HR-4

HUMAN RESOURCES DEPARTMENT

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www.scottcountyiowa.com



Date:

December 10, 2010

To:

Dee F. Bruemmer, County Administrator

From:

Mary J. Thee, Human Resources Director/Asst. County Administrator

Subject:

Human Resources Policy Updates

I am recommending the following changes to the Administration Policies:

Human Resources Policy B "Equal Employment Opportunity and Affirmative Action" updates adds the following language "genetic information". This language is necessary to comply with the federal guideline related to the law prohibiting discrimination based on an individual's genetic information.

General Policy 34 "Technology Use" updates the section that previously referred to blogging and addresses all uses of social media, such as facebook and twitter. It is necessary for the County to set guidelines for consistency as departments consider the utilization of social media as a means of communication with our citizens and guests.

B. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

GENERAL POLICY

It is the policy of Scott County to provide equal treatment to all County employees and applicants for County employment without regard to race, creed, color, national origin or ancestry, age, sex, sexual orientation, marital status, religion, political affiliation, mental physical handicap (except as a bona fide occupational qualification), genetic information or any other protected class. This policy applies to all Human Resources actions and procedures including, but not limited to: recruitment, selection, training, compensation, benefit programs, promotion, demotion, transfer and termination of employment.

SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder including the elected office holder and deputies;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors has certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of lowa, or with a collectively-bargained agreement between the County and a certified bargaining unit, the provisions of the collectively-bargained agreement and/or the Code of lowa will prevail.

OBJECTIVES

The primary objectives of Scott County's equal employment opportunity and affirmative action program are:

- 1. To assure non-discrimination in the application of hiring procedures and employment practices;
- 2. To strive for an integrated work force that includes minority and female representation in all major occupational categories equivalent to the actual availability of qualified minorities and females in the relevant labor market area;
- 3. To provide adequate training for department managers and supervisors involved

in the selection process to assure the use of objective standards in filling all position vacancies;

4. To ensure compliance with federal, state and local laws and regulations related to equal employment opportunity, and to provide an internal complaint procedure for the resolution of EEO-related complaints.

While the County recognizes the importance of taking affirmative steps to achieve the objectives defined herein, these shall not unreasonably infringe upon the County's goal of providing efficient and productive service to the citizens of Scott County.

RESPONSIBILITY FOR IMPLEMENTATION

Ultimate responsibility for achievement of EEO objectives is assigned to the Board of Supervisors under both the law and principles of sound administration.

Scott County's Human Resources Department shall be responsible for administering this policy and monitoring the County's compliance with EEO laws. The Assistant County Administrator shall be Scott County's EEO Officer.

Department heads and supervisory personnel are responsible for complying with all aspects of this policy, for distributing and discussing this policy with departmental staff as necessary, and for cooperating with the County's EEO Officer in providing information relevant to departmental selection procedures and employment practices.

DUTIES OF THE EEO OFFICER

In general, the duties of the EEO Officer include, but are not limited to:

- 1. Develops and administers an affirmative recruitment program with special emphasis in occupational categories where the County's minority or female representation is significantly below the actual availability of qualified minorities or females in the relevant labor market area;
- 2. Assists departments in developing objective selection criteria and techniques that do not adversely impact on minorities or other protected classes;
- 3. Maintains an up-to-date list of recruitment sources for seeking qualified minority and female applicants;
- 4. Monitors compliance with federal, state and local laws regarding EEO/Affirmative Action, including preparation of annual reports to the EEOC, Board of Supervisors, and other reports as required;
- 5. Provides periodic staff training on EEO-related topics; observes the interview and

- selection process for any or all County positions, and provides appropriate feedback to department heads and supervisors;
- 6. Conducts periodic review of County employment practices and related documents (e.g. job announcements and descriptions, application forms, employment and promotional tests, etc) to assure non-discriminatory effect;
- 7. Maintains EEO-related data on the County's regular workforce and applicants for regular County positions;
- 8. Investigates and attempts to resolve EEO-related complaints.
- 9. Provides staff assistance to the Scott County Civil Service Commission as may be needed in the area of EEO compliance.

VETERAN'S PREFERENCE

It is the policy of Scott County to provide equal employment opportunities to all Veterans of the United States armed forces.

In accordance with Chapter 70 of the Code of Iowa, Veterans of any war in which the United States has been engaged are entitled to preference in County employment over other applicants of equal qualifications.

AIDS IN THE WORKPLACE

The following policy statement and guidelines are established to prevent unlawful discrimination and to address concerns regarding the possible presence of AIDS (Acquired Immune-Deficiency Syndrome) in the workplace.

Information provided by the U.S. Public Health Service Centers for Disease Control (CDC) indicates that AIDS is not a disease that can be transmitted through casual contact. The kind of nonsexual interpersonal contact that an employee would normally have with co-workers and other individuals in the course of his/her employment activities does not pose a risk for the transmission of Human Immunodeficiency Virus (HIV), the virus that causes AIDS.

Accordingly, it is the policy of Scott County that it will not discriminate against any employee or applicant for employment because he/she may have tested HIV positive, have AIDS or an AIDS-related condition. Such individuals will be treated in accordance with the County's legal responsibility to provide equal employment opportunities for persons with a physical and/or mental disability.

In addressing workplace concerns regarding AIDS, the County will base its actions on guidelines established by the CDC. In addition, the following specific guidelines are

established:

- 1. To promote better understanding of the AIDS issue throughout the County workforce, the Health Department and the Human Resources Department are responsible for developing relevant employee training and educational material.
- 2. An employee who tests HIV positive, has AIDS or an AIDS-related condition may continue to work provided he/she is able to meet departmental standards of work performance and attendance, and medical evidence indicates that the employee's presence on the job is not a threat to him/herself or others.
- 3. The County recognizes that co-workers of employees who have AIDS or an AIDS-related condition may have concerns for their own health safety. In the event a department becomes aware that an employee has AIDS or an AIDS-related condition, the department will review the situation, with assistance from the Scott County Health Department, to ensure that the health safety of co-workers and the public is protected. Where it has been determined that there is no significant health safety risk, co-workers will be required to perform their normal duties. As needed, co-workers who continue to feel threatened by the work environment will receive additional AIDS education.
- 4. The County further recognizes that certain employees, due to the nature of their work, are more likely to encounter individuals who may have AIDS or an AIDS-related condition. To ensure that these employees are able to perform their job without undue risk of exposure, the affected departments shall develop appropriate work procedures with the assistance of the Scott County Health Department.
- 5. No employee will be required to submit to any test to determine whether he/she is HIV positive as a requirement to obtain or maintain employment with the County except as may be allowed under lowa law. Employees who believe that they may be infected with the AIDS virus are encouraged to consult their personal physician or the Scott County Health Department for confidential counseling and possible testing.
- 6. While the County has a right to know the reasons for an employee's absence from work, it recognizes that an employee's health condition is a confidential matter. In the event an employee is absent from work because of an AIDS-related illness, the same confidentiality requirements that apply to any medical condition will be enforced. Reasonable steps will be taken to protect such information from being disclosed inappropriately.

COMPLAINT PROCEDURE

In the interest of resolving EEO-related complaints internally, the following complaint procedure is established.

Any employee or applicant alleging discriminatory practice by the County on the basis of race, sex, etc. may file a complaint with the County EEO Officer. All employees or applicants shall have the right to file a complaint without fear of reprisal.

- <u>Step 1.</u> The complainant shall meet and discuss any alleged violation of this policy with the County EEO Officer within 30 days following its occurrence in an effort to resolve the problem in an informal manner. The EEO Officer shall respond orally to the complainant no later than seven days after this initial discussion. Every effort will be made to resolve a problem at Step 1.
- Step 2. If the Step 1 response fails to resolve the matter, the complainant shall have seven days in which to file a formal, written complaint with the County Administrator. The complaint must be legible and must include: the name, address and telephone number of the complainant; the date of filing; the name(s) of those against whom the complaint is lodged; a clear and concise description of the facts related to the alleged discriminatory practice; and the remedy or solution requested by the complainant. All such complaints must be signed and dated by the complainant.

Upon receipt of a formal written complaint, the County Administrator (or his/her designee) shall, within 10 days following receipt of the complaint, meet with the interested parties to more fully discover the facts related to the complaint. Within 10 days following said meeting, the County Administrator (or his/her designee) shall respond to the complainant in writing.

Step 3. If the County Administrator's decision does not resolve the complaint, the complainant may, within 10 days following the date of the answer in Step 2, forward the written complaint to the Scott County Board of Supervisors. The Board shall arrange to meet within 30 days following receipt of the complaint with the complainant and all interested parties. Within 10 days following this meeting, the Board shall issue a written decision.

ADMINISTRATIVE PROCEDURES

1. Relevant Labor Market

For the purpose of administering this policy, the relevant labor market for all occupational categories, except the professional and administrative, will be the area known as the Davenport-Rock Island-Moline, Standard Metropolitan Statistical Area (SMSA). For the professional occupational category, the relevant labor market will be the state of lowa SMSA. For the administrative category, the relevant labor market will be the national SMSA.

2. Definition of Under-Utilized Position

An "under-utilized" position is defined as one existing in an occupational category in which the representation of minorities or females in the County workforce is less than 80% of the relevant labor market representation.

Equal Employment Opportunity and Affirmative Action

It is the policy of Scott County to provide equal treatment to all County employees and applicants for County employment without regard to race, creed, color, national origin, age, sex, marital status, religion, political affiliation, mental or physical handicap, except as bona fide occupational qualifications may require otherwise. This policy applies to all Human Resources actions and procedures including, but not limited to: recruitment, selection, training, compensation, benefit programs, promotion, demotion, transfer and termination of employment.

Scott County's EEO Officer is Mary J. Thee who can be reached at 563.326.8740.

A complete copy of this policy can be found in the Scott County Policy Manual. This manual can be found on the intranet, or a hard copy is available in all departments, or Human Resources.

Employees Copy

I have received a copy of the following information for my records:

It is the policy of Scott County to provide equal treatment to all County employees and applicants for County employment without regard to race, creed, color, national origin, age, sex, marital status, religion, political affiliation, mental or physical handicap genetic information, except as bona fide occupational qualifications may require otherwise. This policy applies to all Human Resources actions and procedures including, but not limited to: recruitment, selection, training, compensation, benefit programs, promotion, demotion, transfer and termination of employment.

Scott County's EEO Officer is (current name is filled in) who can be reached at (phone #).

I can find a complete copy of the EEO Policy in the Scott County Human Resources Policy Manual Section B, which I can get from the Intranet, my department or in Human Resources.

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34. TECHNOLOGY USE POLICY

POLICY

The Scott County Board of Supervisors authorizes the use of computers / Internet / intranet / e-mail / text messages / telephone system / voice mail / fax transmittals (collectively "technology") for the support of all County tasks. It is expected that individuals will use technology to improve their job knowledge, access business related information and communicate with peers in other governmental agencies and the private sector. Employees should not use technology inconsistent with the mission of Scott County. Every employee has a responsibility to maintain and enhance the public image of the County, and to use technology in a productive manner. The purpose of this policy is to outline accessibility and usage of technology. Guidelines are provided for in this policy to ensure that all employees are responsible, productive technology users and are protecting the public image of the County.

SCOPE

This policy is applicable to all employees, offices, and departments within Scott County Government.

ADMINISTRATIVE PROCEDURES

- Access Request: A user and the user's department head must complete and sign a Technology Services Use Request shown as Attachment A and return it to the Information Technology Department before a username is assigned and access to the Internet is allowed with a County owned account.
- 2. Password/Pass Phrase: Employees are responsible for the selection and security of account password(s). Passwords will be at least eight (8) characters in length and should consist of a combination of upper and lower case letters, and numbers. Employees should avoid using variations of the user login or the same password as other accounts. Employees will be required to change the login password every 120 days. Employees will be unable to repeat the previous three passwords.
- 3. Remote Access: An employee that is classified as exempt pursuant to the Fair Labor Standards Act may access a County account from a remote location other than the site designated for that account (e.g., telecommuting or checking e-mail while away from the office on business) only with approval of the employee's supervisor and only for County business.

- 4. Signature Line: The employee signature line at the bottom of every e-mail message shall include the user's name, title, department and telephone number. The signature line may include the County webpage, employee fax number, or one of the environmental tags attached hereto as Attachment B.
- Anti-Virus Scans: The Information Technology Department shall purchase anti-virus software or contract for such services to minimize the potential of infected files reaching the county and to reduce the number of spam e-mails.
- 6. Compliance Review: Violations of the Technology Use Policy will be evaluated on a case-by-case basis by the department head. Violations may result in disciplinary action, and may include referral of a case to the appropriate authorities for civil or criminal prosecution.
- 7. Random Audits: The Information Technology Department may make random internal audits of technology use.
- Web Page: Development of a website or home page for department purposes must be made through the Information Technology Department and the County Webmaster to ensure a uniform County web presentation.

I. GENERAL POLICIES

A. Permitted Use

The County expects employee use of County technology for business purposes. The County recognizes, however, that employees may, from time to time, use County technology, including the internet and e-mail, for personal use during working hours. Such personal use is permitted provided (1) it does not interfere with the performance of the employee's job duties and obligations; and (2) it does not violate this policy or any other County policy; and (3) it does not interfere with the operation of County technology.

B. Right and Ability to Monitor

All technology, including the e-mail system, are the property of the County. All electronic data and information, including electronic messages, on or within County technology are the property of the County. All messages sent through electronic means are public records unless otherwise provided by the lowa Open Records Act (Chapter 22). The County (or its designated representatives) maintains the right and ability, with or without notice to the employee, to access and review any information contained on County technology, even if protected by private password. Those individuals using County technology have no expectation of privacy in connection with the use of such technology or transmission, receipt, or storage of information through the use of such technology. The County specifically reserves the right to monitor all internet usage, and e-mail messages either composed or received in the e-mail system. It is possible that e-mail sent from the County can be intercepted on the local system and on the Internet;

therefore the user should not expect any degree of privacy regarding e-mail messages of any type, including e-mail messages sent or received through a County e-mail account or through a private web-based e-mail account accessed using County technology.

II. PROHIBITED USES

The following uses are strictly prohibited.

- Excessive personal use of County technology.
- Using technology to engage in any conduct that violates any federal, state or local law, or any of the County policy, including but not limited to, using County technology to engage in any form of harassment, or accessing or transmitting any obscene or pornographic material through County technology.
- · Engaging in any political activities.
- Revealing your account password(s) to others or allowing use of your account(s) by others. This includes family and other household members when work is being done at home.
- · Any commercial use or any use for personal gain.
- Obtaining and/or using another user's passwords.
- Attempting to gain access to files and resources to which you have not been granted permission.
- Making copies of another user's files without their knowledge and consent.
- Stealing, vandalizing or obstructing the use of computing equipment, facilities, or documentation.
- Installing non-work related software on your computer without the express consent of the Information Technology Department.
- Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- Posting, uploading, or downloading of pornographic or vulgar messages, photos, images, sound files, text files, video files, newsletters, or related materials.
- Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the County. In order to protect the County from copyright infringement penalties, only software purchased by the County shall be operated on County owned computer hardware.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the County or the end user does not have an active license.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws.
- Introducing malicious programs into the network (e.g., viruses, worms, Trojan horses, malware, spyware, etc.).

This list is by no means exhaustive, but attempts to provide a framework for activities which fall into the category of unacceptable use of County technology. Any employee who uses County technology in an inappropriate manner will be subject to discipline, up to and including discharge. Further, any employee aware of any activity or activity by another employee that violates this policy is required to notify their department head and the Information Technology Department immediately. If you are unsure as to an item's appropriateness, consult the Information Technology Department or Human Resources Department.

III. BLOGGINGCOUNTY SOCIAL MEDIA USE

Social media refers to online tools and services that allow any Internet user to create and publish content. Many of these sites use personal profiles where users post information about themselves. The "social" in social media comes in as these individuals find others with similar interests and interact with them through online communities. Social media allows for the easy sharing and re-purposing of existing content, expanding the reach of your work and enabling others to share it with their friends and networks. Examples of social media services include Facebook, Twitter, LinkedIn, blogs, YouTube and Flickr.

The County recognizes that social media use is an important tool to communicate with citizens and hear directly from them. These "conversations" are what makes social media so different from traditional forms of communication. As such many County departments and programs utilize official social media presences, similarly branded to communicate that the information they are communicating is official and reliable. Scott County seeks a unified approach to utilization of social media sites by its departments and elected officials. Social media sites should be reflective of the County's website and other marketing tools.

Access to social media networks from within the County's IT infrastructure is limited to individuals performing official County business and to agencies or departments with sufficient information and technology security controls.

Employees who post on behalf of a County department must adhere to the following policies:

- Departments shall only utilize County endorsed social media networks for hosting official County social media sites.
- Employees shall not create social media sites without authorization of the appropriate department head or board/commission with departmental oversight and consultation with the County's Webmaster.
- Departments with social media sites should assign an employee(s) to be responsible for the content and keeping the information relevant, current and compliant with the comments policy. The County's PIO and Webmaster should be added as administrators on any social media site in order to be able to address immediate concerns.

- Whenever possible social media sites should link back to the County's website.
- Employees responsible for social media sites should respect the County's "collective voice" by remaining professional in tone and in good taste.
- IT shall provide appropriate security access to social media networks to individuals performing official County business within the scope of this policy.
- Employees authorized to participate in social media by the County shall be provided copies of best practices established by the Social Media Team (which includes representatives from HR, IT, Health, Conservation, FSS, SECC and Auditor's office) and adhere to those practices. It is recommended that authorized County social media users complete social media training provided for by Human Resources and Information Technology.
- Employees participating in social media sites shall limit the amount of time spent attending to department's social media presence to what is needed to post content, evaluate traffic data, review related sites and monitor comments.
- Any articles or documents posted are subject to Iowa Public Records laws. Users shall be notified that public disclosure requests must be directed to the relevant department.
 •The County recognizes that Scott County respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees that maintain a may have their own professional blog, contribute to another's professional blogs, or make comments on blogs or other social media sites must maintain a professional tone and are . The County may, from time to time, monitor blogs to track what is being said about the County. Employees who create or contribute to blogs are expected to abide by certain rules. The following activities are strictly prohibited from, with no exceptions:
- Disclosing County confidential information on a blog, or making any statements that violate County policies.
- Drafting, creating or accessing any non-professional blog using County technology.
- Representing that you are speaking or acting on behalf of the County, or that you are representing or presenting the view of the County unless specifically authorized by the County.
- Using a blog to harass or attack any employee, contractor, customer, or vendor.
 Employees are expected to follow the guidelines set forth in this policy and the best practices guidelines to provide a clear line between you as the individual and you as the employee. If you publish content to any website outside of the County and it has something to do with work you do or subjects associated with Scott County, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent Scott County's positions or opinions."

Employees should keep in mind that they are subject to legal action for posting material on a personal blog or social network page that is defamatory to persons; and for posting private information about a coworker's medical or financial affairs. Additionally, the County requires that employees make clear that any views and positions described on a personal blogs or social network page are their own and not those of the County.

Any County social media site in which the department permits public comments should contain the following language: "Use of this site is subject to the County's Social Media policy and its user guidelines."

The following language governs all public comments on social media sites. It will be posted on the County's website and social media site:

The purpose of this site is to present matters of public interest in Scott County to its many residents, businesses and visitors. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and not a public forum.

Once posted, Scott County reserves the right to delete submissions that contain:

- a) profanity and vulgar or abusive language;
- b) personal attacks or threats of any kind;
- c) offensive comments that target or disparage any ethnic, racial, or religious group.
- d) sexual content or links to sexual content
- e) sensitive information (for example, information that could compromise public safety or ongoing investigations)
- f) spam or include links to other sites;
- g) comments not topically related to the particular social medium article being commented upon clearly off topic;
- h) advocate illegal activity;
- i) promote particular services, products, or political organizations/candidates;
- j) infringe on copyrights or trademarks;
- k) use personally identifiable medical information.

Please note that the comments expressed on this site do not reflect the opinions and position of the Scott County government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact <insert dept> @scottcountyiowa.com.

Employees postings on personal social media outside of their professional duties must adhere to the following policies:

Scott County respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees that maintain a personal social media site or make comments on blogs or other social media sites must maintain a professional tone and are prohibited from:

- <u>Disclosing County confidential information or making any statements that violate</u>
 County policies.
- Representing that you are speaking or acting on behalf of the County, or that you are representing or presenting the view of the County unless specifically authorized by the County. If you publish content to any website or social media site outside of your professional duties and it has something to do with work you do or subjects associated with Scott County, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent Scott County's positions or opinions."
- Posting on a County social media site without disclosing your employment status. Whether you are at home or in the office, working for Scott County is a material fact that may influence content and that community members have a right to know about. If the nature of your comment is confidential, or recommends an action which could adversely affect our citizens or your co-workers, the County reserves the right to delete your comment.

Also be aware that:

- Your activities may attract media interest in you as an individual, so proceed with care whether you are participating in an official or a personal capacity. If you have any doubts, seek advice from your supervisor or manager.
- State law does not give you unlimited "free speech"; your comments could lead to legal action or discipline depending on the context. When you choose to go public with your opinions you are legally responsible for your commentary. Individuals can be held personally liable for any commentary deemed to be defamatory, obscene (not swear words, but rather the legal definition of "obscene"), proprietary, or libelous (whether pertaining to County staff or individuals). For these reasons, you should exercise caution with regards to exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.

Attachment A

TECHNOLOGY SERVICES USE REQUEST

I hereb	I hereby request access to Technology Services via a Scott County account.								
	pecifically requestir cific requests):	ng access to the fo	llowing types of technology servic	es (initial					
-	Outlook	Internet	Social Media sites (-list:)					
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Return this form to the Information Technology Department, Attention: Network System Administrators

Attachment B

I Please consider the environment before printing this e-mail.



- Join Scott County in being "Green"; don't print this e-mail unless it's necessary.
- Please consider the environment before printing this e-mail.
- If you must print this e-mail; be sure to recycle the paper.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

December 21, 2010

APPROVING VARIOUS HUMAN RESOURCES AND GENERAL POLICIES

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. That Human Resources Policy B. "Equal Employment Opportunity and Affirmative Action" is hereby modified to add "genetic information" to comply with federal law.

Section 2. That General Policy 34. "Technologies Use" is hereby modified to include all forms of social media technology.

Section 3. This resolution shall take effect immediately.

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