

HUMAN RESOURCES DEPARTMENT

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Date: April 25, 2017
To: Mahesh Sharma, County Administrator
From: Mary J. Thee, Human Resources Director/Asst. County Administrator
Subject: Policy Updates

The proposed updates were reviewed by the Department Heads/Elected Officials and any recommendations were incorporated. Here are the proposed changes to the Administration Policies:

Administrative **Policy 34 "Technology Use"** has been updated to add language regarding the security of passwords, that accessing or transmitting prohibited materials is a policy violation and broaden the County's type of social media presence.

Human Resources **Policy K "Holidays"** adds language regarding the historical practice of adding floating holidays to employee's accruals that start after the beginning of the fiscal year.

Human Resources **Policy L "Vacation"** adds language regarding the historical practice regarding employees that move into elected positions or their deputies. The policy also clarifies language regarding requests for donated leave.

Human Resources **Policy R "Corrective and Disciplinary Actions"** adds language to address the recent updates to state law making certain disciplinary matters a public record. The policy also clarifies terminology related to disciplinary matters.

Human Resources **Policy EE "Workplace Harassment"** updates the policy to add protective classes available under the federal law. It further clarifies the difference between legal harassment and conflicts in the workplace. The policy also requires departments to notify Human Resources even if they resolved a complaint covered by the policy.

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

1. 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 in order for~~ a username ~~to be~~ 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 or symbols. 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. Passwords shall not be shared with others or left in plain sight.
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–department head and only for County business. Non-exempt employees are prohibited from forwarding their e-mails from the County account to a personal account.

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. The signature line is to remain professional and not include superfluous items.
5. 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. USB Flash drive usage is prohibited unless specifically authorized by your department head.
6. Compliance Review: Violations of the Technology Use Policy will be evaluated on a case-by-case basis by the department head, IT Director and Human Resources Director. 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.
8. 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. Non-exempt employees are prohibited from accessing County accounts including Outlook outside of their normal working hours.

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 Iowa 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.

C. *Record Retention*

The IT Department will maintain a copy of all emails sent or received for a period of three (3) years from the date in which they are sent or received, Records may be retained for a longer time period if it is subject to a litigation hold.

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 accessing or transmitting through County technology materials viewed as harassing, ment, or accessing or transmitting any offensive, 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~~ inappropriate messages, photos, images, symbols, 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. COUNTY 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, Pinterest, Snapchat, Instagram, 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, complying with this and other county policies and in-exercise 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.
- 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 utilizing LinkedIn identifying their County employment are required to reflect appropriate demeanor for a County employee. Employees that maintain a 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 prohibited from:
 - Disclosing County confidential information 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.

- 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:

- Disclosing County confidential information or making any statements that violate 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 hereby request access to Technology Services via a Scott County account.

I am specifically requesting access to the following types of technology services (initial by specific requests):

___ Outlook ___ Internet ___ Social Media sites (list: _____)

My signature below certifies that I have read the Technology Use Policy, and that I understand, accept, and will abide by the provisions stated therein. I am also aware that from time to time this policy will be updated and I am expected to be familiar and abide by those updates.

SIGNATURE: _____

NAME: _____

POSITION: _____

DEPARTMENT: _____

PHONE: _____

DATE: _____

DEPARTMENT HEAD APPROVAL: _____

DATE: _____

INFORMATION TECHNOLOGY ASSIGNED USERNAME(S):

**Return this form to the Information Technology Department,
Attention: Network System Administrators**

Attachment B

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



Save a tree.
Please don't print this e-mail unless it's necessary.



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.

K. HOLIDAYS

GENERAL POLICY

It is the policy of Scott County to grant its employees certain holidays off from work with pay as specified herein.

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 with the exception of the elected office holder themselves and Deputies;

All Deputies provided the appropriate elected office holder and the Board of Supervisors have certified its applicability;

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 have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, 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 Iowa will prevail.

HOLIDAYS

Non- represented employees are granted the following holidays: Independence Day; Labor Day; Veteran's Day; Thanksgiving Day; Day after Thanksgiving; Christmas Eve Day; Christmas Day; New Year's Day; Martin Luther King Jr. Day; Memorial Day; and Two (2) Floating Holidays.

HOLIDAY PAY PROCEDURE

The holidays listed in this policy conform to a Monday through Friday work schedule whereby those holidays falling on Saturday or Sunday are observed on Friday or Monday. However, for those employees involved in continuous operations as defined in Policy I, the traditional day of observance will be used for paying premium holiday pay. If an employee considered exempt pursuant to the FLSA is required to work on a holiday, they are not eligible for premium holiday pay but the department director may

permit them to take off a different day in the same pay cycle.

Except as limited by the scheduling requirements of continuous County operations, employees are granted those holidays listed in this policy with pay at their straight time hourly rate for the number of hours which they would normally work, up to a maximum of eight (8) hours pay per holiday.

In those cases where an employee is required to work on a holiday, that employee shall receive one and one-half (1-1/2) times his/her straight time hourly rate of pay for all consecutive hours worked on the holiday, and this shall be in addition to any holiday pay the employee would otherwise receive. For purposes of premium holiday pay in continuous operations the holiday shall be considered to occur when the majority of shift hours are worked on the traditional day of observance. (As an example New Year's Day would be paid as a premium holiday for 11pm December 31 - 11pm January 1 for those with 3 traditional shifts and 6am and 6pm on January 1 for those working 12 hour shifts.) Part-time non-benefit eligible (not seasonal) employees will be paid premium holiday pay only for actual hours worked on the holiday. Part-time Correctional Health Nurses commonly referred to as "contract" or "on-call" receive a \$5.00 an hour premium for actual hours worked on the holiday, however if they do not qualify for the "contract pay rate" they shall receive premium holiday pay for actual hours worked on the holiday. The employee may elect to take up to twelve (12) hours of such holiday pay as compensatory time off. The accrual limitations of the compensatory bank are established in Human Resources Policy J.

Regular, part-time employees are eligible to receive holiday benefits on the condition that such part-time employees are scheduled to work one thousand forty (1,040) hours or more annually. Such employees will receive holiday pay on a pro-rated basis, according to their assigned salary percentage. For example, an employee rated at fifty percent (.50 FTE) would receive four (4) hours of holiday pay. Coop students, temporary and/or seasonal employees are not eligible for holiday benefits.

If a holiday occurs during a paid leave of absence, the employee will receive holiday pay for that day and the holiday will not be counted as part of the leave of absence.

12 - HOUR SHIFT ASSIGNMENTS

Employees who are regularly scheduled to work seven-12 hour shifts in a two-week pay period will accrue holidays and floating holidays based on a 2,184 hour per year schedule. Eligible employees will earn 8.4 hours for each holiday and floating holiday, they may supplement hours to reach 12 hours with floating holiday, compensatory time, vacation or "approved without pay".

FLOATING HOLIDAYS

Floating holidays will be scheduled by mutual agreement between the employee and the

department head. Floating holiday leave will be charged in actual hours used with a minimum charge of fifteen minutes. Floating holidays shall not be carried from one fiscal year to another fiscal year, nor shall they be granted, if unused, to any employee upon retirement, termination or discharge. No employee will be permitted to work on his/her floating holidays. An employee will not be permitted to use a floating holiday during his/her probationary period without permission of the Department Head or Elected Official.

Floating Holidays are issued in the first pay period including July 1. Employees starting employment after July 1 and before January 1 shall have their floating holidays added during their first payroll cycle.

Regular, part-time employees who are scheduled to work 1,040 hours or more annually, are eligible to accrue floating holiday hours according to their percentage of full-time employment. Floating holidays for regular, part-time employees shall be used according to the number of hours which the individual would normally work.

L. VACATION

GENERAL POLICY

It is the policy of Scott County to grant its employees paid vacation time for the purpose of rest and recreation from their daily work routine. Use of accrued vacation time is to be granted with due consideration of operational needs.

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 with the exception of the elected office holder themselves and deputies;

All deputies provided the appropriate elected office holder and the Board of Supervisors have certified its applicability;

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 have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, 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 Iowa will prevail.

ACCRUAL AND USAGE

Regular full-time employees in active pay status shall accrue annual vacation leave credit, prorated on a pay period basis. Annual vacation shall be accrued as follows:

Years of Continuous Service	Hours Per Year
Less than 1 year	48 hours
More than 1 year, Less than 5 years	80 hours
More than 5 years, Less than 13 years	120 hours
More than 13 years, Less than 23 years	160 hours
Over 23 years	200 hours

Regular part-time employees shall receive vacation credits on the condition that such

part-time employees are scheduled to work one thousand forty (1,040) hours or more annually. Accrual of vacation credits for regular part-time employees shall be pro-rated according to their percentage of full-time employment. Co-op students, temporary and/or seasonal employees do not earn vacation credit.

In an effort to attract the best qualified candidate for management level positions rated at 350 Hay points and above, consideration may be given to enhancing the vacation credits of the finalist, subject to a recommendation by the County Administrator and approval by the Board of Supervisors.

That part of the pro-rated vacation leave credit to which an employee is entitled shall be accumulated into the account of the employee bi-weekly. Thereupon, it is available for use by the employee pursuant to approval of the Department Head or designee. Employees cannot access hours not accrued. Accrued hours are those listed on the employee's preceding payroll check. Vacation leave shall be paid at the employee's straight time hourly rate of pay in effect during the vacation period.

Employees are encouraged to expend vacation during the year it is accrued. Upon attaining each anniversary date of employment, the accumulated vacation credit of the employee shall be reduced to twice the employee's current annual rate of accrual, assuming there is an excess accumulation in the account.

Regular employees who are in a non-pay status for more than one-half (1/2) the scheduled hours in an accrual period will not accrue vacation leave credits for that period.

Absence on account of illness, injury, inclement weather or disability in excess of that authorized for such purposes may, at the request of the employee and approval of the department head, be charged against accrued vacation leave.

Officially designated County holidays falling within the period of an employee's approved vacation will not be charged against the employee's vacation leave account.

12 - HOUR SHIFT ASSIGNMENTS

Employees who are regularly scheduled to work seven-12 hour shifts in a two-week pay period will accrue vacation based on a 2,184 hour per year schedule.

Annual vacation shall be accrued as follows:

Years of Continuous Service	Hours Per Year
Less than 1 year	50.4 hours
More than 1 year, Less than 5 years	84 hours
More than 5 years, Less than 13 years	126 hours
More than 13 years, Less than 23 years	168 hours

Over 23 years

210 hours

PAYOUT OF VACATION ACCRUAL ON TERMINATION OF EMPLOYMENT

In the event of voluntary resignation, a two (2) week notice shall be given to the department head in writing before unused vacation allowance can be included in the amount of wages due.

In the event of the retirement, layoff or death of an employee, the amount of wages shall include all unused, accrued vacation credit.

In the event of discharge for criminal activity or dishonesty, and said discharge is not reversed, the employee shall forfeit all rights to vacation pay. A discharge for any other reason shall entitle the discharged employee to receive as wages due all unused, accrued vacation credits.

The payout of unused vacation leave under this section shall be at the employee's straight time hourly rate of pay in effect at the time of termination.

An employee terminating County employment who is eligible for payment of unused vacation accruals in accordance with this section shall receive a lump sum payment for such accruals in his/her final paycheck. For the purpose of determining an employee's unused vacation accrual upon termination, the employee's last date of actual work on-the-job shall be considered the termination date unless extenuating circumstances exist. Any exception to this policy must be recommended by the department head and approved by the Human Resources Director.

If an employee is promoted or transferred into an Elected Official or their Deputy position, his/her vacation leave accruals shall be paid out at their straight time hourly rate at the time of the promotion or transfer. Should the employee move back to regular county employment they may request and be advanced up to 40 hours of vacation leave accruals.

ADMINISTRATIVE PROCEDURES

Department heads are responsible for the scheduling of vacations, and in so doing should endeavor to schedule vacation with particular regard to the seniority of employees, provided operating efficiency is maintained; and insofar as possible, in accordance with the written request of the employee by April 1st of each year. No vacation shall be taken unless it is in accordance with a schedule approved in advance, except as otherwise provided in this policy.

DONATED LEAVE

An employee may voluntarily donate accrued vacation leave to a full-time or regular part-time employee whose paid leave banks have been exhausted due to a catastrophic illness (i.e. an illness requiring prolonged hospitalization or recovery, but does not include chronic conditions requiring intermittent leave) or a catastrophic illness in the employee's immediate family subject to the following conditions:

1. To be eligible to accept donated hours, the employee requesting donated leave must not have exceeded the number of absence permitted per policy (Attendance Policy DD) or have been disciplined for sick leave abuse ~~must have abided by the County's Sick Leave (Policy O) or Attendance (Policy DD) policies within and have not been disciplined in~~ the past 24 months, ~~for violations of these policies.~~
2. Employees shall submit a request for donated leave to the Human Resources Department and shall waive any and all privacy rights or interests necessary to disseminate a request for donated leave to County employees on their behalf. Employees will not accrue additional paid vacation or sick leave while using the donated leave.
3. Employees donating accrued vacation leave shall complete a form indicating the number of hours to be donated in four hour increments. All hours donated are non-refundable regardless if they are utilized by the recipient employee. Employees may not donate more than 40 hours.
4. The recipient employee shall receive a straight exchange of sick leave hours for every vacation hour of leave donated. The recipient employee will be compensated at the rate of pay that they receive when using their accrued sick leave.
5. The number of donated hours accepted on behalf of an employee shall be capped at the hours necessary to assist the employee to qualify for long term disability (LTD) in case of any employee illness. The number of donated hours accepted on behalf of an employee shall be capped at the number of hours necessary to assist the employee in case of a non-pay status while on approved FML (Policy Y) in case of family member illness.
6. The Human Resources Department is responsible for the administration of this policy. The Human Resources Department will not reveal the identity of donors except to administer the donation or as required to by law.

R. CORRECTIVE AND DISCIPLINARY ACTIONS

GENERAL POLICY

It shall be the duty of all employees to maintain high standards of conduct, cooperation, efficiency and effectiveness in their work. Department heads and supervisors shall organize and direct the work of their units in a manner calculated to achieve these objectives. Whenever the work habits, attitude, production or personal conduct of an employee falls below an acceptable standard, the employee is subject to corrective and/or disciplinary action. All such actions shall be promptly and consistently administered and shall not be on account of political considerations, personal bias, or prejudice.

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 providing the appropriate elected office holder and the Board of Supervisors have certified its applicability;

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 have certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa, 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 Iowa will prevail.

CORRECTIVE ACTION

| Corrective verbal warnings (also referred to as a cautionary notice) shall precede formal discipline whenever, in the judgment of the department head, an infraction is readily correctable and is of lesser consequence.

All corrective actions should be thoroughly documented in writing appropriate to the infraction committed, with reasonable time allotted for improvement and subsequent review. Corrections and suggestions should be made in a constructive manner.

DISCIPLINARY ACTION

Formal disciplinary actions will include written reprimand, suspension, demotion, and/or

Draft for discussion only

dismissal~~termination~~. It shall be the policy of Scott County to utilize a system of progressive discipline in addressing an employee's work deficiencies; however management reserves the right to exercise judgment in determining the appropriate level of discipline. Any of the disciplinary measures cited above may be initiated on the more serious first offense

In most cases, disciplinary action will be issued to the employee by his/her immediate supervisor, or by a higher-level supervisor in the department to which the employee is assigned. Disciplinary action will be issued in a manner which will minimize embarrassment to the employee.

All disciplinary actions will be thoroughly documented in writing appropriate to the infraction committed. The document should be signed by the supervisor or department head initiating the action and by the employee. A copy should then be given to the employee, the original forwarded to the Human Resources department. If the action involves an employee covered by a collective bargaining agreement, said disciplinary action will agreement may also require a copy be sent to the appropriate union steward.

PUBLIC RECORD

Employees are reminded that disciplinary actions that result in a demotion, termination or resignation in lieu of termination are considered public records pursuant to state law. A demotion is defined as involuntarily moving to a lower classification after the start of a disciplinary meeting or name clearing hearing. A resignation in lieu of termination is defined as employee offering resignation after the start of a disciplinary meeting or name clearing hearing.

GROUND FOR DISCIPLINARY ACTION

The seriousness of an offense will often vary with the circumstances prevailing at the time it occurred and the motives which prompted it. Related and mitigating factors would be considered when determining the appropriate action to take. Each of the following infractions may be just cause for disciplinary action, up to and including dismissal~~termination~~. The list presented herein is representative and is not intended to be all-inclusive.

1. Unreasonable and/or abusive treatment of a client, citizen, other County employee or individual in the community, including verbal or nonverbal sexual or racial harassment.
2. Violation of any lawful and reasonable County or departmental policy including but not limited to Rules of Conduct (Policy G).
3. Destruction or loss of County property, including abuse of tools, equipment and/or clothing allotments.

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4. Absence from duty without permission, proper notice or satisfactory reason.
5. Falsifying records, knowingly giving inaccurate information or unnecessarily withholding information.
6. Refusal to cooperate, deceptiveness or interference with an internal investigation.
7. Obtaining materials or leave time based on fraudulent information; dishonesty; stealing; and other criminal acts.
8. Being under the influence of narcotics, alcohol or other physically impairing or illegal substances on the job.
9. Possession of any type of firearms, explosives or concealed weapons (without specific authority).
10. Conviction of a crime involving moral turpitude or that is closely or directly related to the ability of the employee to perform his/her County job effectively. (NOTE: Dismissal or non-prosecution for criminal charges shall not, in itself, preclude the County from taking disciplinary action.)
11. Incompetence, ineffectiveness, inefficiency or wastefulness in the performance of assigned duties.
12. Disregard for safety policies, procedures, reporting requirements, and/or proper use of safety equipment.
13. Failing to maintain specific job requirements.
143. An attendance record which demonstrates a consistent or continual lack of availability for work to the extent that ineffectiveness or inefficiency of services results.

NOTICE OF POTENTIAL DISCIPLINARY ACTION

In order to provide an employee with adequate right of due process, a department head or his/her designee shall notify any regular, non-probationary employee of potential disciplinary action.

~~Normally, such notice shall be given in person.~~—Notice of a disciplinary meeting may be verbal or in writing, but shall include a brief synopsis of the reasons for the potential disciplinary action and a meeting shall be scheduled to allow the employee the opportunity to respond to the alleged infractions. This disciplinary meeting is often times referred to as a “name clearing hearing”.

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Procedures set forth in Chapter 80F of the state code shall be followed when the action rises to the level of a “formal administrative investigation” for staff considered sheriff deputies, corrections officers, detention youth counselors, public safety dispatchers, rangers or their supervisory personnel.

In the event the immediate removal of an employee from the worksite is required, the employee should be placed on leave pending a review of the particular facts and circumstances of the case. Refer to Policy M. Paid Leaves of Absence.

ADMINISTRATIVE PROCEDURES

1. The Human Resources Director is responsible for assisting department heads and supervisors in the use of corrective or disciplinary techniques as may be necessary to maintain effectiveness and efficiency of operations.
2. The department head or elected official may elect to place an employee on investigative leave before making any determination of corrective or disciplinary action. Procedures for investigative leave may be found in Paid Leaves of Absence (Policy M.).

EE. WORKPLACE HARASSMENT

GENERAL POLICY

Scott County will not tolerate harassment in the workplace, which includes verbal or physical conduct by an employee which harasses, disrupts, or interferes with another's work performance or which creates and intimidating, offensive or hostile work environment, especially if such conduct concerns race, gender, religion, age, physical or mental disabilities, national origin, sexual orientation, ~~or~~ veteran's status, genetic information, pregnancy status or other characteristic protected by applicable laws. Sexual harassment is unwanted sexual attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe to unreasonably interfere with an employee's job performance or create an intimidating, hostile or offensive working environment.

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 Iowa, 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 Iowa will prevail.

GENERAL HARASSMENT

Harassment of employees based upon their race, gender, religion, age, physical or mental disabilities, national origin, sexual orientation, ~~or~~ veteran's status, genetic information, pregnancy status or other characteristic protected by applicable laws is a violation of this policy along with local, state and federal law. Conflict in the workplace is inevitable but does not necessarily constitute a hostile work environment under this Policy unless there is evidence of illegal discrimination or violation civil rights under Title VII.

Examples of discriminatory harassment include, but are not limited to:

1. Abusing the dignity of an employee through insulting or degrading remarks or conduct.
2. Subjecting an employee to threats, insults, unwelcome comments, or displays/circulation of derogatory symbols, cartoons or pictures. This includes communications which may be offensive to individuals in a particular protected group.
3. Subjecting an employee to demeaning or degrading activities in order to gain co-worker acceptance, e.g., hazing.
4. Disciplining or terminating an employee because of work incompatibility, which is caused by prohibited discrimination, harassment, or biased behavior.
5. Physical conduct such as assault, unwanted touching or blocking normal movement.

A supervisor shall make every reasonable effort to identify and prevent all forms of discriminatory harassment ~~f~~From occurring and taking immediate and appropriate corrective action when harassment is brought to their attention, either directly or indirectly. Supervisors must report alleged incidents of discriminatory harassment to the County EEO officer, even if they addressed and resolved the situation.

Any employee who engages in any form of discrimination or harassment prohibited by this policy or who retaliates against an individual who has complained of discrimination or harassment will be subject to disciplinary action up to and including discharge. Also, any supervisor who fails to act upon employee complaints or on personal knowledge of discrimination or harassment will be subject to disciplinary action up to and including discharge.

SEXUAL HARASSMENT

Acts of sexual harassment by employees, supervisors, and agents of the County, are prohibited employment practices and are subject to disciplinary action, up to and including termination.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

3. Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited acts of sexual harassment can take a variety of forms ranging from subtle pressure for sexual activity to physical assault. This list of behaviors, while not all inclusive, provides examples of conduct that is prohibited.

1. Threats or intimation of sexual relations or sexual contact which is not freely or mutually agreeable to both parties;
2. Continual or repeated verbal abuses of a sexual nature including graphic comments about a person's body; sexually suggestive objects or pictures placed in the work area that may embarrass or offend the person; sexually degrading words to describe the person, or propositions of a sexual nature.
3. Threats or insinuations that the person's employment, wages, promotional opportunities, job or shift assignments, or other conditions of employment may be adversely affected by not submitting to sexual advances.

Sexual harassment is a violation of law and will not be tolerated. Employees engaging in sexual harassment will be subject to disciplinary action, up to and including dismissal. The determination of the legality of a particular action will be made from the facts, on a case by case basis.

Employees who feel they are victims of sexual harassment are encouraged to file a complaint with the County EEO officer, or their supervisor. If a complaint was initiated with a supervisor and the actions continue, the complainant is encouraged to bring the complaint to the County EEO officer. All incidents of sexual harassment or inappropriate sexually oriented conduct must be reported and investigated. Supervisors must report alleged incidents of sexual harassment to the County EEO officer, even if they addressed and resolved the situation.

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 Scott County or one of its employees 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.

Step 1. 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 receipt 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.

CONFIDENTIALITY

All inquiries, complaints, and investigations are treated as confidentially as possible. All employees are expected to cooperate with any investigation, maintain confidentiality and are prohibited from making false statements intended to take revenge or harm a fellow employee.

RETALIATION

This policy prohibits retaliation against employees who bring harassment charges or assists in investigating charges. Retaliation in violation of this policy may result in disciplinary action, up to and including termination. Any employee who reports harassment or assists in an investigation will not be adversely affected in terms and conditions of employment, discriminated against or discharged because of the complaint. False and malicious complaints of harassment, discrimination or retaliation may be subject to disciplinary action up to and including termination.

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

May 4, 2017

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 K "Holidays" updates the policy by adding language regarding the adding of floating holidays to employee's accruals.

Section 2. That Human Resources Policy L "Vacation" updates the policy to add language regarding employees that move into elected positions or their deputies and clarifies language regarding donated leave.

Section 3. That Human Resources Policy R "Corrective and Disciplinary Actions" updates the policy to address the recent changes in state law and clarifies terminology related to disciplinary matters.

Section 4. That Human Resources Policy EE "Workplace Harassment" updates the policy to add protective classes available under the federal law.

Section 5. That General Policy 34 "Technology Use" updates the policy by strengthening the security of passwords, that accessing prohibited materials is a policy violation and broadens the County's type of social media presence.

Section 6. This resolution shall take effect immediately.