offers that are too good to be true. When given a URL to click on in an email message or on a web page, it is better to copy the URL and paste it into your browser for access. That is the only way to be sure you are being directed to where the URL says you are going.

f. File Security

All County data files should be stored on County servers whenever practical. The servers are backed up on a regular basis. They also have sufficient redundancy to preserve data in case of a disk failure. Local hard disk drives are convenient and may be used to store temporary data or occasional personal files. Applications also reside there. However, employees are responsible for backing up their own hard disk drives.

g. Mobile Device Security

Mobile devices are the target of thieves, particularly when traveling through airports, left in conference rooms, automobiles, etc. Special precautions should always be taken to ensure the physical security of the device and access to any data stored on the device. Never load any unnecessary sensitive data. Where possible, keep all data on County servers and log into them for access. When traveling, always keep an AC adapter packed with the device so it can be powered up for security checks if requested (a dead battery isn't an excuse and you may not be allowed to proceed through security with your device.) If a mobile device is lost or stolen the IT Department should be notified immediately so that the device, or access from the device, can be disabled if possible.

h. Passwords

When a person has multiple access points requiring a password, each password should be different. Passwords should be secure:

1. At least six (6) characters;
2. A mixture of letters and numbers;
3. A mixture of upper and lower case;
4. Void of names or common words

Passwords should be kept private, not written down and stored in non-secure locations, and not shared. In exceptional cases (employee illness, travel, etc.) a department head may need to request an employee's password for legitimate business reasons and the employee must provide it. However, as soon as possible after that incident the employee should change their password.

14. Disciplinary Action. Employees violating any provision of this policy may be disciplined. Discipline may include, but is not limited to, disciplinary counseling, probation, suspension without pay, or termination of employment.

R. Smoking Policy

In accordance with The Utah Clean Air Act, Cache County prohibits smoking in any county owned or leased building or vehicle. All employees share in the responsibility for adhering to and enforcing this policy.

S. Soliciting

Soliciting by employees, elected officials or any outside parties for political campaigns, the sale of merchandise, services, raffle tickets, etc., or the distribution of literature, petitions, or surveys is prohibited. Anyone found to be in violation of this policy will be subject to review by the Director of Human Resources, County Attorney and the County Executive. Employees may be subject to discipline up to and including termination and outside parties may be turned over to law enforcement.

T. Drug-Free Workplace Policy

Cache County is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale. As a condition of employment, Cache County requires that employees adhere to a strict policy regarding the use and possession of drugs and alcohol. The County encourages employees to voluntarily seek help with personal drug and alcohol problems.

1. Any individual who conducts business for the County, is applying for a position or is conducting business on the County's property is covered by our drug-free workplace policy. Our policy pertains to, but is not limited to elected officials, Department Heads, full-time employees, part-time employees, temporary or seasonal employees, and volunteers who perform functions and duties for the County.
2. The County's drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the County, while on call, paid standby, while on County property and at County-sponsored events.
3. It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.
4. Any employee who is convicted of a criminal drug violation in the workplace must notify the Director of Human Resources in writing within five (5) working days of the conviction. The County will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.
5. Entering the County's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases lunch boxes, desks work stations, and vehicles and equipment.
6. To ensure the accuracy and fairness of the County's testing program, testing will be conducted at the Logan Regional Hospital under the direction of their Employee Drug Testing staff. Testing may include:
 - a. A screening test;
 - b. A confirmation test;
 - c. The opportunity for a split sample;
 - d. Review by a Medical Review Officer (MRO), including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result and;
 - e. A documented chain of custody.
7. As a condition of employment, employees applying for positions in public safety, as

well as positions that include the operating of a vehicle requiring a Commercial Driver's License (CDL) will be required to participate in pre-employment drug-testing. Employees may be required to participate in post-accident, reasonable suspicion, return-to-duty, and follow-up testing upon request of management.

8. Testing for the presence of alcohol will be conducted by analysis of breath and saliva. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine. Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a Return-to-Duty test and will be subject to ongoing, unannounced, follow-up testing, and terminated immediately if he/she tests positive a second time or violates the County's drug-free policy in any way.
9. 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.
10. One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious. Upon the County's receipt of a verified or confirmed positive drug or alcohol test result which indicates a violation of this policy, or upon the refusal of an employee or prospective employee to provide a sample, the County may use that test result or refusal as the basis for disciplinary or rehabilitative actions, which may include the following:
11. A requirement that the employee enroll in a County approved rehabilitation, treatment, or counseling program, which may include additional drug or alcohol testing, as a condition of continued employment. *An employee will be responsible for his or her own expenses associated with rehabilitation and/or evaluations from substance abuse professionals as well as subsequent evaluations to return to work;*
 - a. Suspension of the employee with or without pay for a period of time;
 - b. Termination of employment;
 - c. Refusal by the County to hire a prospective employee; or
 - d. Other disciplinary measures in conformance with the County's usual policies and procedures. *Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.*
12. All information, interviews, reports, statements, memoranda, or test results received by the County through this drug and alcohol testing program are confidential communications and will only be used in a proceeding related to an action taken by the County in defense of any action brought against the County. Any information outlined shall be the property of the County, and the County is entitled to use a drug or alcohol test result as a basis for disciplinary action.
13. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.
14. A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.
15. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on or off duty use of alcohol or other drugs. In

addition, employees are encouraged to:

- a. Be concerned about working in a safe environment.
 - b. Support fellow workers in seeking help.
 - c. Report dangerous behavior to their supervisor.
16. It is the supervisor's responsibility to:
- a. Inform and remind employees of the drug-free workplace policy.
 - b. Observe employee performance.
 - c. Investigate reports of dangerous practices.
 - d. Document negative changes and problems in performance.
 - e. Clearly state consequences of policy violations.
17. Cache County has the following substance abuse rules in order to improve job performance, provide safety and protection to employees and the public, and to comply with various federal and state laws.
- a. All individuals conducting business for the County are prohibited from being under the influence of alcohol or illegal drugs during working hours.
 - b. The use, sale, or possession of an illegal drug or controlled substance while on duty is cause for termination.
 - c. The sale, possession, transfer, or purchase of illegal drugs on Cache County property or while performing job duties, or outside the line of duty, is strictly prohibited and is cause for termination. Such action must be reported to law enforcement officials.
 - d. No alcoholic beverage will be brought or consumed on Cache County premises, except as allowed by law.
 - e. Any employee whose off-duty abuse of alcohol or illegal or prescription drugs results in excessive absenteeism or tardiness, or which could be the cause of accidents or interfere with proper performance of the employee's duties, will be subject to discipline, up to and including termination.
 - f. Cache County is committed to promoting and encouraging drug free awareness activities and programs and requires all employees to notify the Director of Human Resources in writing within five (5) calendar days of any criminal drug statute conviction.

U. TRAVEL for COUNTY BUSINESS

(PREVIOUSLY APPROVED BY COUNCIL IN SEPTEMBER OF 2013 AND RE-INSERTED TO POLICY MANUAL)

An employee, officer or representative of the county who incurs travel expenses for an authorized trip for county business such as attendance at a convention, conference, seminar or meeting, such expenses will be paid by the county. An employee, officer, or representative is eligible for an allowance (Per Diem or actual expense) when:

- They are performing official travel away from their official work station; and
- They incur per diem expenses while performing official travel; and
- They receive no reimbursement from another organization or agency for transportation, mileage, meals, or lodging.

The amounts paid are determined by the County Executive and in relation to the U.S. General Services Administration (USGA) allowances and the United States Internal Revenue

Service at the time that the expense or travel is incurred. Initially, an employee's department head must review and approve all travel allowance requests.

1. Mileage. The County will pay for mileage at a rate approved by the County Executive and consistent with the following procedures and provisions:
 - a. The County has a pool of vehicles available for use whether driving within or outside Cache County limits. The vehicle pool should always be used when possible. The vehicle pool is managed by the Executive Secretary to the County Executive or individual offices where a pool of vehicles is used.
 - b. Check with your department head or their designee or the Executive Secretary for county vehicle availability. If a county vehicle is not available, mileage may be reimbursed for mileage driven in a personal vehicle.
 - i. Anyone who drives a private vehicle in the conduct of authorized county business may be reimbursed mileage at the rate allowed by the Internal Revenue Service. Payment shall not cover commuting mileage between the county representative's residence and the work site.
 - ii. Any employee, official, or county representative before driving either a county owned vehicle or a private vehicle for county business, must show that he or she has a valid Utah Driver License and certify that it will be kept current while driving a vehicle on County business. The employee, official, or county representative is subject to loss of driving privileges or disciplinary action if the driver's license is not kept current or should they have any convictions of Driving Under the Influence (DUI) or impaired driving infractions within the past five (5) years or more than two (2) moving violations within the previous 24 months. A Driver's License Report will be printed at least annually on each individual conducting business for the county to ensure their driving privileges for the county remain current.
 - a. Any employee who drives a county registered vehicle (even if only once per year) must attend and complete a defensive driving course as defined by the County Risk Management Program
 - b. Accidents involving a county vehicle, or a personal vehicle used while on county time, will be subject to review by the Accident Review Board as required in County Ordinance 2000-14.
 3. The employee must ensure the private vehicle used for county business is currently insured by a recognized insurance provider.
 - c. The County does not reimburse if another agency is paying mileage for the same trip.
 - d. The above steps (a, b, and c) are to be reviewed and approved by the Department Head when requests for reimbursement are submitted for payment.
2. Meal allowance. The County will pay meal allowances for employees away from home on approved County business according to the following charts:

<u>Base Meal</u>	<u>Leave Before</u>	<u>or</u>	<u>Return After</u>
Breakfast	6:00 a.m.		9:00 a.m.
Lunch	11:00 a.m.		2:00 p.m.
Dinner	4:30 p.m.		7:30 p.m.

Meal Per Diem's shall not be charged on any county credit cards!

Travel allowance for Meals and Incidental Expenses (M&IE) are as follows:

- a. ANY LOCATION WITHIN THE STATE OF UTAH:
 - Breakfast \$10
 - Lunch \$15
 - Dinner \$25
- b. ANY LOCATION OUTSIDE THE STATE OF UTAH:

Meals and Incidental Expenses (M&IE) will follow the United States General Services Administration (GSA) Per Diem rates:

 - a. Go to the website GSA.gov (<http://gsa.gov>)
 - b. Under Links choose *Per Diem Rates*
 - c. On the map of the United States, click the state to be visited
 - d. If the town/city to be visited is available, identify the per diem amount for *Meals & Incidental Expenses* OR use the *Standard Rate*
 - e. Click on the *Meals & Inc. Exp.* at the top of the column
 - f. Identify the per diem amount for the town/city to be visited OR the *Standard Rate* and the corresponding breakdown of dollar allocation for breakfast/lunch/dinner (see chart below).
 - g. Print a copy of per diem chart showing the amount for the town/city to be visited and attach the copy to the per diem request.

Example: If you are visiting San Antonio, Texas for a conference, and the per diem rate is \$66; the breakfast/lunch/dinner for meal allowance is as follows:



M&IE Total	\$46	\$51	\$56	\$61	\$66	\$71
Continental Breakfast/ Breakfast	\$7	\$8	\$9	\$10	\$11	\$12
Lunch	\$11	\$12	\$13	\$15	\$16	\$18
Dinner	\$23	\$26	\$29	\$31	\$34	\$36
Incidentals	\$5	\$5	\$5	\$5	\$5	\$5

NOTE: A shortcut to this page is www.gsa.gov/mie.

- c. Reimbursements for meals shall be only for meals outside of Cache County *except* for meals in Cache County when accompanying out-of-town business associates who are in the County on business during a meal period. Meal receipts for local dining with out-of-town business associates will be required for meal reimbursements. Per Diems may be paid in advance with the approval of the department head.
3. Lodging Allowance. The County will pay lodging allowances at a rate approved by the County for employees traveling on approved County business. Employees must present a receipt to receive reimbursement. Lodging costs which exceed the approved allowance are the employee's responsibility unless the employee is approved to stay at a specific facility

affiliated with a conference or convention. In such instances, the County will pay the actual cost of the room. The County recommends the use of government hotel rates wherever accepted. If government rates or conference rates are not available the county will reimburse the GSA rate plus a \$50.00 cap and not to exceed hotel room cost. The following GSA website provides suggested reimbursement rates for in-state lodging and out of state lodging and meals:

www.gsa.gov/portal/category/21287

4. Out of State Travel. All out of state travel must receive final approval by the County Executive and lodging and meal expenses should be based upon GSA schedules.
 - a. The most economical form of transportation should be used when traveling, taking all factors, such as time lost from work, into account. Employees are responsible to arrange for their own transportation;
 - b. On occasion an employee may desire to drive a personal vehicle for out of state travel. To determine the most economical option or to establish costs associated with driving versus flying, the employee will refer to the State of Utah Travel Office for an analysis of travel expenditures. The State of Utah Travel Office will return documentation associated with their analysis and upon receiving said documentation, the employee and their department head will review and make a determination as to which option is most economical for the county. Should the employee wish to drive a personal vehicle, they may do so but will only be reimbursed the amount equal to the lower of the two options of driving versus flying. The following State of Utah website provides current suggested reimbursement analysis:

www.fleet.utah.gov/travel/

Upon opening the above listed webpage, employee should click on the Drive versus Fly Comparison form, enter the requested information, and then submit the information for review. The State of Utah Travel Office will then send an email to the employee with their findings.

- c. If an airline is used, the State of Utah Travel Office will assist the employee in finding the most economical fare. Receipts must be submitted for all air fare.
5. Reimbursement. Employees should submit all requests for reimbursement, together with supporting documentation, within 30 days of the date the expense was incurred.
 - a. County funds shall not be used to pay for expenses incurred by individuals who are not County employees.
 - b. Travel expenses must be included in the annual budget for each department anticipating travel, as part of the budget process.
 - c. A County vehicle provided to an employee is not to be used for commuting between work and the employee's residence unless specifically authorized by the department head or required under the job description. Emergency vehicles are exempt from this provision.
 - d. Reimbursements will be paid in conjunction with the next payday.
6. Disclaimer. Cache County reserves the right to make changes in benefits, providers, or other benefit issues at any time.

V. Use and Care Of Equipment

The use of Cache County equipment or tools for private purposes is *strictly prohibited*. The

following guidelines should be followed in the use and care of equipment.

1. An employee must receive the proper training and explanation of job hazards, safety procedures and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description.
 - a. A commercial driver's license (CDL) is required for operators of commercial motor vehicles. Any employee operating a motor vehicle must have a valid Utah driver's license.
 - b. Operators and passengers in a Cache County vehicle equipped with seat belts must wear them when the vehicle is in operation, and all employees operating vehicles shall observe all local traffic laws.
 - c. Employees shall keep Cache County vehicles, which are used by them, clean, presentable, and serviceable. They are responsible to make certain that the vehicle is serviced properly.

W. Utah Occupational Safety And Health Administration (OSHA)

It is the intent and purpose of Cache County to comply with all applicable rules and regulations pertaining to the Occupational Safety and Health Act (OSHA) as established under federal and state law. The County shall provide employees with a working environment which is free from any recognizable hazard which is likely to cause death or serious injury to any employee.

1. Each department shall appoint an employee to inspect the work areas for unsafe working conditions and practices, defective equipment, and unsafe materials. Where such conditions are found, the Department Head will take the appropriate action to correct the problems immediately.
 - a. The Department Head shall be responsible for enforcing regulations and for issuing rules as may be necessary to safeguard the health and lives of employees.
 - b. The Department Head shall warn employees of any dangerous conditions and will not permit an employee to work in an unsafe place, except for the purpose of making it safe. When this is the case, appropriate safety equipment, clothing, tools and training must be used during the process of making an unsafe place compliant.
 - c. Each Department Head shall post, in a conspicuous place, a list of telephone numbers and addresses as may be applicable so that necessary help can be obtained in case of an emergency. The list shall include: Department Head or supervisor if the Department Head is not available; doctor; hospital; ambulance; fire department; and sheriff or police department.
2. All employees are responsible for ensuring a clean work area. An excessively littered or dirty work area constitutes an unsafe, hazardous condition of employment and should be remedied.
 - a. If an employee is injured in connection with employment, regardless of the severity of the injury, the employee must immediately notify the Department Head, or his designee, who will see that:
 - i. the employee receives necessary medical attention, and
 - ii. the employee (or Department Head if employee is unable) completes County's *Employee Report of Incident* form, and
 - iii. if county property is involved the employee will complete the County Accident Report form.

- b. The Director of Human Resources/Risk Management is to be informed of the injury within ~~two~~ (2) one (1) working day of the incident. ***If loss of limb or life occurs, OSHA notification must be within 8 working hours of the incident.***
3. If a Utah OSHA (UOSHA) inspector arrives on the job site, the employee shall refer the inspector to the Department Head or the supervisor if the Department Head is not available. The Department Head will immediately notify the County's Risk Manager.

X. Whistle Blowing

The County will comply with the provisions of the Utah Protection of Public Employees Act, Section 67-21-3, Utah Code Annotated. The County will not take adverse action against an employee in the following cases:

1. Because the employee or a person authorized to act on behalf of the employee, communicated in good faith the existence of any waste of public funds, property, or manpower, or a violation or suspected violation of a federal, state or local law, rule, or regulation.
2. Because the employee participates or gives information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review held by a public body.
3. Because the employee has objected to or refused to carry out a directive that the employee reasonably believes violates a law of the federal, state or local governments, or rules and regulations adopted under the authority of the same.

The County will not implement rules or policies that unreasonably restrict an employee's ability to document the existence of any waste of public funds, property, or manpower, or a violation or suspected violation of any laws, rules, or regulations.

Y. Work Place Attire and Personal Appearance

The County expects each employee to present a clean, professional appearance whenever representing the County. All employees who come in contact with the public are expected to dress appropriately and be well groomed.

1. Non-uniformed employees are required to dress in a manner consistent with a public service business image. Work place attire should be at a minimum "Business Casual" appropriate. Clothing that allows employees to feel comfortable at work, yet is appropriate for an office environment. Casual dress must be neat, clean, pressed or wrinkle-free and without holes, tears or frayed areas.
 - a. Business Casual attire includes, but is not limited to:
 - i. Slacks, corduroys, non-faded jeans, capris, skirts, dresses
 - ii. Sport and golf shirts, turtlenecks, sweaters, blouses
 - iii. Appropriate shoes such as loafers, sandals, leather boots, pumps, athletic shoes (within reason)
 - b. Inappropriate attire includes, but is not limited to:
 - i. Overalls, Shorts, clothes that fit too tight or too baggy
 - ii. Hiking Boots, Flip-flops or bare feet
 - iii. Muscle shirts, midriff-type tops, Tank-tops, strapless or near strapless clothing which leaves the shoulders bare
 - iv. Sweat/wind suits, jogging suits, exercise pants or exercise tights (leggings)
2. Employees issued uniforms are responsible for maintaining them in good condition.

Regardless of an employee's duties or anticipated work assignment, uniforms should be clean at the start of the workday. This includes shoes and other footwear provided by the county.

- a. Replacement uniforms will be issued on a regular basis in accordance with the policies established by each office or department. If a uniform is damaged beyond repair in connection with the employee's duties, the employee should request the early replacement of the item in accordance with department policy.
 - b. Employees issued uniforms or other items of apparel or identification for use in connection with their official duties are prohibited from wearing or displaying any such items as may identify them as a county employee while engaged in any private business enterprise, outside employment, or while engaged in any personal activity that could create the misconception that they were conducting the official business as a county employee. As such, employees may wear their uniforms while going to or from work, including brief stops en-route.
3. Jewelry and body piercings will not present a safety concern or detract from the work environment or the professional appearance of the employee.
 4. Regarding personal hygiene, employees will refrain from using heavy perfume, cologne, aftershave or other scents whose odor is noticeable to coworkers. Hair style and length are at the option of the employee; however hair and facial hair will be clean, neatly trimmed, and will be such as to not present a reasonable risk of injury to the employee.
 5. Tattoos are allowed however any employee displaying a tattoo on any exposed surface of their body that, in the sole determination of the county, is deemed inappropriate in a professional business setting, may be required to wear clothing that completely covers the tattoo.