

VISION STATEMENT

TO HONOR OUR ROOTS AS WE PROMOTE AND SUPPORT A HIGH QUALITY OF LIFE, WHILE FOSTERING A SENSE OF COMMUNITY PRIDE.

MISSION STATEMENT

THE MISSION OF LYON COUNTY GOVERNMENT IS TO CREATE AN ENVIRONMENT OF ECONOMIC GROWTH WITHIN A FRAMEWORK OF FISCAL RESPONSIBILITY AND TRANSPARENCY TO THE PEOPLE OF LYON COUNTY.

LYON COUNTY KANSAS



EMPLOYEE HANDBOOK



Lyon County, Kansas

2023 Lyon County, Kansas Employee Policy Manual

April 6, 2023

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Core Policies

1.0 Welcome

1.1 A Welcome Policy

Welcome!

On behalf of your colleagues, we welcome you to Lyon County, Kansas government and wish you every success here. We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the vision of Lyon County, Kansas.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services for our patrons—the taxpayers of Lyon County. With your active involvement, innovation, and support, Lyon County will continue to achieve its goals and we sincerely hope you will take pride in being an important part of our success.

Lyon County, Kansas complies with all federal and state employment laws, and this handbook generally reflects those laws. Lyon County, Kansas also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

This handbook is designed to acquaint you with Lyon County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment, as well as to provide a work environment that is conducive to both personal and professional growth.

The employment policies and/or benefits summaries in this handbook are written for all employees. When questions arise concerning the interpretation of these policies as they relate to employees who are covered by a collective-bargaining agreement, the answers will be determined by reference to the actual union contract, rather than the summaries contained in this handbook.

You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Lyon County, Kansas to benefit employees. In certain departments, your department head may require more restrictive policies, as needed, to maintain departmental operations, but this handbook provides the basic structure for all Lyon County, Kansas employees.

There are several things that are important to keep in mind about this handbook:

First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, of the applicability of a policy or practice to you, you should address your specific questions to your supervisor, department head, or Human Resources department.

Neither this handbook nor any other Lyon County, Kansas document confers any contractual right, either expressed or implied, to remain in the employment of Lyon County, Kansas, nor does it guarantee any fixed terms or conditions of your employment. Your employment is not for any specific time and may be terminated at-will, with or without cause and without prior notice, by the County. Likewise, you may resign for any reason at any time. No supervisor or other representative of Lyon County, Kansas (except the Board of County Commissioners) has the authority to enter into any agreement contrary to the above.

Second, the procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and

guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. Lyon County, Kansas reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a department head, management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the workplace.

If you have questions about your employment or any provisions in this handbook, contact your supervisor, department head, or the Lyon County, Kansas human resources department.

We hope that your experience here will be challenging, enjoyable, and rewarding. We wish you success in your employment here at Lyon County, Kansas!

All the best,

Board of County Commissioners

1.2 At-Will Employment

Your employment with Lyon County, Kansas is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the County at any time, with or without notice and with or without cause.

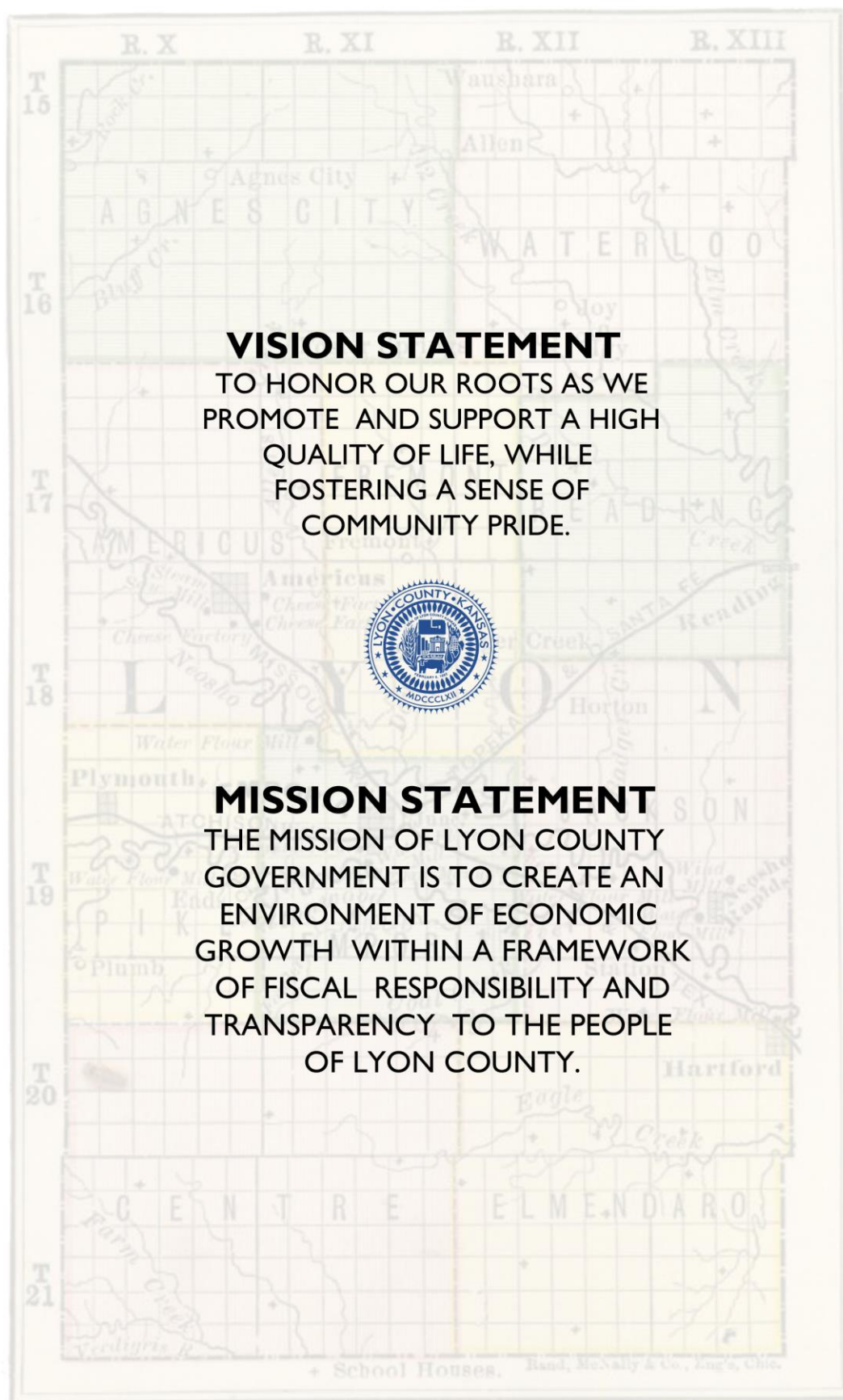
Nothing in this handbook or any other County document should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment. Only the Board of County Commission has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the Board of County Commission.

If a written contract between you and the County is inconsistent with this handbook, the written contract is controlling.

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

2.0 Introductory Language and Policies

MAP OF LYON COUNTY, KANSAS, 1878.



2.1 About the Company

Lyon County, Kansas is a Local Government Organization.

At Lyon County, Kansas, we are proud of the company we keep - Our family of dedicated employees who are also our neighbors and friends. We are committed to providing a friendly, safe and exciting work environment that includes opportunities to learn and grow. It's part of our culture - and part of the Lyon County, Kansas history.

LYON COUNTY - The Vision is to honor our roots as we promote and support a high quality of life, while fostering a sense of community pride.

2.2 Company Facilities

Lyon County, Kansas consists of the following facilities (Departments listed underneath):

Lyon County Courthouse, 430 Commercial St., Emporia, KS 66801

Community Corrections
County Commissioners
Finance
Clerk and Elections Office
Treasurer and Motor Vehicle
Register of Deeds
Courthouse Security
County Attorney
County IT
County Appraiser

Lyon County Annex Building, 402 Commercial St., Emporia, KS 66801

County Counselor
Human Resources
Lyon County Area Transportation (LCAT)
Facilities Maintenance

Lyon County Noxious Weeds and Household Hazardous Waste, 3000 West South Ave., Emporia, KS 66801

Lyon County Highway Department, 500 South Prairie St., Emporia, KS 66801

Lyon County Sheriff Office, 425 Mechanic St. Emporia, KS 66801

Lyon County Emergency Management
Lyon County Detention Center
Civil Process
Animal Control
Special Response Team
Investigations
Patrol

Lyon County Emergency Communications Center 518 Mechanic St., Emporia, KS 66801

LCECC 911

2.3 Ethics Code

Lyon County, Kansas will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our managers and employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of loyalty to the County.

We expect that officers, directors, and employees will not knowingly misrepresent the County and will not speak on behalf of the County unless specifically authorized. The confidentiality of trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) about the County or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to-know basis (see policies relating to privacy).

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

SECTION 1

We will honor the tenets of democracy and demonstrate respect for the institutions of government and the persons who serve them. In service to Lyon County we will:

- ◇ Invite and listen to the voices of all citizens before recommending or making decisions.
- ◇ Promote decisions and actions that are grounded in the broad community interest rather than favored special interests.
- ◇ Affirm the contributions of government at all levels to the wellbeing of the community.
- ◇ Support the decisions made by the Board of County Commissioners and all county elected officials and work constructively to implement them.

SECTION 2

We will strive for honest, transparent and full communication about public policy and the delivery of county services. In service to Lyon County we will:

- ◇ Disclose accurate and complete information about county government decisions and actions, except in those instances where confidentiality is required by county policy, state or federal law.
- ◇ Insist upon the practice of open government so citizens are informed about county services and the rationale for county decisions.
- ◇ Guard against misleading or allowing others to mislead to the public.
- ◇ Report suspected unethical or illegal misconduct by a county official, employee, or volunteer to the appropriate investigative authority.

SECTION 3

We will exercise rigorous stewardship of county resources in keeping with the public interest and hold ourselves accountable

for their designated use. In service to Lyon County we will:

- ◇ Allocate and use county funds, personnel, and equipment with maximum efficiency and effectiveness.
- ◇ Encourage and reward cost savings, innovation, and excellence in the delivery of county services.
- ◇ Engage in continuous learning and professional development so as to enhance the quality of our contributions to the community.
- ◇ Practice strong fiscal oversight of public expenditures and thorough disclosure of all financial information.

SECTION 4

We will seek fairness and impartiality in the performance of our county responsibilities. In service to Lyon County we will:

- ◇ Render county services in equal and responsive measure to all citizens.
- ◇ Advocate equal opportunity and guard against any form of discrimination.
- ◇ Determine all county employment decisions, including hiring, promotion, compensation and termination, solely on the basis of merit.
- ◇ Unless one is a campaigning elected official, all shall refrain from participation in the political campaigns of those seeking all offices, while on duty, if doing so could undermine public confidence in the impartiality of our service to the county.

SECTION 5

We will demonstrate respectful and courteous conduct with all citizens, county elected officials and employees, and representatives of other community and government agencies. In service to Lyon County we will:

- ◇ Honor the right of all citizens to communicate with government on behalf of their interests.

- ◇ Work with all our county colleagues in a spirit of collaboration and teamwork to carry out the county's mission.
- ◇ Make ourselves available to the inquires of all constituents, and follow through on professional commitments a timely and thorough manner.
- ◇ Value differing points of view and resolve conflict in a way that preserves respectful relationships.

SECTION 6

We will protect public confidence in our integrity by rejecting use of our county position for personal gain. In service to Lyon County we will:

- ◇ Decline to solicit or receive any gift, gratuity, or tangible benefit for ourselves, family members or personal friends that could be reasonably construed as an attempt to influence decisions about public policy or county services.
- ◇ Refrain from using county property or county time for personal benefit.
- ◇ Decline to use or share confidential information gained in the course of our county duties for personal advantage.

SECTION 7

We will protect public confidence in our integrity by extending proper conduct within our private life. In service to Lyon County, we will:

- ◇ Will behave in a manner that does not bring discredit to Lyon County or ourselves.
- ◇ Retain character and conduct while off duty as exemplary, thus maintaining a position of respect in the community in which we live and serve.
- ◇ Maintain personal behavior that is beyond reproach.

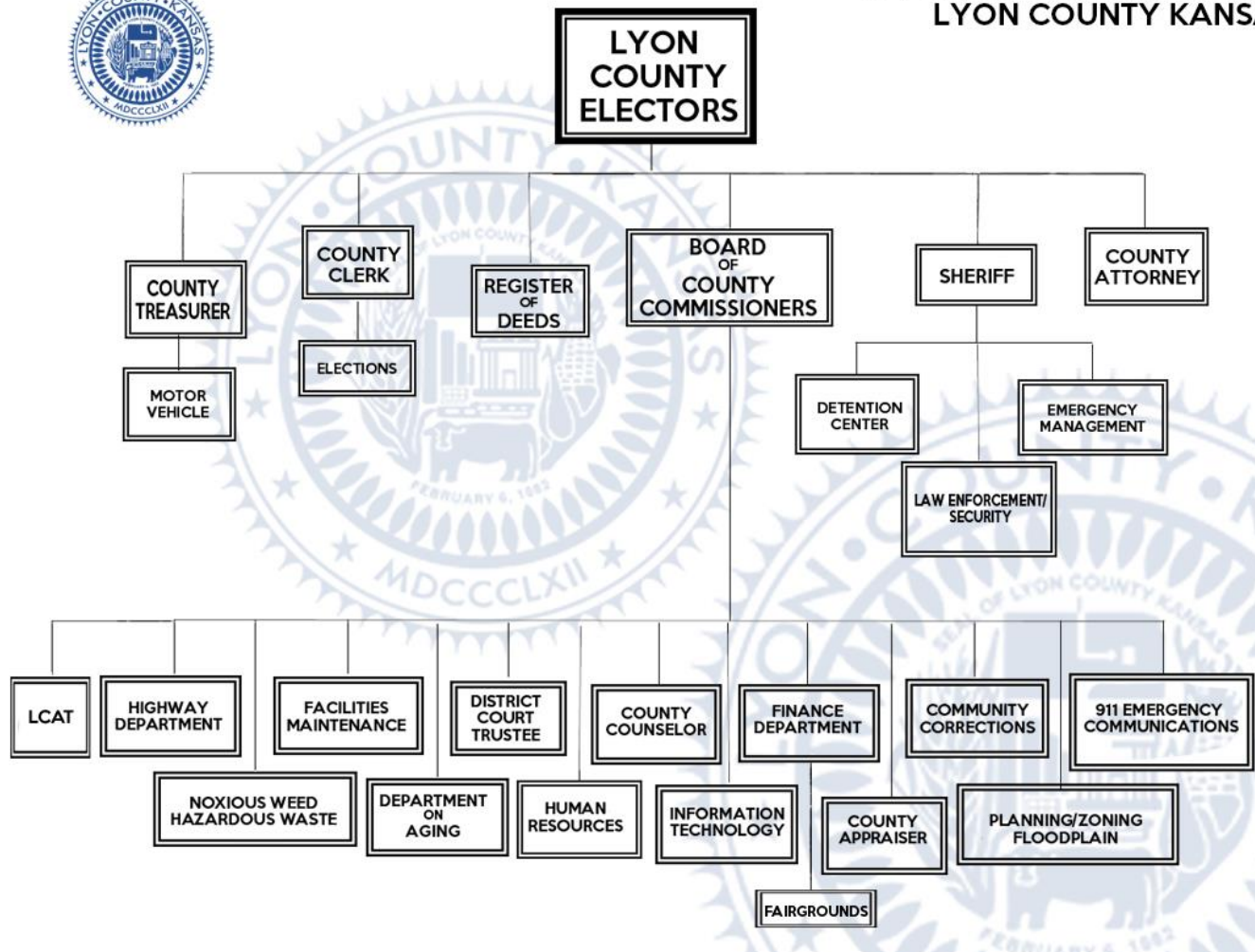
2.4 Mission Statement

The mission of Lyon County, Kansas Government is to create an environment of economic growth within a framework of fiscal responsibility and transparency to the people of Lyon County, Kansas.

2.5 Our Organization



**TABLE OF ORGANIZATION
LYON COUNTY KANSAS**



2.6 Revisions to Handbook

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including Lyon County, Kansas policies and procedures. The handbook is not a contract. The County reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on company bulletin boards.

3.0 Hiring and Orientation Policies

3.1 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Lyon County, Kansas wishes to operate. Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth commonly encountered problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the supervisor to obtain advice on the issue. The purpose of these guidelines is to provide general direction and to protect employees from any conflict of interest that may arise. A violation of this policy will result in immediate and appropriate discipline, up to and including immediate termination.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision

that may result in a personal gain for that employee or for a relative as a result of Lyon County, Kansas's official business. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the department head for advice and consultation. If there is any actual or potential conflict of interest between you and a competitor, supplier, distributor, or contractor to the County, you must disclose it to your supervisor. If an actual or potential conflict of interest is determined to exist, the County will take such steps as it deems necessary to reduce or eliminate this conflict.

Common conflicts of interest include:

Use of company information or equipment for personal gain.

Self-dealing.

Moonlighting.

Receiving gifts from persons with whom the company does business.

Reporting to a family member (nepotism)

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy.

Compliance with this policy is the responsibility of every Lyon County, Kansas employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including termination of employment.

3.2 Employment of Relatives and Friends

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at Lyon County, Kansas. It is your obligation to inform the County of any such potential conflict so the County can determine how best to respond to the particular situation. Lyon County, Kansas is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, Lyon County will hire or consider other employment actions concerning relatives of persons currently employed only if:

- a. candidates for employment will not be working directly for or supervising a relative, and
- b. candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative.

Such decisions include hiring, retention, transfer, promotion, wages and leave requests. "Family member" is defined as one of the following: relationships by blood—parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin; and relationships by marriage—husband, wife (as defined by state law), stepparent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above and co-habituating couples or significant others.

The County Commissioners in conjunction with the department heads reserve the right to allow members of the same family, as defined above, to work together. Such exceptions shall be considered on a case-by-case basis but are strongly discouraged and will require compelling evidence to ensure that work can be performed safely, effectively, and efficiently.

3.3 Job Descriptions

Lyon County, Kansas attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from your supervisor or department head.

Job descriptions prepared by the County serve as an outline only. Due to business needs, you may be required to perform job duties that are not within your written job description. Furthermore, the County may have to revise, add to, or delete from your job duties per business needs. On occasion, the County may need to revise job descriptions with or without advance notice to our employees.

If you have any questions regarding your job description or the scope of your duties, please speak with your supervisor or department head.

3.4 Training Program

In most cases, and for most departments, training for our employees is done on an individual basis by the department head. Even if you have had previous experience in the specified functions of your job duties, it is necessary for you to learn our specific procedures, as well as the responsibilities of the specific position. If you ever feel you require additional training, consult your department heads, supervisors or designees.

Human Resources provides County-wide training resources, as well as individual training resources to comply with guidance and law. Please consult with your supervisor about adding any HR provided trainings to enhance your career!

3.5 Affirmative Action (Federal Contractors)

As a federal contractor, it is the policy of Lyon County, Kansas to take affirmative action as called for by applicable laws and executive orders to:

- Provide equal employment opportunities to all qualified persons and recruit, hire, train, terminate, promote, and compensate persons in all jobs without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information or characteristics, protected veteran status, or other protected classifications in accordance with federal law.
- Administer personnel actions in areas such as compensation, benefits, transfers, layoffs and recalls, Lyon County, Kansas-sponsored education training and social and recreational programs to ensure that no employees are discriminated against.
- Ensure employment decisions are made in furtherance of the objective of equal employment including, but not limited to:
 - **Recruitment and selection** – Recruitment and hiring of all personnel is accomplished without discrimination against any individual whose status is protected by applicable state or local law.
 - **Promotion** – Individuals will be upgraded and promoted on the basis of their abilities, skills, and experience. Lyon County, Kansas will undertake good faith efforts to ensure that minority and women employees, disabled individuals, and covered veterans, who are qualified, as well as those who become qualified through training, are considered for promotion.
 - **Transfers** – When vacancies occur, Lyon County, Kansas will make every good faith effort to effect transfers of qualified minority and women employees, disabled individuals, and covered veterans, into areas where such employees may have been or may now be underutilized.
 - **Terminations** – When reductions in Lyon County, Kansas work force occur, they will be based on nondiscriminatory factors and make every good faith effort to ensure that minorities and women, disabled individuals, and covered veterans are treated in a nondiscriminatory manner.

Applicants and employees will not be subjected to harassment, intimidation, or any type of retaliation because they have:

- Filed a complaint.
- Assisted or participated in an investigation, compliance review, or any other activity related to the administration of any federal, state, or local law requiring equal employment opportunity;
- Opposed any act or practice made unlawful by any federal, state, or local law requiring equal opportunity; or

- Exercised any other legal right protected by federal, state, or local law requiring equal opportunity.

3.6 Employment Authorization Verification

New hires will be required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Lyon County, Kansas. If you are currently employed and have not complied with this requirement or if your status has changed, inform your Department Heads, supervisors or designees.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by Lyon County, Kansas.

4.0 Wage and Hour Policies

4.1 Employment Classifications for FLSA

The Organization designates all employees as either exempt or nonexempt in compliance with applicable federal, state, and local law:

- **Exempt Employees.** Exempt employees are generally paid a fixed salary and are not entitled to overtime pay.
- **Nonexempt Employees.** Nonexempt employees are entitled to minimum wage and overtime pay.

The Organization also assigns each employee to one of the following categories:

- **Regular Full-Time Employees.** An employee will be considered regular full-time if they are regularly scheduled on an annual basis for no less than 8 hours a day or averaging 40 hours in a standard work week of 7 days (no less than 2080 hours per year). Full-time employees are eligible for most Organization benefits.
- **Regular Part-Time Employees.** An employee will be considered a regular part-time employee if they are scheduled to work on an annual basis for no less than 19.25 hours but no more than 29 hours in a standard work week of 7 days (not less than 1000 hours per year). Regular Part-time employees are not eligible for some Organization benefits.
- **PPACA Full-Time:** An employee will be considered PPACA full-time when a regular part-time employee who averages 30 or more hours a week, when the measurement period is assessed during the Administrative Period, and the employee will be Medically Insurance Benefit Eligible Only. All other benefits that apply to regular part-time will apply for this category of employee, unless the employee is authorized to change to full-time by the department head.
- **Temporary/Seasonal Employees.** An employee is designated as temporary or seasonal if they are appointed for pre-designated period of time of which is less than 1000 hours per year. Temporary or seasonal employees are not eligible to receive any benefits or accrue service time. Salaries for temporary and seasonal employees shall be set by the department head and must be consistent with the grade and step requirement and position description as described in the Position Classification Pay Plan. Time spent as a temporary or seasonal employee will not be credited to service and accrual of benefits will not be retroactive to include time in a temporary or seasonal status. Temporary employees are generally hired on a temporary or project-specific basis, with either or part-time hours (less than 20 hours per week). Seasonal employees are hired on a temporary basis during a time of year when extra work is available with either full- or part-time hours. Temporary/seasonal employees are not eligible for most Organization benefits.
- **Elected Official:** County Commissioners, County Clerk/Election Officer, Register of Deeds, County Treasurer, Sheriff and the County Attorney are the elected officials of Lyon County. They are responsible to the electorate of the County, as well as having state statutory requirements. The County Clerk, Register of Deeds, County Treasurer, Sheriff and the County

You will be informed of your classification, status, and responsibilities at the time of hire and at any time your classification, status, or responsibilities change. If you have a question regarding this information, contact your department head. These classifications do not alter your employment at-will status.

4.2 Attendance

Because Lyon County depends heavily upon its employees, it is important that employees attend work as scheduled.

Dependability, attendance, and punctuality, together with a commitment to do the job right are essential functions of all County employees. As such, employees are expected to work on all scheduled days and during all scheduled hours and to report to work on-time and ready to work.

Moreover, an employee must notify his/her supervisor as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. A careful record of absenteeism and tardiness is kept by the employee's supervisor and becomes part of the personnel record. To the extent permitted by law, absenteeism and tardiness lessen an employee's chances for advancement and may result in dismissal.

Employees who have three (3) consecutive days of excused absence due to illness or injury may be required to give Lyon County proof of physician's care. If an illness or injury prevents an employee from performing their regularly scheduled duties, a physician's statement must be provided verifying

- c. the nature of the illness or injury;
- d. if, and when, the employee will be able to return to work; and
- e. whether the employee is capable of performing their regularly scheduled duties, and if not, which duties the employee is capable of performing. The employee is responsible for providing Lyon County with the above-described physician's proof of physician's care. Without an acceptable excuse, the employee may be subject to termination.

WORK SCHEDULES

Lyon County work schedules for employees vary throughout our County departments. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

The department head establishes the time and duration of the working hours as required by workload and workflow, customer service needs, the efficient management of employees and any applicable laws. Lyon County's basic work week is Sunday through Saturday; the basic work day is defined as either hours of authorized work between 8:00am—5:00pm, consisting of 40 hours per week. Different work schedules may be established to meet job assignments and provide necessary services.

For payroll purposes the work week begins at 12:00am on Sunday morning and ends at 11:59pm on Saturday night.

Each employee's scheduled work hours will be determined by the department head. The department head will inform employees of their daily schedule for hours of work, including any changes that are considered necessary by Lyon County.

Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to non-exempt employees (those employees who are subject to the minimum wage and overtime provision of the Fair Labor Standards Act FLSA as needed).

EMPLOYEES ARE NOT PERMITTED TO WORK OVERTIME WITHOUT PRIOR APPROVAL OF THEIR SUPERVISOR OR DEPARTMENT HEAD.

Call-back pay is determined by the department head depending on the actual hours worked, or the standard operating procedure per that department.

POSITION CLASSIFICATION & PAY PLAN

Lyon County's pay plan represents an integrated approach to compensation management. This plan includes the establishment of salary ranges for all positions, the merit pay program, labor market wage adjustments and the establishment of employee benefits. The basic purposes of the pay plan are:

- To provide a framework for equal compensation for work of a similar nature responsibility and level in Lyon County, Kansas
- To establish rates of pay that compare reasonable with those of other employees in the common labor markets and which will aid in the recruitment and retention of qualified personnel.
- To balance the cost of employee compensation and proper relationship to the financial position and resources of Lyon County, Kansas.

All regular full-time and regular part-time positions will be assigned a grade based on the job description. The wage scale will list the steps and salary amounts for each grade.

Determining the step:

A. **New Hire**—When a person is hired by the county for a regular full-time position, the salary will be at the grade assigned to the job description.

B. **Lateral Transfer**—An employee transferred to a position in the same grade as the current position will remain at the same grade and the salary may be the same. Transfers retain their original full-time hire date and all leave to the new department unless other arrangements are agreed upon prior to the transfer.

C. **Promotion**—An employee promoted or transferred to a position in a higher grade will be placed at the "Dependent on Experience" rate for the grade.

D. **Demotion**—When an employee is demoted or transferred to a position in a lower grade, his/her salary may be adjusted to the new grade level.

Four factors are considered when assigning a grade to a position:

Internal equity: Jobs within the county requiring similar skills and having similar responsibilities will be in the same grade. This includes education, organizational control, human relations, responsibilities, guidance, complexity, and working conditions.

Local labor markets: The current average salary range for similar positions in our labor market area.

Other counties: The current average salary range for similar positions in counties of similar size.

Budget: Operating money in current budget.

LEAVE REQUESTS

Employees shall request leave by using the current timekeeping system within the department by indicating what type of leave being requested, the dates of the requested leave and total hours to be taken.

The supervisor shall confirm that the employee has the requested leave time available before approving a request. Approvals of time off requests are maintained through the department's timekeeping system.

TO ASSIST WITH SCHEDULING AND OPERATIONAL REQUIREMENTS, ALL FORESEEABLE LEAVE SHOULD BE REQUESTED AT LEAST TWO WEEKS PRIOR TO THE REQUESTED LEAVE DATE.

If the leave is unforeseeable, the leave request must be submitted as soon as the employee returns to work, or as soon as practicable.

LONGEVITY PAY – Until 12/31/2023

Longevity pay is established in recognition of continuous service by all full-time Lyon County employees. Regular part-time, non-regular part-time, and temporary and seasonal employees are not eligible for longevity pay.

Eligibility to begin earning each established longevity pay rate, shall occur on the employee's start date as a full-time position. The full-time employee then completes the required years of employment as a full-time employee for each level of longevity pay compensation.

LONGEVITY PAY SHALL BE INCREASED BY \$0.29 PER HOUR UPON THE EMPLOYEE'S FIFTH YEAR ANNIVERSARY AND EVERY FIVE YEARS THEREAFTER.

The department head will be notified by the Human Resources department of the dates and longevity increases.

LONGEVITY PAY – Starting 01/01/2024

Longevity pay is established in recognition of continuous service by all non-exempt, full-time Lyon County employees. Regular part-time, non-regular part-time, and temporary and seasonal employees are not eligible for longevity pay.

Eligibility to begin earning each established longevity pay rate, shall occur on the employee's start date as a non-exempt, full-time position. The non-exempt, full-time employee then completes the required years of employment as a full-time employee for each level of longevity pay compensation.

Longevity Pay should be increased according to the following schedule:

- \$0.40 per hour upon every subsequent five-year step anniversary . . .

The department head will be notified by the Human Resources department of the dates and longevity increases.

For the 2023 Longevity Pay year, employees celebrating a 5-year step anniversary may recoup any salary compression created by this policy, this is up to the discretion for the department head, so long as it is extended consistently.

WORKING OUT-OF-CLASSIFICATION

An employee assigned to work out of normal pay classification shall be paid according to the department head's procedure in relative to the employee's regular rate of pay in the position classification to which the employee is temporarily assigned.

Non-exempt employees working out-of-classification are eligible for overtime pay and/or shift differential pay for actual hours worked.

4.3 Business Expenses

The purpose of this policy is to define approved nontravel business expenses and the authority for incurring and approving such expenses at Lyon County, Kansas.

Approved business expenses are the reasonable and necessary expenses incurred by team members to achieve legitimate business purposes that are not covered by normal Organization procurement processes.

Business Meetings (Employer-Sponsored Events and Meetings)

Lyon County, Kansas pays for expenses necessary to achieve a valid business purpose when meetings are held with customers, vendors, or other Lyon County, Kansas team members. The most senior individual present is to pay for and report all expenses.

Lyon County, Kansas will make every effort to have a master account set up for department-wide and large group events. However, if you are at a small meeting or staying by yourself at a hotel, pay individually and submit for reimbursement accordingly.

Technical and Training Seminars

If any department head, supervisor, or employee is required by local, state, or federal law to be a member of a professional organization, such membership dues or fees may be paid by the County. Other professional organization dues may be paid as approved by the Board of County Commissioners.

Gifts

No employee may solicit or accept gifts or other benefits without their department head's approval. Special care must be taken to avoid even the impression of a conflict of interest.

Other Expenses

Lyon County, Kansas will pay for postage and telephone expenses that are for business purposes.

Reporting

Report approved expenses on the standard expense report form and include a description of the expense, its business purpose, date, place, and the participants.

4.4 Direct Deposit

The County practices bi-weekly pay periods. All Lyon County, Kansas employees shall be paid in accordance with the payroll schedule. Calculation of final compensation due exempt or non-exempt employees upon separation of employment will be determined by FLSA guidelines.

Approval of payroll by the County Commission shall be in accordance with K.S.A. § 12-105b(e) with payment authorized in advance of approval by the governing body. County Commission approval of payroll shall be accomplished at the next regular meeting prior to payday.

All employees shall complete an authorization form accepting or declining direct deposit of the employee's paycheck and shall be paid either by direct deposit with a financial institution of the employee's choice, delivered by the department head or by having their payroll check mailed to the address as shown in the employee's personnel file or to an address specified in writing and filed in the employee's personnel file with Human Resources.

CREDIT UNION MEMBERSHIP

Employees of Lyon County may set up a credit union account with the Credit Union of Emporia. Contact information may be found at www.cuofe.org/

4.5 Introduction to Wage and Hour Policies

ADMINISTRATIVE PAY CORRECTIONS

Lyon County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Department Head (elected or appointed), who will alert the Payroll Department of the discrepancy.

At Lyon County, Kansas, pay depends on a wide range of factors, including pay scale surveys, individual effort, profits, and market forces. If you have any questions about your compensation, including matters such as paid time off, sick leave, vacation leave, overtime, benefits, or paycheck deductions, speak with your department heads, supervisors or designees.

BEGINNING PAY RATES

The County has established pay ranges for each position. These ranges are listed in the Job Classification Guide and are reviewed and updated on an annual basis. The Board of County Commissioners approves all pay ranges.

Each position within the County has an entry, mid-point, and maximum pay identified.

New employees begin employment with the County at the pay level commensurate with their education and

experience. Prior to making a job offer to a prospective employee, the hiring manager will coordinate the pay to be offered with their department head. The pay to be offered should normally be at or above the entry pay level. Upon the hiring manager's recommendation, the pay offered may be as high as the mid-point pay level for the position. Beginning pay to prospective employees cannot exceed the mid-point pay level without the permission of the department head.

Only under rare circumstances will the beginning pay exceed the maximum pay level for the position. In these cases, the Board of County Commissioners must approve the pay to be offered to the prospective employee.

MERIT SALARY REVIEW

Supervisors are responsible for evaluating their employee's job performance on a regular basis. Merit salary increases, as the term implies, are not granted automatically, but are premised on the employee's performance of their duties and responsibilities as well as the financial resources of Lyon County.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance appraisal provides a means for discussing, planning and reviewing the performance of each employee.

Lyon County, Kansas employees will receive an annual evaluation. Based on the employee's performance during the year, the supervisor can recommend a merit increase for the employee using the budget as a guideline. Employees cannot receive merit increases that would cause the employee's salary/pay to exceed by more than 1.5% of the maximum of the employee's pay range. When awarding merit increases to Lyon County, Kansas employees, Elected Officials and Department Heads are responsible for remaining within these budgetary parameters.

LABOR MARKET WAGE ADJUSTMENT (PRN)

Many factors must be taken into account to determine fair and competitive wages for Lyon County, Kansas employees. Wages paid in common external labor markets as well as indices of real earnings change from time-to-time.

On an as needed basis Human Resources will complete a labor market wage review. This review will be accomplished using salary studies from the state and federal sources, competing agencies, etc. Based on this review the Job Classification Guide may be updated to ensure salary/pay ranges for the County employees are competitive. Human resources will notify department heads and managers of those employees who are below or above their pay range as identified in the Job Classification Guide. For employees below the entry pay level for a position the department head may prospectively increase the employee to the entry pay level through the use of a change authorization form.

4.6 Job Abandonment

An employee who fails to contact his/her immediate supervisor may be considered as having voluntarily resigned.

Any employee who fails to report to work without notification to his or her supervisor for three consecutive days (3) will be considered to have voluntarily terminated (abandoned) their employment relationship.

4.7 Paycheck Deductions

Lyon County, Kansas is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. Permissible deductions for exempt employees may also include, but are not limited to, deductions for full-day absences for reasons other than sickness or disability and certain disciplinary

suspensions. You may also authorize certain voluntary deductions from your paycheck where permissible under state law. Your deductions will be reflected in your wage statement. If you have any questions about deductions from your pay, contact our human resources and payroll office.

The Lyon County, Kansas will not make deductions to your pay that are prohibited by federal, state, or local law. Review your paycheck for errors each pay period and immediately report any discrepancies to your supervisor and to our human resources and payroll office.

You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

Lyon County, Kansas will not retaliate against employees who report erroneous deductions in accordance with this policy.

4.8 Posting of Work Schedules

Lyon County work schedules for employees vary throughout our County departments. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

The department head establishes the time and duration of the working hours as required by workload and workflow, customer service needs, the efficient management of employees and any applicable laws.

Lyon County's basic work week is Sunday through Saturday; the basic work day is defined as either hours of authorized work between 8:00am—5:00pm, consisting of 40 hours per week. Different work schedules may be established to meet job assignments and provide necessary services.

For payroll purposes the work week begins at 12:00am on Sunday morning and ends at 11:59pm on Saturday night.

Each employee's scheduled work hours will be determined by the department head. The department head or designee will inform employees of their daily schedule for hours of work, including any changes that are considered necessary by Lyon County.

Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to non-exempt employees (those employees who are subject to the minimum wage and overtime provision of the Fair Labor Standards Act [FLSA] as needed).

EMPLOYEES ARE NOT PERMITTED TO WORK OVERTIME WITHOUT PRIOR APPROVAL OF THEIR SUPERVISOR OR DEPARTMENT HEAD.

Call-back pay is determined by the department head depending on the actual hours worked, or the standard operating procedure per that department.

4.9 Recording Time

Lyon County, Kansas is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain team members. To ensure that the Organization has complete and accurate time records and that team members are paid for all hours worked, nonexempt team members are required to record all working time using Organization time cards, time sheets, and/or TimeClockPlus. Exempt team members may also be required to track days or time worked. Speak with your Department Heads, supervisors or designees for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked, and must follow established Organization procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work, before your meal period.
- Immediately before resuming work, after your meal period.
- Immediately after finishing work.
- Immediately before and after any other time away from work.
- Other compensable time required by state law (such as time taken waiting to undergo and undergoing mandatory screenings and trainings).

Time sheets, time cards, and TimeClockPlus reports are to be turned in to your Department Heads, supervisors or designees or appropriate department on the end of the payroll week.

If you are required to clock in, you should clock in no more than seven minutes before the time you actually start working and clock out no later than seven minutes after you actually stop working.

Notify your Department Heads, supervisors or designees or Human Resources or Payroll Department of any pay discrepancies, unrecorded or misrecorded work hours, or any involuntarily missed meal or break periods.

Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to Human Resources or Payroll Department any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

NOTE - In light of the requirements of the Fair Labor Standards Act (FLSA), Lyon County, Kansas does count the following provisions as time worked:

Paid Leave: Vacation, Jury and Witness duty, and Holidays.

TIME NOT WORKED

According to the requirements of the Fair Labor Standards Act (FLSA), Lyon County does not count the following provisions as time worked:

Paid Leave: Approved paid absences, including but not limited to sick, FMLA, military leave, funeral/bereavement leave and voting time off are not counted as time worked.

Lunch Periods: Uninterrupted time off for lunch is not counted as time worked when at least 20 minutes or more in length.

4.10 Travel Expenses

The purpose of this policy is to define approved business travel expenses and the authority for incurring and approving such expenses at Lyon County, Kansas.

Travel expenses are the reasonable and necessary expenses incurred by team members when traveling on approved Lyon County, Kansas business trips. Travel is limited to business activities for which other means of communication is inadequate and for which prior approval from your Department Heads, supervisors or designees has been received.

Business travel should be properly authorized, reported and reimbursed; under no circumstances may expenses for personal travel be charged to or be temporarily funded by Lyon County unless otherwise noted in this policy. It is the traveler's responsibility to report his or her actual travel expenses in a responsible and ethical manner, in accordance with the regulations set forth in this policy. Any exceptions to the policy must be submitted for approval to the Department Head (elected or appointed).

APPROVAL OF TRAVEL

Travelers may not approve the reimbursement of their own travel expenses. In addition, an employee may

not approve the travel expenses of an individual to whom he or she reports either directly or indirectly.

Advances

Lyon County, Kansas does not provide cash travel advances. Normally, you will be expected to use personal credit cards and/or your own cash and submit approved expenses on the standard Expense Report Form.

PAYMENT OF TRAVEL EXPENSES

Under guidelines established by Lyon County, corporate travel cards may be issued to employees who travel on official County business. Any traveler issued such a card should use the card to pay for all expenses related to official company business travel.

Travel Expenses

The Organization pays the actual amounts incurred for appropriate expenses when you are on travel assignments. Transportation expenses will be reimbursed based on the most economical mode of transportation and the most commonly traveled route consistent with the authorized purpose of the trip. Transportation tickets should be procured in advance to obtain any discounts offered by the carrier. Examples of typical expenses include the following:

- Airline tickets.
- Meals and lodging.
- Car rental, bus, taxi, parking.
- Telephone and fax.
- Laundry and dry cleaning (trips exceeding one week only, unless emergency).
- Business supplies and services.
- Associated gratuities.
- Other expenses necessary to achieve the business purposes.

Family Members

Lyon County, Kansas will not pay the travel expenses of spouses or other family members.

MEALS REIMBURSEMENT

It is the policy of the County to economize on all travel-related expenditures whenever possible and meals should be reasonably priced. The County will not pay for or reimburse the employee for any expenses incurred on behalf of the employee's spouse, child, or other traveling companion who is not a County employee. The County will only reimburse employees for meals incurred while in the course of conducting County business. The following schedule should be guidance as to whether meals reimbursement will be appropriate:

- Employee leaves before 6:00am to attend to County business out of the employee's tax home - a reasonable breakfast reimbursement can be submitted.
- Likewise, if an employee leaves their tax home at 12:00pm or before 6:00pm to attend to County business - a reasonable lunch and dinner reimbursement may be submitted.
- If an employee returns to their tax home before the above recommended breakfast, lunch or dinner times, it may not be reasonable to expect a reimbursement for breakfast, lunch or dinner.

Additionally, if the department head provides lodging or training that supplies any of the above mentioned meals, then it may not be reasonable to expect a reimbursement for the breakfast, lunch and/or dinner. Meals provided by the County as a requirement of the job will not be considered compensation to the employees.

THE COUNTY WILL NOT PAY FOR, OR REIMBURSE FOR, ANY ALCOHOLIC BEVERAGES OR ANY ITEM DEEMED INAPPROPRIATE BY THE BOARD OF COUNTY COMMISSIONERS AND/OR YOUR DEPARTMENT HEAD.

Air Travel

Coach class or any discounted class airfare should be used in the interest of economy. The use of business or first-class or other higher-cost services may be authorized only under the circumstances listed in the policy.

Hotels

Neither in-room movies nor refreshment bars are approved Lyon County, Kansas expenses.

Insurance

Lyon County, Kansas does not pay for personal travel insurance for employees.

Rental Cars

A vehicle may be rented when renting would be more advantageous to Lyon County, Kansas than other means of commercial transportation, such as using a taxi. Advance reservations should be made whenever possible, and a compact or economy model requested. The traveler is responsible for obtaining the best available rate commensurate with the requirements of the trip. The discount negotiated with car rental agencies for government agencies should be requested when available.

Travelers are expected to use rental agencies that include insurance coverage. The rental agency's company identification number should be given to the agency at the time of rental to ensure that the vehicle is covered by physical damage insurance.

Vehicle rental charges billed directly to Lyon County, Kansas will not be authorized. Rental car charges should be paid with the traveler's corporate credit card.

Personal Vehicles

Employees who are approved by their department head to use their personal vehicles for business purposes will receive a mileage reimbursement. Reimbursements for expenses must be incurred outside of the area of his/ her tax home. The employee's tax home is the general vicinity of his/her principle place of business.

Employees who operate personal vehicles for County business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent. Employees must have a valid Kansas Driver's license prior to operating County vehicles.

The standard mileage reimbursement rate is the Internal Revenue Service rate submitted and approved by the Board of County Commissioners, which takes into account all actual automobile expenses such as fuel and lubrication, towing charges, repairs, replacements, tires, depreciation, and insurance. Under IRS regulations, travelers who claim this rate are not required to substantiate the actual costs of operating the vehicle but are required to substantiate business miles traveled.

Travelers with physical disabilities who must use specially equipped or modified vehicles may claim reimbursement at the standard rate per mile. However, if the traveler incurred higher-than-standard operating costs, the traveler may seek reimbursement. The traveler must certify in a statement submitted with the travel expense voucher that he or she incurred higher operating costs. The actual fixed and variable costs must be specified in the statement.

There will be no other compensation for use of personal vehicles, including payment of damages.

MILEAGE EXPENSES

Mileage should ordinarily be computed between the traveler's headquarters and the common carrier or destination. Expenses for travel between the traveler's residence and the workplace will not be allowed. However, mileage expenses may be allowed between the traveler's residence and the common carrier or destination if company business travel originates or terminates before or after the traveler's working hours, or if travel originates or terminates during a regularly scheduled day off.

TRAVEL TIME & TRAINING

Lyon County pays only for "hours worked." Each department shall hold to the absolute minimum the

number of personnel attending a function requiring travel. No County department shall pay an employee's travel cost to attend a function that does not benefit the County. However, to promote employee initiative and efforts at self-improvement, your Department Head (elected or appointed), or designee has discretionary authority to give you time off to participate in the desired function. A Department Head (elected or appointed), or designee, must assign more than one employee to a vehicle, whenever possible, in authorizing the use of a privately-owned or County-owned vehicle or conveyance. Study time may not be considered hours worked.

All travel related to job performance or training will be considered hours-worked and will be paid.

Copies of all original certificates of training must be turned into the Human Resources department upon completion and will be part of the employee's personnel file.

Reporting

Any necessary and reasonable expense incurred while traveling in the conduct of County business is reimbursable to the employee by the following procedure:

- Whenever possible, a purchase requisition shall be completed well in advance of the travel with an estimate of the costs of lodging, transportation, and registration fees.
- After a trip is completed, out-of-pocket expenses and mileage reimbursement shall be paid to the employee upon completion of a County voucher.
- No out-of-pocket expense shall be paid without a valid receipt to support the expenditure.
- It is the responsibility of the employee to obtain and provide receipts, complete the voucher document, and return it to the department head for approval.
- It is the responsibility of the department head to review for approval the voucher document and forward it to the Accounting Manager's office for payment. Reimbursement will be made upon regular warrant dates.
- The County will not pay for the purchase of any alcoholic beverage.

Travel Reservations

Airline travel, rental cars, and hotels must be booked through the corporate designated travel agency in order to be reimbursed.

4.9 Use of Employer Credit Cards

1. Each elected office or department should have a County Credit Card provided via the Lyon County Clerk.
2. If the elected Office or Department Head should need more for departmental reasons, they will need to make that request to the Lyon County Clerk.

As always, employees should contact their chain of command for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

4.11 Use of Employer Credit Cards

1. Each elected office or department should have a County Credit Card provided via the Lyon County Clerk.
2. If the elected Office or Department Head should need more for departmental reasons, they will need to make that request to the Lyon County Clerk.

As always, employees should contact their chain of command for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

5.0 Performance, Discipline, Layoff, and Termination

5.1 Criminal Activity/Arrests

It is the general policy of the County to foster governmental efficiency and to ensure that employees can perform their jobs without being pressured:

- To support specific County or other political candidates or to interpret regulation favorably for supporters of such candidates.
- To allow employees performances and advancement to be judged without regard to prior political activity.
- To promote public confidence in the integrity of Lyon County, Kansas government to the end that Board of County Commissioners and other elected positions will not be perceived as making decisions on the basis of political loyalties.

POLITICAL ACTIVITY

It is the general policy of the County to foster governmental efficiency and to ensure that employees can perform their jobs without being pressured:

- To support specific County or other political candidates or to interpret regulation favorable for supporters of such candidates.
- To allow employees performances and advancement to be judged without regard to prior political activity.
- To promote public confidence in the integrity of Lyon County, Kansas government to the end that Board of County Commissioners and other elected positions will not be perceived as making decisions on the basis of political loyalties.

PROHIBITED DURING WORK-HOURS & WHILE ON THE JOB

An employee shall be subject to discipline up to and including immediate termination for violation of these provisions during working hours:

- Request or solicit contributions or anything of value for any political candidate or cause without Department Head approval.
- Participate in any political campaign by:

- Speaking in favor of any candidate or cause.
- Distributing literature.
- Picketing or demonstrating on behalf of or in opposition to any political candidate or cause; or
- Organize, plan or in any other way participate in the administration of any political campaign.

- No officer, employee or volunteer shall, while on duty and/or in the uniform of Lyon County, Kansas vehicle, display any badge, button, sign or sticker promoting or opposing any political cause or candidate.
- No officer or employee of Lyon County shall use public funds, property or any instrumentality or thing of value belonging to Lyon County, Kansas to promote or oppose any political cause or candidate.

PROHIBITED ACTS OF COUNTY EMPLOYEES

No officer or employee of Lyon County, Kansas shall use his/her public office or employment for the purpose, or with the effect of:

- Coercing or intimidating any Lyon County, Kansas employee or employees with respect to contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.

Nor shall any employed of Lyon County, Kansas use his/her office for obtaining a benefit as a result of any political activity by:

- Intentionally committing an unauthorized act under color of law.
- Intentionally refraining from performing a duty imposed upon him or her by law.

No officer or employee of Lyon County, Kansas shall engage in any political activity which is prohibited

under state or federal law. Any person engaging in such an activity shall be subject to corrective action up to and including immediate termination. The following list of activities is included for illustrative purposes:

- Engage in any of the following activities within 300 feet of a polling place:
- Electioneering.
- Circulating cards or handbills.
- Soliciting signatures.
- Interfering with voting or the administration of the polling place; or
- Conducting an exit or public opinion poll.
- Obstruct or prevent access to a polling place.
- Remove a ballot from a polling place or solicit a voter to show his or her ballot.
- Attempt to intimidate, influence or bribe a voter by menace, force, threat or corrupt means.
- Directly or indirectly offer a bribe or reward to induce a voter to vote for or against a person or proposition.
- Attempt to influence a voter to vote or not to vote, directly or indirectly, by menace or corrupt means.
- Hinder, disturb, persuade, threaten or intimidate any person from giving his/her vote.
- Knowingly and willfully make a false assertion or propagate a false report concerning a candidate which has a tendency to prevent his/her election.
- Give a bribe or thing of value to secure an advantage.

5.2 Exit Interview

You may be asked to participate in an exit interview when you leave Lyon County, Kansas. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment; identify any trends requiring attention or opportunities for improvement; and to assist the Organization in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is not mandatory, but it is appreciated.

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5.4 Outside Employment

Outside employment constitutes a County employee holding a second job with another employer. Outside employment is permitted only when the outside employment is considered secondary to public service, it does not interfere with the performance of duties in the employee's position with the County, and no legal, financial, or ethical conflicts of interest exist concerning the dual employment. Employees are required to obtain written approval from their department head before participating in outside work activities. Approval will be granted unless the activity conflicts with Lyon County's interest. In general, outside work activities are not allowed when they:

Lyon County, Kansas Employees may carry outside employment under the following conditions:

- There is no conflict of interest or in working hours.
- The employee's Job performance is not compromised.
- Written notice prior to existence of the outside job, given to the employee's department head and Human Resources department.
- There is no conflict of interest which could cause embarrassment to the county.
- Prevent the employee from fully performing work for which he or she is employed at Lyon County, including overtime assignments;
- Involve organizations that are doing or seek to do business with Lyon County, including actual or potential vendors or customers; or
- Violate provisions of law or Lyon County's policies.

County employees shall not use any County property for outside employment unless approved in advance by the department head.

Sheriff 's deputies are permitted to wear their uniforms off-duty to work security for schools, County functions, etc. All security activity involving wearing a County uniform must be pre-approved by the Sheriff.

From time to time, Lyon County employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to Lyon County must be given priority. Employees are hired with the understanding that Lyon County is their primary employer and that other employment or commercial involvement which is in conflict with the interests of Lyon County is strictly prohibited.

5.5 Pay Raises

Supervisors are responsible for evaluating their employee's job performance on a regular basis. Merit salary increases, as the term implies, are not granted automatically, but are premised on the employee's performance of their duties and responsibilities as well as the financial resources of Lyon County, Kansas.

5.6 Performance Improvement

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance appraisal provides a means for discussing, planning and reviewing the performance of each employee.

Lyon County, Kansas employees will receive an annual evaluation. Based on the employee's performance during the year, the supervisor can recommend a merit increase for the employee, using the budget as a guideline. Employees cannot receive merit increases that would cause the employee's salary/pay to exceed by more than 1.5% of the maximum of the employee's pay range. When awarding merit increases to Lyon County, Kansas employees, elected officials and department heads are responsible for remaining within these budgetary parameters.

If supervisors find themselves exceeding the maximum of the employee's pay range, please consult with human resources.

REGULAR PERFORMANCE APPRAISALS

The performance evaluation should be completed by the employee's immediate supervisor. The performance evaluation will be discussed and signed by both the employee and the department head. In all cases, the department head will act as the final reviewer. All performance evaluations must be forwarded to the Human Resources Office for placement in the official employee file.

A performance review does not always result in an automatic salary increase. If provided, the employee's overall performance and salary level relative to his/her position responsibilities must be evaluated to determine if a salary increase is warranted. Out-of-cycle salary increases must be approved by the Department Head, Elected Official and sometimes the Board of County Commissioners.

Employees may be given the opportunity to complete an evaluation form at least one week prior to the formal appraisal review meeting. This is not an official personal evaluation, but it can help establish a basis for dialogue regarding performance expectations and both parties' opinions on performance.

During the scheduled meeting, the supervisor and the employee will discuss the evaluation and set goals for the next year. The employer and employee sign and date the form, adding any comments made by the employee. The evaluation is made a part of the employee's personnel file. A copy of the evaluation shall be provided to the employee.

5.7 Post-Employment References

EMPLOYEE REFERENCE CHECKS AND VERIFICATION OF EMPLOYMENT

In the event an employee receives a written request for a reference, he/she should refer the request to the Human Resources department for handling. No Lyon County employee may issue a reference letter to any current or former employee without the permission of the Human Resources department.

Under no circumstances should any Lyon County employee release any information about any current or former Lyon County employee over the telephone. All telephone inquiries regarding any current or former employee of Lyon County must be referred to the Human Resources department. Information given by phone will be limited to verification of Employment dates, final title or position, and job location.

ALL INQUIRIES REGARDING A CURRENT OR FORMER LYON COUNTY EMPLOYEE MUST BE REFERRED TO THE HUMAN RESOURCES DEPARTMENT.

In response to written requests (i.e. mortgage applications) that includes the employee's written permission, Human Resources may give an employment and salary history.

Representatives of Government or law enforcement agencies, in the course of their business, may be allowed access to file information. Personnel file access by employees and former employees will usually be provided in response to a legal subpoena or court order. Such cases will be handled on an individual basis.

GARNISHMENT/LEVIES/SUPPORT ORDERS

Upon receipt of properly authorized requests to release information or initiate deductions from employee pay, Lyon County will release salary/wage information and begin deductions from pay.

ALL EMPLOYEE FILES ARE THE PROPERTY OF LYON COUNTY.

5.8 Promotions

To match you with the job for which you are best suited and to meet the business needs of Lyon County, Kansas, you may be transferred from your current job, if you have applied for another job within the County. It is our policy to promote from within only when the most qualified candidate is available. Promotions are made on an equal opportunity basis according to team members possessing the needed skills, education, experience, and other qualifications that are required for the job.

Employees who wish to apply for a transfer or promotion should discuss it with their supervisor and the Human Resources department so that it may be determined if their skills fit the requirements of the desired job. Employees will also be required to complete an application furnished by the Human Resources department.

5.9 Resignation Policy

The purpose of this policy is to allow the department head or elected official an opportunity to replace the person resigning. An employee desirous of resigning his/her position in good standing may submit a written resignation to the department head at least 2-weeks prior to the effective date of resignation, giving the proposed effective date. The 2-weeks' notice period may be waived by the department head. Appropriate notification of resignation shall be sent to the human resources department. Written notice from the employee of their intent of resignation is non-revocable except at the discretion of the department head.

Vacation or sick leave accumulated should not be considered to comprise a portion of the two-week notice.

A voluntary exit interview will be requested to assess the employee's reason's for resignation.

A COBRA declaration form can be filled out in the HR office upon appointment, if no appointment is set it will be sent out in the COBRA packet with all portable benefits by certified mail.

RETIREMENT

An employee desirous of retiring from his/her position in good standing may submit a written resignation to the department head at least two weeks prior to the effective date of resignation, giving the proposed effective date. The two weeks' notice period may be waived by the department head. Appropriate notification of retirement shall be sent to the Human Resources department. Written notice from the employee of their intent of resignation is non-revocable except at the discretion of the department head. All eligible employees of the County shall be members of the Kansas Public Employee's Retirement System (KPERS) and shall be subject to all laws and supplemental regulations governing such membership. A complete description of KPERS is available through the Human Resources department. There are a number of forms to be completed by a retiring employee concerning KPERS. It is the responsibility of the employee to contact the Human Resources department and KPERS concerning these

forms.

Vacation or sick leave accumulated should not be considered to comprise a portion of the two-week notice.

A voluntary exit interview will be requested to assess employees' career with Lyon County.

A COBRA declaration form can be filled out in the Human Resources officer upon appointment, if no appointment is set it will be sent out in the COBRA packet with all portable benefits by certified mail.

Final Pay

In the event of discharge, payment for hours worked for discharged employees will be issued on the next regular pay cycle.

Leave accounts will be paid out in accordance to County policy.

Except as required by law, Lyon County, Kansas does not provide notice on termination dates for various insurance plans, the option of continuation of group health insurance, and conversion options to non-group plans as provided. Employees should contact Human Resources department to determine insurance details.

Return of Property

Any employee leaving the County service whether through resignation, layoff or dismissal shall be responsible for returning any County property which he/she may have in his/her possession. Upon termination such property shall be returned to the department head. All County-issued clothing may be required to be returned at the discretion of the department head.

5.10 Standards of Conduct

The successful operation and reputation of Lyon County, Kansas is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence in public service requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of Lyon County, Kansas is dependent upon the trust of the public and we are dedicated to preserving that trust. Employees owe a duty to Lyon County, Kansas and its citizens to act in a way that will merit their continued trust and confidence.

Lyon County, Kansas will comply with all applicable laws and regulations and expects its representatives to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the department head for advice and consultation.

Lyon County, Kansas is committed to conducting business with integrity underlying all relationships, including those with citizens, customers, suppliers, and among employees. The highest standards of ethical business conduct are required of Lyon County, Kansas employees in performance of their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the County's honesty, impartiality, or reputation or otherwise cause embarrassment to the County. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

- Using public office or public position for private gain.
- Giving preferential treatment to any person or entity.
- Losing impartiality.
- Adversely affecting the confidence of the public in the integrity of the County.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy.

Compliance with this policy of ethics and conduct is the responsibility of every Lyon County, Kansas employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including termination of employment.

5.11 Transfers

Employees transferring from a benefit eligible position (regular full-time, regular part-time) to a non-benefit eligible position (non-regular part time, temporary, seasonal) will receive payment for unused leave in accordance with established personnel policies for employees terminating employment, to become effective in the pay period or transfer. An employee, having transferred from a benefit eligible position to a non-benefit eligible position, may be reinstated to a benefit eligible position after one year or upon approval of the human resources director.

Interdepartmental transfers from one County department to another, the employee will keep their original anniversary date from when they originally started with the County. A transferring employee transfers all leave credited to their accounts to the new department unless other arrangements are agreed upon prior to the transfer. These should be documented in the Change Authorization Form.

TO REQUEST A CHANGE OF GRADE OR PAY CLASSIFICATION FOR A POSITION, A WRITTEN REQUEST MUST BE SUBMITTED TO THE HUMAN RESOURCES OFFICE BY THE DEPARTMENT HEAD.

The request must include which grade the position should be changed to, specific reasons why, and how the additional cost will be funded. Upon receipt of the written request, the human resources director will research, utilizing various benchmarking statistics, and make a recommendation to the department head on how to proceed with the Board of County Commissioners. The grade and pay classification will be changed upon the approval of the Board of Commissioners and recorded in the Human Resources department on the Job Classification Guide and the Department Head Handbook.

Each employee requesting a transfer or promotion will be considered for the new position along with all other applicants. The department head will follow the HR Guidelines for considering applicants. Each transfer or promotion is judged on an individual basis, depending on the needs of the department involved.

Employees who wish to apply for a transfer or promotion should discuss it with their supervisor and the human resources department so that it may be determined if their skills fit the requirements of the desired job. Employees will also be required to complete an application furnished by the Human Resources department.

5.12 Workforce Reductions (Layoffs)

The Board of County Commissioners, after consulting with the affected department head, may abolish any position.

When reduction in the number of employees in a department or division of the County government occurs, the required reduction shall be made in such job class or classes as the department head may recommend and the Board approve. Selection of employees to be laid off shall be based on job function and performance. The last employees to be laid off within a classification shall be the first to be considered for rehiring. The County shall place the names of employees who are laid off on the appropriate eligibility list for recall. The list shall remain active for two years.

If reinstated within two years following a layoff, regular employees will retain any unused or unpaid benefits accumulated prior to being laid off and waiting periods regarding insurance and retirement benefits, if any, would be processed in compliance with contractual agreements and laws at that time. Unless reinstatement is within thirty days of the layoff, the employee's anniversary date will be adjusted in accordance with the period of layoff. Longevity would be calculated from the employee's adjusted anniversary date unless otherwise approved by the Board of County Commissioners.

REDUCTION IN HOURS

The Board of County Commissioners may reduce the number of hours worked per week for any classified position. An employee in a regular full-time position or regular part-time position whose hours are reduced to no less than one-half of their regular number of hours worked per week shall retain the benefits for which they were entitled to prior to the reduction of their work hours for a period of up to ninety successive calendar days. The employee will accrue leave monthly at an unchanged rate during this time. For regular full-time employees, this time will be counted towards continuous service for purposes of calculating longevity. The employee will be entitled to continue his/her elected benefits at the same rate they contributed prior to the reduction of hours. In the event it is necessary, the Board has the discretion to extend the period of reduced hours for an additional ninety calendar days.

6.0 General Policies

6.1 Authorization for Use of Personal Vehicle

All Lyon County, Kansas employees who are required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate business insurance coverage. Lyon County, Kansas may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license and insurance coverage to your department head, for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions or changes to your insurance policy, must be reported to Lyon County, Kansas Human Resources Department.

If you use your personal vehicle in the course and scope of employment, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

6.2 Bulletin Boards

Lyon County, Kansas maintains an official bulletin board located at the Human Resources Office for providing employees with official Lyon County, Kansas notices, including wage and hour laws, changes in policies, and other employment-related notices. At times Lyon County, Kansas may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board. Only authorized personnel may add and remove notices from the bulletin board.

6.3 Computer Security and Copying of Software

The following Information Technology Acceptable Use Policies and Procedures are to be followed by all employees, contractors, vendors, and other authorized individuals ("users") who utilize any information technology ("IT"), electronic, or other communication device owned and provided by Lyon County, or who are granted access to any Local Area Network and/or Wide Area Network ("LAN/WAN") or other service maintained and provided by Lyon County ("County"). It is expected that all Lyon County departments will enforce these policies. County departments may enhance and strengthen these policies and procedures, based on internal business needs.

OWNERSHIP OF DEVICES AND SERVICES

All IT and communication devices and services, including (but not limited to) computers, peripherals, PDA devices, cell phones, pagers, software, files, e-mail messages, internet activity logs, remote access, and any other data or records stored on devices or other media provided by Lyon County regardless of their physical location or the form in which they are maintained, are considered property of County and are owned exclusively by County.

USERS SHOULD HAVE NO EXPECTATION OF PRIVACY WHEN USING ANY IT OR COMMUNICATION DEVICE, SERVICE, SYSTEM, NETWORK, FILE, OR ANY OTHER DATA (INCLUDING E-MAIL MESSAGES) OWNED BY LYON COUNTY.

In the event the County IT Department (IT Dept.) suspects that a device maybe infected with malicious software IT Dept. reserves the right to access, review, delete and/or disclose any files, records, e-mail messages, or other data without notice to or authorization from a user, and to seize any IT or communication devices provided by County. This right continues after the user ceases to have access to a device or service provided by County. When it becomes necessary to disclose files, IT Dept. shall make all reasonable efforts to ensure that confidential content of infected media remains confidential and will obey all applicable State and Federal law related to disclosure.

ACCESS TO DEVICES AND SERVICES

Use of IT or communication devices and access to the LAN/WAN and other services are restricted to those employees who have been authorized by their department. Users will only be granted access to the resources required to perform job duties.

Department heads or supervisors ("department designee") shall request, in writing, from the IT Dept. all needed IT devices and access rights for new users. The user and the department are responsible for immediately notifying the IT Department of any changes in the employee's status, including: name change, transfer to another position, termination of employment, or any changes in the employee's status which would alter the access rights required. For transferring employees, the employee's previous department designee shall immediately notify IT Dept. of all IT and communication devices, services, and access rights the employee has and the name and title of the employee's new supervisor, and the date of the transfer. The employee's new department designee must request from the IT Dept. all needed IT and communication devices, services, and access rights now required for the employee.

When an employee terminates employment with the County, the supervisor shall immediately notify the IT Dept. of all IT and communication devices, services, and access rights the employee has and the date the employee's access is to be terminated. Upon the termination date, the IT Dept. shall deactivate the employee's account. The employee's assigned network drive and desktop computer hard drive may be overwritten or deleted permanently.

USE OF DEVICES AND SERVICES

Employees shall not make unauthorized use of or knowingly permit unauthorized use of IT devices, services, software, files, or any other data or records stored on equipment provided by County including that on disposable or portable storage media. Users shall not use any IT or communication device, service, software, file, or other data or records owned by County to gain personal or financial benefit for the user or anyone else.

Users shall ensure that all external e-mail messages contain an attached signature with the sender's name, title, phone number. Signatures shall not include any photos, pictures, graphics, or other text unless approved by the department designee. Accessing any inappropriate internet site is prohibited, including sites that are obscene, hateful, harmful, malicious, hostile, threatening, abusive, vulgar, defamatory, profane, racially, sexually, or ethnically objectionable. Inappropriate use of the Internet also includes participation in "chat rooms" not related to assigned job responsibilities; playing games; selling, or promoting the sale of merchandise for personal gain; downloading music, games, pictures, video, freeware, or software; or using instant messaging. Users who intentionally visit inappropriate sites or use the Internet in an inappropriate manner will face discipline.

THE FACT THAT A SITE IS NOT BLOCKED DOES NOT IMPLY THAT IT IS ACCEPTABLE OR PERMISSIBLE TO ACCESS.

ELECTRONIC RECORDS, DEFINITION

Electronic records are a sub-set of records, same in all respects except that their physical form is electronic. The term includes all original email, documents, papers, letters, books, maps, photographs, sound or video recordings or other information that are created or received by Lyon County in the exercise of County functions in electronic form, regardless of whether public access to them is open or restricted under the laws of the State of Kansas.

Users shall save all electronic records and other necessary files to an assigned network drive or an electronic media device that is designated and approved by the user's department. Files saved to desktop computer hard drives will not be backed up or protected and may be lost in the event of a computer failure or other event.

Users will be held accountable and face possible discipline for any unauthorized files saved on their assigned network drive, other shared drives, or desktop computer hard drive, including (but not limited to) pictures, audio clips, video files, and copyright protected material owned by another party.

SECURITY OF DEVICES AND SERVICES

Users shall not attempt to install or attach any external device, hardware or software to a County computer without prior authorization from IT Dept. Only software authorized by IT Dept. (please contact IT before downloading or installing) may be installed on County computers, PDA devices, or other peripheral devices. users shall not copy, duplicate, distribute, delete, or modify any proprietary or other software licensed to County, or related documentation, without written authorization from the IT Dept. All hardware upgrades and additions must be installed by the IT Dept. personnel. Users shall not attempt any network-related or computer repairs without IT Dept. authorization.

IT Dept. personnel will disconnect or otherwise disable any device that poses a threat to the County network.

Users shall not use any IT device that another user has currently logged onto and shall not use another user's user ID and password to log onto a workstation computer for any reason. The only exception will be for IT Dept. personnel providing requested technical support. When a user suspects another person knows and/or has used his/her user ID and password, the user must notify his/her supervisor, the IT Dept. personnel, and any other appropriate departmental personnel immediately.

Users shall not leave any IT device logged into the network and unattended for an extended period of time. When leaving a work area, users must log out or invoke a password-protected lock screen on any IT devices in that area that are under the user's control.

CELLULAR DEVICES

The purpose of this section is to define standards, procedures, and restrictions applying to all any mobile hardware that is used to access County resources, whether the device is owned by the user or by County. The overriding goal of this policy is to protect the integrity of the confidential client and business data within County's technology infrastructure, and to prevent this data from being deliberately or inadvertently stored insecurely on a mobile device or carried over an insecure network. Such a security breach could result in loss of information, damage to critical applications, loss of revenue, and damage to the County's public image. Therefore, all users employing a mobile device accessing County resources must adhere to this policy.

APPLICABILITY

This policy applies to all County employees, including full and part-time staff and other agents who use a mobile device to access, store, back up, or relocate any organization or client-specific data. Such access to this confidential data is a privilege, not a right, and forms the basis of the trust County has built with its clients, supply chain partners, and other constituents. Consequently, employment at County does not automatically guarantee the initial or ongoing ability to use these devices to gain access to County networks and information.

Addition of new hardware, software, and/or related components to provide additional mobile device productivity will be managed at the sole discretion of IT Dept.

Because the County recognizes this policy may be intrusive on the privacy of the County employees, all individuals required to access County resources using mobile devices during their employment will first consult with their Supervisor and the IT department over the option of having a County provided device.

AFFECTED TECHNOLOGY

All County mobile devices will be centrally managed by IT Dept. and will use authentication and strong encryption measures. IT Dept. will not directly manage personal devices purchased by employees used to accessed County resources. Users who choose to use personal devices to access County resources will also use authentication and strong encryption measures. Failure to do so will result in immediate suspension of all network access privileges for the un-secured device.

It is imperative that any mobile device used to access County resources be used appropriately, responsibly, and ethically. Failure to do so will result in immediate suspension of that user's account.

NON-SANCTIONED USE OF MOBILE DEVICES TO BACK UP, STORE, AND OTHERWISE ACCESS ANY ENTERPRISE-RELATED DATA IS STRICTLY FORBIDDEN.

SECURITY

Employees using mobile devices and related software for network and data access will, without exception, use secure data management procedures. IT Dept. shall provide all departments with secure data management procedure training.

ALL MOBILE DEVICES MUST BE PROTECTED BY A STRONG PASSWORD; A PIN IS SUFFICIENT AND MUST BE AT LEAST 5 CHARACTERS.

Employees agree never to disclose their passwords to anyone. All users of mobile devices must employ reasonable physical security measures and are expected to reasonably secure all such devices against being lost or stolen.

The employee shall immediately report to his/her department designee and IT Dept. any incident or suspected incidents of unauthorized data access, data loss, and/or disclosure of the County's resources. **IN THE EVENT OF A LOST OR STOLEN MOBILE DEVICE, THE USER IS REQUIRED TO REPORT THE INCIDENT TO HIS/HER DEPARTMENT DESIGNEE AND IT DEPT.**

County devices will be remotely wiped of all data and locked to prevent access by anyone other than IT Dept. If the device is recovered, it can be submitted to IT Dept. for re-provisioning. Users shall take reasonable actions to remotely wipe lost or stolen personal devices used to access County resources by contacting their service provider.

HARDWARE & SUPPORT

Users will make no modifications to the hardware or software on County devices including but not limited to: replacing or overriding the operating system, jailbreaking, rooting.

IT Dept. will not support hardware, excluding warranty covered, issues or non-corporate applications.

DAMAGED DEVICES AND UPGRADES

Reasonable efforts should be made to keep County devices in good working condition. County devices damaged beyond repair can be replaced at the discretion of the department designee. If the damaged device is not eligible for upgrade, device may be replaced for full price.

Device upgrades will be limited to once per 18 months.

POLICY NON-COMPLIANCE

Failure to comply with the Cellular Use Policy may, at the full discretion of the organization, result in the suspension of any or all technology use and connectivity privileges, disciplinary action, and possibly termination of employment. The Department designee will be advised of breaches of this policy and will be responsible for appropriate remedial action.

TERMINATION OF EMPLOYMENT

Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce any personal device the employee chooses to use to access County resources. All County data on personal devices must be removed by the employee and confirmed by IT Dept. upon termination of employment.

SOCIAL MEDIA

County encourages the use of social-media technologies to enhance communication, collaboration, and information exchange in support of the County's mission and to promote transparency and efficiency in government. By openly sharing knowledge and information the County can provide more effective services, better solutions and greater efficiencies to enhance the quality of service provided and communication with citizens of Lyon County. As such, the County's social-media policy applies to all County employees engaged in social media on behalf of the County. The general principle of the policy is that the County expects high standards of professionalism, courtesy and sound judgment from everyone working on behalf of the organization.

DEFINITIONS

"Social Media" Is defined as: Websites and other online means of communication that are used by groups of people to create and share content or to participate in social networking. This includes, but is not limited to, traditional websites, blogs, wikis, photo and video sharing sites, podcasts, social-networking sites, web-application hybrids, twitter, and virtual worlds.

"Abusive Language" is any posted communication that is vulgar, insulting, or attacking. Abusive language also includes language that is sexually explicit, violent, discriminatory, or descriptive of illegal activity.

"Endorsements" include any communication that promotes commercial products, services, entities, political party, candidates, or groups.

SOCIAL MEDIA POLICY

The County is responsible for all content posted on County social media sites. County employees shall communicate with professionalism and courtesy when publishing anything via social media.

The County will not tolerate abusive language by employees or by individuals not employed by the County posting to County social media sites and reserves the right to delete any posts it deems abusive. Examples include posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work place environment based on race, sex, disability, religion, or other status protected by law.

Employees that post to social media sites shall not violate copyright, fair use or financial-disclosure laws and shall always protect sensitive or confidential information.

VIOLATION OF THIS POLICY MAY RESULT IN CORRECTIVE ACTION UP TO AND INCLUDING TERMINATION.

GUIDELINES

Ultimately, each employee is solely responsible for what he or she posts online. Before creating online content, each employee should consider the risks and rewards that are involved. The performance of fellow employees, or otherwise adversely affects employees, customers, vendors, suppliers, or County's legitimate interests may result in disciplinary action.

An employee's personal social media use may not be represented as official County agency sites. When posting on social media sites, employees should not speak on behalf of Lyon County unless specifically authorized to do so. Employees who mention Lyon County, its services or its employees in any capacity on any website, or social media site, without prior authorization to speak on behalf of the county, must explicitly include a disclaimer that the views expressed are the poster's personal views and do not necessarily reflect the views of Lyon County.

PRIVATE USE OF SOCIAL MEDIA

County employees who use social media for strictly personal use outside of the workplace do not require any prior approval to do so. Employees shall refrain from discussing County business that is not considered public information. Employees are reminded that they may be viewed by the public as representatives of the County. Accordingly, employees are urged to refrain from using confidential information when using social media.

OFFICIAL USE OF SOCIAL MEDIA

To foster the trust and confidence of those who may come across official County social media messages, all such use shall accurately convey the authority of the person making the post. No person shall use social media in such a way as to portray that such use has the endorsement of the County except in accordance with these guidelines.

NON-ELECTED COUNTY EMPLOYEES

Non-elected County employees who use social media for County use must have prior approval of their Department Head before registering on social media on behalf of the County.

ELECTED OFFICIALS

Elected officials who use social media for County use are responsible for the content of each and every posting. Elected officials may designate an employee within the department to post on behalf of the elected official.

OFFICIAL COUNTY SOCIAL MEDIA

No individual may use social media in a way that suggests that they post on behalf of, or with the approval of, Lyon County, unless approved by their department head.

6.4 Driving Record

All Lyon County, Kansas employees who are required to operate a motor vehicle as part of their employment duties at Lyon County, Kansas must maintain a valid driver's license and acceptable driving record. Lyon County, Kansas may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record, including but not limited to driving infractions, must be reported to Lyon County, Kansas.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If you use your own vehicle as a part of your employment duties, you must provide management with a current proof of insurance statement or card. New proof of insurance is required every time your policy expires and renews.

6.5 Employer Sponsored Social Events

Lyon County, Kansas holds periodic social events for team members. Be advised that your attendance at these events is voluntary and does not constitute part of your work-related duties. Any exceptions to this policy must be in writing and signed by a department head, supervisor or designee prior to the event.

6.6 Employer-Provided Cell Phones/Mobile Devices

The purpose of this section is to define standards, procedures, and restrictions applying to all any mobile hardware that is used to access County resources, whether the device is owned by the user or by County. The overriding goal of this policy is to protect the integrity of the confidential client and business data within County's technology infrastructure, and to prevent this data from being deliberately or inadvertently stored insecurely on a mobile device or carried over an insecure network. Such a security breach could result in loss of information, damage to critical applications, loss of revenue, and damage to the County's public image. Therefore, all users employing a mobile device accessing County resources must adhere to this policy.

APPLICABILITY

This policy applies to all County employees, including full and part-time staff and other agents who use a mobile device to access, store, back up, or relocate any organization or client-specific data. Such access to this confidential data is a privilege, not a right, and forms the basis of the trust County has built with its clients, supply chain partners, and other constituents. Consequently, employment at County does not automatically guarantee the initial or ongoing ability to use these devices to gain access to County networks and information.

Addition of new hardware, software, and/or related components to provide additional mobile device productivity will be managed at the sole discretion of IT Dept.

Because the County recognizes this policy may be intrusive on the privacy of the County employees, all individuals required to access County resources using mobile devices during their employment will first consult with their Supervisor and the IT department over the option of having a County provided device.

6.7 GPS Monitoring of Employer Vehicles

Lyon County, Kansas desires to strike the appropriate balance between today's technologies, your desire for privacy, and our interests in protecting Lyon County, Kansas vehicles, equipment, and drivers. Due to safety, efficiency, and other business purposes, Lyon County, Kansas reserves the right to use GPS technology to monitor the whereabouts of our vehicles at all times.

Questions concerning vehicle monitoring should be directed to your Department Head, supervisor or designee. Questions concerning the proper use of any vehicles should be directed to your supervisor and/or safety officer.

If you abuse the privilege of driving company vehicles, you will be subject to corrective action, up to and

including termination of employment. If necessary, Lyon County, Kansas will also advise law enforcement officials of any illegal conduct.

6.8 Incentive Programs

Awards

There are special occasions for which certificates, plaques, or other mementos may appropriately be awarded to elected officials, department heads, supervisors, employees, or citizens. Such awards promote morale and further the efficiency of the County's business when appropriately given. The payment for awards shall come out of the account deemed appropriate by the department head. If the payment for such awards shall be made from the County's general fund the department head must consult first with the Controller and with the Board of County Commissioners.

Service awards will be arranged for by the Human Resources department, at the end of each year, and these are given by the County Commissioners after 5, 10, 15 and subsequent five-year intervals.

TRAINING AND PROFESSIONAL ORGANIZATIONS

Department heads and supervisors shall be responsible for the training and development of employees; however, on occasion it may be necessary to train employees other than on the job. In this case, department heads may require employees to attend specific training sessions/meetings.

If any department head, supervisor, or employee is required by local, state, or federal law to be a member of a professional organization, such membership dues or fees may be paid by the County. Other professional organization dues (not social organization dues) may be paid as approved by the Board of County Commissioners.

6.9 Mail Use

You are required to limit usage of Lyon County, Kansas mail service to business purposes only. You may not use the Lyon County, Kansas address to receive personal mail, without approval from your Department Head. Do not use the Lyon County, Kansas postage meter for your personal mail. Report any suspicious packages or envelopes to the Lyon County, Kansas Sheriff **Office** immediately.

6.10 Nonsolicitation/Nondistribution Policy

To avoid disruption of business operations or disturbance of team members, visitors, and others, Lyon County, Kansas has implemented a Non-solicitation/Non-distribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the Non-solicitation/Non-distribution Policy.

You are prohibited from soliciting other team members during your assigned working time. For this purpose, working time means time during which either you or the team members who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other team members are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not include break/rest areas, lunchrooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the company's equal employment opportunity (EEO) and non-harassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on company premises at any time without permission of Board of County Commissioners.

This policy is not intended to restrict the statutory rights of team members, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to your department heads, supervisors or designees.

6.11 Off-Duty Use of Employer Property or Premises

You may not use Lyon County, Kansas property for personal use during working time without your department head's approval. You are responsible for returning Lyon County, Kansas property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, Lyon County, Kansas products, or office supplies for personal use without prior authorization.

It is Lyon County, Kansas policy to control off duty and nonworking hour use of Lyon County, Kansas facilities either for business or personal reasons. You are prohibited from using Lyon County, Kansas facilities during off duty or nonworking hours without the written consent of your department heads, supervisors or designees. If you use Lyon County, Kansas facilities during your off-duty hours or Lyon County, Kansas off-hours, you may be required to sign a log-in and log-out sheet maintained by the Lyon County, Kansas or building manager.

The operation of County vehicles is necessary in conducting the day-to-day business of the County. The use of County vehicles represents one of the greatest liabilities facing the County. Recognizing this, it is imperative that the County takes reasonable steps to control the use of County- and privately-owned vehicles used while performing County business. Department heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department. Except conveyances for designated emergency vehicles, this policy applies to all County-owned vehicles operated on public or private roads and includes specialty-use vehicles such as construction and excavation equipment designed to operate primarily off-road, but which may be driven on public roads to a job site. When applicable, this policy applies to the operation of privately-owned vehicles used while performing official County duties.

Lyon County provides vehicles for business use to allow employees to drive on county-designated business. The term "vehicles" as used here includes, but is not limited to cars, trucks, backhoes, front-end loaders, graders, etc. Vehicles owned, leased, or rented by Lyon County may not be used for personal use, unless approved by the Board of County Commissioners and/or the Department Head.

Employees may not drive any County vehicles without prior approval of their supervisor. Annually, before approving a driver, each supervisor should check the employee's driving record on or about their birthday, with the employee's consent, and verify the existence of a valid driver's license. Employees approved to drive on County business are required to inform their supervisor of any change that may affect either their legal or physical ability to drive or their continued insurability. Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.

EQUIPMENT AND VEHICLES ESSENTIAL IN ACCOMPLISHING JOB DUTIES ARE EXPENSIVE AND MAY BE DIFFICULT TO REPLACE. WHEN USING PROPERTY, EMPLOYEES ARE EXPECTED TO EXERCISE CARE, PERFORM REQUIRED MAINTENANCE WHEN APPLICABLE, AND FOLLOW ALL OPERATING INSTRUCTIONS, SAFETY STANDARDS, AND GUIDELINES.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

All employees must comply with all State and Federal and local laws and regulations regarding Traffic Rules of the Road.

Employees must report any accident, theft, or malicious damage involving a County vehicle to their supervisor, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 8 hours after the accident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Any employee of Lyon County, who is involved in an accident while driving a County or personal vehicle while on duty, shall be subject to drug and alcohol testing in accordance with our Drug and Alcohol Testing Policy, if such accident results in an injury, fatality, or the employee receives a citation for a moving violation. Preliminary breath tests may be given by local law enforcement if the department head deem it necessary.

Employees are not permitted, under any circumstances, to operate a county vehicle or a personal vehicle for county business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any county vehicle at any time or operate any personal vehicle while on county business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

GENERAL GUIDELINES

- Except as outlined in 2 below, only County employees are authorized to operate County vehicles. Persons volunteering services to the County are considered employees of the County for purposes of this policy and may operate County vehicles when their duties require travel, as long as such travel is under the approval and direction of the department head and necessary in the course of performing official County business.
- Employees of other public entities may operate County vehicles under the specific approval of the department head as long as such operation is essential in conducting County business. Department heads granting permission for non-County employees to operate County vehicles are responsible for insuring that the driver is properly licensed, trained, and qualified to operate the vehicle.
- Intentional abuse, moving violations, reckless operation, or negligent actions while operating any County vehicle may result in the suspension of the employee's driving privileges and is grounds for further disciplinary action.
- Employees shall obey all applicable federal, state and local laws while operating County vehicles and any time personal vehicles are used on official County business.
- County vehicles are to be used only for official County business and shall not be used by employees for personal reasons, unless authorized by their department head.
- Only persons being transported in connection with official County business shall be passengers in any County vehicle. This rule does not apply to the transportation of passengers for a fee as it applies to a County-run public transportation.
- When cargo, material, or tools are being transported, the driver is responsible for assuring that all items are properly secured.
- No person shall be allowed to ride anywhere on the vehicle which is not designed or approved by the vehicle manufacturer for passenger seating.
- The driver shall not operate any vehicle when normal vision is obstructed for any reason.
- No vehicle shall be left unattended without first securing the vehicle to prevent theft, vandalism, and unintentional movement.
- Except as authorized by the Department Head (elected or appointed), the County shall not be responsible for personal property in County-owned vehicles or personal vehicles used on official County business.

- The driver of a personal vehicle used for official County business shall be responsible for maintaining appropriate limits of insurance for their vehicle. The County is not responsible for damages to, or caused by, a privately-owned vehicle being used on official County business.
- A valid vehicle operator's license must be in the employee's possession at all times while operating a County-owned vehicle, or a personal vehicle for County business. In the case of commercially rated vehicles, the proper commercial driver's license for the vehicle's weight and class must be valid and in the possession of the driver at all times.
- Any accident involving County owned, leased, rented or privately owned vehicle used in the performance of County duties shall be reported as follows:
 - Summon medical attention for any injured parties
 - Notify appropriate law enforcement authorities
 - Notify employee's immediate supervisor
- The supervisor shall immediately notify the Safety Officer and the County Clerk's Office, who will in turn notify our liability insurance carrier.
- The supervisor shall be responsible for obtaining a written statement from the involved employee(s)
- Complete all required County reports and recommending any follow-up preventative actions.
- When the County employee is deemed to be at fault in an accident as determined by the Department Head or supervisor, or has violated any of the provisions of this policy, the Department Head or supervisor may impose disciplinary actions in accordance with the County's personnel policies and procedures.

TAKE HOME VEHICLES

The decision regarding the assignment of take-home County vehicles to employees shall be left to the discretion of the department head and is subject to review by the County Commissioners. Examples of situations that may warrant a County vehicle to be taken home, include the following:

- Managerial employees whose personal use of the County vehicle is consistent with the requirements of the position
- Employees who are subject to 24-hour call out or who have job responsibilities requiring highly irregular work hours
- Duty vehicles designed or equipped for high priority response where response time will be enhanced by allowing the vehicle to remain in custody of individual employees
- Employees assigned to duty vehicles that are taken home must be available to respond upon request on a 24-hour basis any time the employee has custody of the vehicle
- Employees whose assigned work schedule is close to their personal residence.
- County vehicles taken home overnight shall be locked and secured in the responsible employee's driveway or other designated parking space which is in close proximity to the employee's residence.

ACCIDENT REPORTING REQUIREMENTS

Any accident involving County owned, leased, rented or privately owned vehicle used in the performance of County duties, shall be reported as follows:

Summon medical attention for any injured parties

Notify appropriate law enforcement authorities.

Notify employee's immediate supervisor.

The supervisor shall immediately notify the Safety Officer and the County Clerk's Office, who will in turn notify our liability insurance carrier.

The supervisor shall be responsible for obtaining a written statement from the involved employee(s).

Complete all required County reports and recommending any follow-up preventative actions.

When the County employee is deemed to be at fault in an accident as determined by the Department Head,

supervisor, or has violated any of the provisions of this policy, the department head or supervisor may impose disciplinary actions in accordance with the County's personnel policies and procedures.

6.12 Payroll Advances and Loans

Lyon County, Kansas does not participate in Payroll Advances and/or Loans.

6.13 Personal Appearance

Lyon County, Kansas strives to maintain a workplace environment that is well functioning and free from unnecessary distractions and annoyances. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others.

PROCEDURES

All Lyon County staff members are expected to present a professional, businesslike image to clients, visitors, customers, and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with Lyon County, Kansas.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

Any employee who does not meet the attire or grooming standards set by his or her department will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly-paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

All staff members must carry or wear the identification badge at all times while at work.

SPECIFIC REQUIREMENTS

Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by Lyon County, Kansas. LYON COUNTY, KANSAS EMPLOYEES SHOULD DRESS IN A MANNER THAT IS NORMALLY ACCEPTABLE IN SIMILAR BUSINESS ESTABLISHMENTS.

At the discretion of the department head, and/or in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear soiled (depending on work conditions) or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

ATTIRE & GROOMING

Violations of the Lyon County, Kansas policy on professional appearance can range from inappropriate clothing items to offensive perfumes and body odor. Supervisors should communicate any department-specific workplace attire and grooming guidelines to employees during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

Any employee who does not meet the attire or grooming standards set by his or her department will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly employees will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

This policy is not intended to apply to law enforcement personnel working in undercover operations.

REASONABLE ACCOMMODATION OF RELIGIOUS BELIEFS

Lyon County recognizes the importance of individually held religious beliefs to persons within its workforce. Lyon County will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources department.

6.14 Personal Cell Phone/Mobile Device Use

While Lyon County, Kansas permits team members to bring personal cell phones and other mobile devices (i.e. smart phones, tablets, laptops) into the workplace, employees must not allow the use of such devices to interfere with your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Thus, you should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If you have a device that has a camera and/or audio/video recording capability, you are restricted from using those functions on Organization property unless authorized in advance by management or when they are used in a manner consistent with your right to engage in concerted activity under section 7 of the National Labor Relations Act (NLRA).

You are expected to comply with Lyon County, Kansas policies regarding the protection of confidential and proprietary information when using personal devices.

While operating a vehicle on work time, the Lyon County, Kansas requires that the driver's personal cell phone/mobile device be turned off. If you need to make or receive a phone call while driving, pull off the road to a safe location unless you have the correct hands-free equipment for the device that is in compliance with applicable state laws.

You may not connect your personal device to the Lyon County, Kansas network or to Lyon County, Kansas equipment (computers, printers, etc.) unless approved by IT.

You may have the opportunity to use your personal devices for work purposes. Before using a personal device for work-related purposes, you must obtain written authorization from IT or Human Resources. The use of personal devices is limited to certain team members and may be limited based on compatibility of technology. To ensure the security of Lyon County, Kansas information.

Nothing in this policy is intended to prevent team members from engaging in protected concerted activity under the NLRA.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

6.15 Personal Data Changes

It is your obligation to provide Lyon County, Kansas with your current contact information, including current mailing address and telephone number. You should also inform the Organization of any changes to your tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact Payroll.

Personal mailing addresses, telephone numbers, and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. Contact payroll or human resources with any personal information changes.

IT IS THE RESPONSIBILITY OF EACH EMPLOYEE TO PROMPTLY NOTIFY LYON COUNTY OF ANY CHANGES IN PERSONAL DATA.

6.16 Security

All team members are responsible for helping to make Lyon County, Kansas a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your department heads, supervisors or designees immediately. Refrain from discussing specifics regarding Lyon County, Kansas security systems, alarms, passwords, etc. with those outside of Lyon County, Kansas.

Immediately advise your department heads, supervisors or designees of any known or potential security risks and/or suspicious conduct of team members, customers, or guests of Lyon County, Kansas. Safety and security is the responsibility of all team members and we rely on you to help us keep our premises secure.

Employee Identification: Photo ID Badges

Employees shall wear the identification card in a conspicuous place on their outer clothing at all times while working or as required by their department head.

If a card is lost or stolen, the employee shall report the loss or theft to Court Security staff immediately.

Employees shall exercise care to avoid undue damage to the card. An employee who loses his or her card or subjects the card to undue wear and tear, shall be required to pay a \$5 replacement fee. The \$5 fee will be collected by Court Security personnel issuing the card. The money will be given to the County Controller for deposit into the appropriate County fund. Repeated replacement of the card due to loss or undue damage may subject the employee to disciplinary action.

Employees will not loan their identification card to another person nor allow their identification card to be copied, scanned or reproduced by any means unless directed to do so by an authorized agent of Lyon County.

Employees who are reassigned, promoted, demoted or otherwise change their work assignment shall notify Court Security staff to obtain an updated identification card. Upon termination of employment or at such other times as requested by their department head, elected official or the Board of County Commissioners, employees shall immediately surrender their identification cards to a supervisor or Court Security.

The Board of County Commissioners may waive any provision of this policy during an emergency or in exigent circumstances.

WEAPONS IN THE WORKPLACE

All employees, officials, contractors and other persons, with certain exceptions described herein, are prohibited from openly carrying, brandishing, intentionally displaying, discharging, or otherwise using weapons in the workplace, while engaged in County business, at County-sponsored functions, in County vehicles, or in or on County property. It is outside the scope of employment for any County employee, official, or contractor, to engage in any of the above-described conduct while conducting County business under any circumstances.

WEAPONS DEFINED

For purposes of this policy "weapons" include, without limitation, firearms of all types and sizes, whether loaded or not; air guns, BB guns, pellet guns, and the like; simulated weapons; knives, swords, switchblades, razors, (other than small pocket knives), utility knives, kitchen knives used in food service; clubs bludgeons, batons, bats, and the like; incendiary or explosive devices or any sort; martial arts weapons, including but not limited to, nun chucks, throwing stars and the like; and any item carried with the intent or used to threaten or intimidate another.

EXCEPTIONS

The foregoing prohibitions do not apply to certified law enforcement officers; Federal law enforcement and protective service personnel; members of the uniformed services actively engaged in the performance of their duties; sheriff 's deputies; and security guards licensed to carry firearms and retained by the Lyon County Government who are performing such services.

CONCEALED CARRY OF HANDGUNS

Unless required by occupation, County employees and officials who are not otherwise prohibited by state or federal law from possessing a firearm may carry concealed handguns in conformance with the Kansas Personal and Family Protection Act, K.S.A. § 75-7c01 *et seq.*, as amended. Employees and officials who

carry a concealed handgun in County vehicles or their personal vehicles while conducting County business must secure their handguns in a locked and secured handgun safe or in a locked compartment within the vehicle any time the handgun is not otherwise concealed on their person.

Carrying a concealed handgun is not within the course and scope of employment with exceptions only for law enforcement personnel noted in the paragraph above.

NO EMPLOYEE, OTHER THAN THOSE ALLOWED BY EXCEPTION, MAY CARRY OR POSSESS A WEAPON WITHIN THE SECURED AREA OF THE COUNTY DETENTION FACILITY, THE SHERIFF'S OFFICE, AND LYON COUNTY COURTHOUSE BUILDING OR ANY OTHER BUILDING IN WHICH THE ATTORNEY GENERAL-APPROVED SIGNAGE IS POSTED, OR IN WHICH ADEQUATE SECURITY MEASURES ARE IN PLACE.

6.17 Social Media

SOCIAL MEDIA POLICY

The County is responsible for all content posted on County social media sites. County employees shall communicate with professionalism and courtesy when publishing anything via social media.

The County will not tolerate abusive language by employees or by individuals not employed by the County posting to County social media sites and reserves the right to delete any posts it deems abusive. Examples include posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work place environment based on race, sex, disability, religion, or other status protected by law.

Employees that post to social media sites shall not violate copyright, fair use or financial-disclosure laws and shall always protect sensitive or confidential information.

VIOLATION OF THIS POLICY MAY RESULT IN CORRECTIVE ACTION UP TO AND INCLUDING TERMINATION.

6.18 Suggestion Policy

At Lyon County, Kansas, we welcome suggestions for continued improvement and welcome your ideas for better ways to do your job, produce or sell the products or services to Lyon County, Kansas, or meet customer and client needs. Discuss your ideas with your supervisor or another member of the management team.

We also encourage you to offer any suggestions derived from seminars, magazines, or other outside sources of information you believe would add value to Lyon County, Kansas.

Understand that any suggestions, innovations, inventions, or other matter created by you on work time or with Lyon County, Kansas tools or property are considered to be the property of Lyon County, Kansas.

6.19 Telecommuting

Telecommuting is defined as regularly working a full or partial workday from home or some other alternate work site.

Lyon County, Kansas will make telecommuting available to employees when it benefits organizational and departmental needs. This option may not be available in some job classifications due to business needs. Each department head will determine, in his or her discretion, the positions within the department that may be suitable for telecommuting.

If you meet eligibility requirements for telecommuting, you must submit a Telecommuting Agreement form to your immediate supervisor for departmental approval. If you are granted a telecommuting arrangement, you will be subject to the same performance standards as prior to telecommuting. Telecommuting work areas may be evaluated to ensure that appropriate safety standards are met. Telecommuting may be a reasonable accommodation; consult Lyon County, Kansas Human Resources Department if you are

requesting telecommuting as a reasonable accommodation.

Telecommuting Policy and Procedure

Objective

Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek. Lyon County, Kansas considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a companywide benefit, and it in no way changes the terms and conditions of employment with Lyon County, Kansas.

Procedures

Telecommuting can be informal, such as working from home for a short-term project or on-the-road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will be on a trial basis unless modified and or terminated at-will and at any time at the request of either the telecommuter, the supervisor, or Lyon County, Kansas. A reasonable effort will be made to provide notice of any change in order to help accommodate with commuting, childcare and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Any exceptions to the policy must be submitted for approval to the Department Head (elected or appointed).

Eligibility

Individuals requesting formal telecommuting arrangements must be employed with Lyon County, Kansas for a minimum of 12 months of continuous, full-time or regular part-time employment and must have a satisfactory performance record.

Before entering into any telecommuting agreement, the employee and supervisor, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and supervisor agree, and the human resource department concurs, a draft telecommuting agreement will be prepared and signed by all parties, and a trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of

objectives and outputs rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Equipment

On a case-by-case basis, Lyon County, Kansas will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The human resource and information technology departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. Lyon County, Kansas accepts no responsibility for damage or repairs to employee-owned equipment. Lyon County, Kansas reserves the right to make determinations as to appropriateness of the equipment and is subject to change at any time. Equipment supplied by the organization is to be used for *business purposes only*. The telecommuter must sign an inventory of all Lyon County, Kansas property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made. In either case, the Department Head reserves the right to collect compensation from damaged, or unreturned County property. The Department Head also reserves the right to carry out disciplinary action up to and including termination for damaged or unreturned County property.

Lyon County, Kansas will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. Lyon County, Kansas will also reimburse the employee for business-related expenses, such as phone calls, faxes, and shipping costs, that are reasonably incurred in carrying out the employee's job.

The employee will establish what their department head deems to be a suitable work environment within his or her home for work purposes. Lyon County, Kansas will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Security

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential and proprietary County and customer/client information accessible from their home office. Steps include the use of locked file cabinets and desks, locked office door, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Lyon County, Kansas will provide each telecommuter with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Consumption of alcohol and/or illegal drugs during work hours is against County policy, never acceptable, and employees will be subject to progressive discipline up to and including termination for violation of this policy.

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are

encouraged to discuss expectations of telecommuting with family members prior to entering a trial period. Department heads may grant an exception for a temporary, unforeseen emergency, but no parent or relative can have a child in the home office without the department head's permission. No minor may ever be allowed into an area that is potentially hazardous.

As always, with telecommuting, if you see something inappropriate (i.e. County Anti-Harassment Policy), say something to your appropriate chain of command.

Time Worked & Task Reporting

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to **accurately record all hours worked** using Lyon County's Departmental time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement, and progressive discipline up to and including termination.

Remote employees are expected to be available and communicative during scheduled work hours.

At the beginning of a telecommuting day, the staff member must call and/or email (whatever is preferred by the supervisor) their supervisor the tasks that they are planning to work on for the day. Likewise, at the end of the telecommuting day, the staff member must call and/or email their supervisor the tasks that were completed for the day.

Professional Appearance

Lyon County, Kansas strives to maintain a workplace environment that is well functioning and free from unnecessary distractions and irritations. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting (i.e. virtual meetings, etc.) and for the work being performed. To that end, department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their department.

Lyon County, Kansas employees should dress in a manner that is normally acceptable in similar business establishments.

Ad Hoc Arrangements

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects, accommodations, or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave, or as a reasonable accommodation due to a disability to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

6.20 Telephone Use

Lyon County, Kansas phones are principally for work-related communications. Unless there is an emergency, limit long distance telephone calls to business purposes only. Limit personal use of Lyon County, Kansas telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Use of Company Technology Policy.

6.21 Third Party Disclosures

From time to time, Lyon County, Kansas may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former team members, newspapers, law enforcement agencies, and other outside persons may contact our team members to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of Lyon County, Kansas and should refer any call requesting the position of Lyon County, Kansas to PIO or Legal. If you have any questions about this policy or are not certain what to do when such a contact is made, contact PIO or Legal.

6.22 Use of Company Technology

This policy is intended to provide Lyon County, Kansas employees with the guidelines associated with the use of the Lyon County, Kansas information technology (IT) resources and communications systems.

This policy governs the use of all IT resources and communications systems owned by or available at Lyon County, Kansas, and all use of such resources and systems when accessed using your own devices, including but not limited to:

- Email systems and accounts.
- Internet and intranet access.
- Telephones and voicemail systems, including wired and mobile phones, smartphones, and pagers.
- Printers, photocopiers, and scanners.
- Fax machines, e-fax systems, and modems.
- All other associated computer, network, and communications systems, hardware, peripherals, and software, including network key fobs and other devices.
- Closed-circuit television (CCTV) and all other physical security systems and devices, including access key cards and fobs.]]

General Provisions

Lyon County, Kansas IT resources and communications systems are to be used for business purposes only unless otherwise permitted under applicable law.

All content maintained in Lyon County, Kansas IT resources and communications systems are the property of Lyon County, Kansas. Therefore, employees should have no expectation of privacy in any message, file, data, document, facsimile, telephone conversation, social media post, conversation, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on Organization electronic information and communications systems.

The Organization reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over Organization IT resources and communications systems in accordance with applicable law. Any individual who is given access to the system is hereby given notice that the Organization will exercise this right periodically, without prior notice and without prior consent. The interests of the Organization in monitoring and intercepting data include, but are not limited to: protection of Organization trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.); managing the use of the computer system; and/or assisting team members in the management of electronic data during periods of absence.

You should not interpret the use of password protection as creating a right or expectation of privacy, nor should you have a right or expectation of privacy regarding the receipt, transmission, or storage of data on Organization IT resources and communications systems.

Do not use Organization IT resources and communications systems for any matter that you would like to be kept private or confidential.

Violations

If you violate this policy, you will be subject to corrective action, up to and including termination of employment. If necessary, the Organization will also advise law enforcement officials of any illegal conduct.

6.23 Use of Employer Vehicles

Company vehicles are to be used for Lyon County, Kansas business only. Unless the use of the vehicle has been approved for personal use, personal or outside business use is strictly prohibited.

If you drive a Organization vehicle, all infractions or violations while driving the vehicle and all restrictions, suspensions, or revocations against your driver's license must be immediately reported to your Department Heads, supervisors or designees.

When a Organization vehicle cannot be operated, is unsafe for use, or has been damaged, notify your Department Heads, supervisors or designees immediately.

As the driver of a Organization vehicle, you are responsible for the vehicle while in your charge and must not permit unauthorized persons to drive it. You are also responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered.

You may not operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment. You may not operate a motor vehicle while texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

Multiple driving moving violations that appear on the annual state department of motor vehicle check will result in suspension of rights to drive a Organization vehicle or drive a personal vehicle on Organization business. Suspension of rights will continue until one year has passed with no infractions. If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, you may be terminated.

6.24 Workplace Privacy and Right to Inspect

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

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on Organization premises including that kept in lockers and desks.

6.25 Children in the Workplace

The workplace cannot be used as an alternative to childcare. Employees with dependent children are expected to make regular arrangements for proper care of their children while they are at work. This policy is established to avoid disruption in job duties of the employee and co-workers, reduce personal and property liability, and help promote efficiency in the work place.

Department heads may grant an exception for a temporary, unforeseen emergency, but no parent or relative can have a child in the workplace without the department head's permission. If authorized, the accompanying adult must supervise the child(ren) at all times. No minor may ever be allowed into an area that is potentially hazardous (i.e. where hazardous equipment, human-derived materials, chemicals, etc., are located. Such as prohibited areas include workshops, jail areas, and areas where chemicals are stored).

Children exhibiting symptoms of potentially contagious illness should not be brought into the workplace.

Provision for sick children should be made within the context of various forms of leave available to employees. As used in this policy, "minor" and "children" are defined as any individual under the age of 18.

For purposes of this policy, difficulty or inability in arranging childcare does not constitute an emergency.

LYON COUNTY DOES NOT ACCEPT ANY LIABILITY FOR INJURIES TO CHILDREN WHO ARE ON SITE IN VIOLATION OF THIS POLICY.

7.0 Benefits

7.1 Bereavement Leave

Lyon County, Kansas provides full-time and regular part-time employees with bereavement leave. The length of leave will be based upon such factors as relationship to the deceased, distance to be traveled, and responsibility of employee for funeral arrangements (Bereavement leave does not accrue to the 40 hour work week).

COUNTY EMPLOYEES MAY BE GRANTED, AT THE DISCRETION OF THE DEPARTMENT HEAD, FUNERAL LEAVE WITH PAY NOT TO EXCEED THREE WORKING DAYS.

Time off for bereavement is available at the time of death. With department head approval, time may be staggered leave, based upon the individual circumstance. Written requests to use staggered bereavement leave must be approved by the department head when the initial request for bereavement leave is submitted. An employee may request vacation leave or time without pay for additional time off.

7.2 Dental Insurance

All full-time, and regular part-time team members who have completed 30 calendar days of employment at Lyon County, Kansas are eligible for the Lyon County, Kansas dental plan. This eligibility is the first day of the following month. Dental plan benefits are described in detail in the Summary Plan Description (SPD).

7.3 Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is to assist employees of Lyon County, Kansas who may experience personal or emotional difficulties which may affect job performance. Lyon County, Kansas has contracted with Compliance One to provide this service. This program is available to all county employees and their immediate family members. The EAP may be reached via a toll-free telephone number available 24 hours a day and answered by a licensed or certified master's-level mental health professional who can provide crisis intervention, telephone assessment, and assistance with a referral to community resources as appropriate. The EAP telephone number will be provided to each individual employee and will be posted on Lyon County, Kansas bulletin boards.

To contact your EAP call 1-800-999-1196 or email cmedrano@healthsrc.org

7.4 Employer-Sponsored Disability Benefits

Lyon County, Kansas offers the following employer-sponsored disability insurance benefits to team members when they miss work due to non-work-related disabilities.

Eligibility

All **full-time and regular part-time** team members are eligible for employer-sponsored Long-Term Disability insurance benefits through KPERS.

KPERS Long-Term Disability Insurance

Long-Term Disability insurance generally pays a monthly benefit to you if you cannot work because of a covered illness or injury. The benefit replaces a portion of your income, thus helping to meet your financial commitment in a time of need. Check your plan documents for details about benefit payments and duration.

7.5 Flexible Spending Account (FSA)

Lyon County, Kansas offers Flexible Spending Account (FSA) benefits for eligible team members. FSAs provide tax-free reimbursement to team members for health care and/or dependent care expenses that are not reimbursed by any other insurance or reimbursement program.

A Health Care FSA provides eligible team members the opportunity to pay for medical expenses, on a pretax basis, that are not reimbursed by an insurance plan. Both the amount you contribute and the amount you are reimbursed from your Health Care FSA are income tax free.

A Dependent Care FSA provides eligible team members the opportunity to pay for dependent care expenses for a child, disabled spouse, or dependent parent, on a pretax basis. Both the amount you contribute and the amount you are reimbursed from your Dependent Care FSA are income tax free.

All regular full-time team members are eligible for the above FSA benefits.

If eligible, you may elect an annual amount to contribute, which will be divided and deducted from your pay each pay period and may be used to pay for eligible expenses. Annual elections are limited by established plan maximums and are subject to applicable IRS forfeiture and rollover provisions.

Contact David Clark - Colonial for a copy of the plan summary and for questions about this benefit.

David Clark
Colonial Life Insurance
8575 W 110th Street, Suite 210
Overland Park, KS 66210
913-451-1120 ext. 103
913-451-2650 fax

7.6 Health Insurance

Any Lyon County, Kansas employee who meets the eligibility requirements of the group's health insurance program in place at the time of the employee's hire with Lyon County, Kansas may participate. Employee contribution rates will be maintained in the human resources department and will be available to employees at orientation, during annual open enrollment, or upon request.

Policy and plan designs are subject to change. Refer to your current insurance policy handbooks or contact the human resources department to obtain current information.

Health coverage shall cease per the group's health insurance contractual agreement in place at the time of the employee's separation from employment.

The County cannot guarantee coverage or benefits. The County specifically reserves the right to change or eliminate benefits when deemed necessary.

7.7 Holidays

Unless required to be on regular duty, the following legal holidays shall be paid holidays observed by Lyon County, Kansas employees: New Year's Day, Martin Luther King Jr., Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day, and such other days as may be designated from time-to-time by the Board of County Commissioners. A memorandum listing the dates of legal holidays for each year will be sent to all departments at the time of approval by the Board.

It is County policy to ensure that all full-time and regular part-time employees enjoy the same number of paid holidays annually. For employees working other than the standard work week, the workday to be observed as the holiday shall be designated by the Commission or by the department head. The Sheriff shall designate time-off or holiday pay for holidays for Sheriff's Office employees.

Legal holidays will accrue to the 40-hour work week, therefore can be calculated towards overtime. If a legal holiday occurs during an employee's vacation that day will not be charged to the employee's credited vacation time. If a declared holiday falls on the regular day off of an employee, that employee will receive a day of holiday pay for that day. County employees regularly scheduled to work a holiday who, instead use other leave on the holiday, will not receive holiday pay. Under no circumstances will the employee be paid both holiday pay and leave pay.

HOLIDAY PAY

Regular full-time employees will receive eight hours pay for established holidays. Department heads may deem the hours of pay for established holidays to run higher or lower than the standard eight hours if their regular scheduled hours are consistently more, or consistently less, than the standard. The Sheriff shall designate time-off or holiday pay for holidays for Sheriff's Office employees.

All regular part-time employees will receive four hours pay for established holidays as designated by the department head.

A regular full-time or regular part-time employee who is required to work on a County-designated holiday shall receive time and one-half overtime pay, plus the rate of hourly pay for established holidays as designated.

County employees on unpaid leave of absence may not receive holiday pay, but these will be reviewed with the department head on a case-by-case basis.

7.8 Life Insurance

The County pays for \$25,000 Advance Group Term Life Insurance product for each full-time employee. In addition, optional Term Life and Accidental Death and Dismemberment policies are made available at discounted rates for employee's purchase.

7.9 Paid Time Off (PTO)

LEAVE REQUESTS

Employees shall request leave by using the current timekeeping system within the department by indicating what type of leave being requested, the dates of the requested leave and total hours to be taken.

The supervisor shall confirm that the employee has the requested leave time available before approving a request. Approvals of time off requests are maintained through the department's timekeeping system.

TO ASSIST WITH SCHEDULING AND OPERATIONAL REQUIREMENTS, ALL FORESEEABLE LEAVE SHOULD BE REQUESTED AT LEAST TWO WEEKS PRIOR TO THE REQUESTED LEAVE DATE.

If the leave is unforeseeable, the leave request must be submitted as soon as the employee returns to work, or as soon as practicable.

VACATION LEAVE

Vacation leave with pay is granted to all department heads, and to all full-time and regular part-time employees. Vacation leave with pay is not granted to Elected Officials. Vacation leave is a benefit to the employee from Lyon County, Kansas and carries no entitlement. On January 1 of each year the amount of posted vacation may not exceed the annual maximum vacation leave based on length of service. Any excess leave is lost and no payment will be made for lost vacation leave. The only exception to this policy will be in the event that the employee is called back to work by the Elected Official or Department Head

during scheduled vacation leave time. In that event, the Elected Official or Department Head will inform Payroll and the employee's unused vacation leave days must be taken by March 31st of the following year. Employees will see credits added to their accounts the payroll closest to the end/beginning of the month. Upon attaining the fifth and every subsequent 5th year anniversaries of employment, vacation leave will be benefitted based upon the length of service and will be posted on the subsequent posting date. Total vacation leave remaining during the calendar year will be printed on the stub of the employee's paycheck. Vacation leave is calculated to determine qualified benefit from the beginning of the month in which employment starts, if employment begins on or before the 15th of the month, the benefit is printed on the first of the month following's payroll check. If employment begins after the 15th of the month, leave is calculated to benefit from the first of the following month. Upon separation, vacation leave is calculated to determine the qualification for benefit, for the last month of work if separation occurs after the 15th of that month. Vacation days will accrue to the 40-hour work week.

Regular Full-Time Employees: Shall receive vacation leave schedule benefit with pay as follows:

LENGTH OF SERVICE	FULL-TIME EMPLOYEES	REGULAR PART-TIME EE	ANNUAL MAXIMUM CARRYOVER
< 5 YEARS	10 hours per month	Prorated hours	120 hours per year
> 5 YEARS to < 10 YEARS	12 hours per month	Based on average	144 hours per year
> 10 YEARS to < 15 YEARS	14 hours per month	Weekly hours worked	168 hours per year
> 15 YEARS...	16 hours per month		192 hours per year

_Regular Part Time: Employees will calculate qualified benefit of vacation leave at the rate of one-half (1/2) the scheduled rate of Regular Full Time employees or three-quarters (3/4) credit for three-quarter's time employees.

Temporary Part-Time: No vacation leave will be allowed for temporary part-time employees. Temporary employees who are reclassified as full-time or as regular part-time employees will follow the schedule for vacation leave benefit from the effective date of the employment change in accordance with the rules set forth above concerning the 15th of the month.

Termination Pay: Upon termination of employment an employee will receive pay for unused vacation leave. In the event of the death of an employee, the vacation leave will be paid to the deceased employee's financial account on file. Utilizing vacation leave during the last two weeks (after proper termination notice is given in writing) is at the discretion of the Department Head or Elected Official.

SCHEDULING

Vacation will be scheduled so as to meet the operating requirement of the County. Minimum vacation leave taken at one, time at the discretion of the Department Head (elected or appointed), will be one hour. Scheduling of vacation leave is at the sole discretion of the Department Head. The maximum vacation leave that can be used is the balance of the employee's earned but unused leave, provided it does not produce an undue hardship on the department. Unearned leave time of any sort shall not be given.

ADMINISTRATIVE EXEMPT EMPLOYEES

If you work four hours or more on your normally scheduled day, no earned Vacation Leave is required to be taken for any time off requested for that day.

FIELD EXEMPT EMPLOYEES

We understand that business demands may require you to work beyond your normal schedule. In cases where you have used your PTO or sick time during the week, if your manager determines the need to have you work beyond your normal schedule (e.g. work on a weekend), you will be credited any PTO or sick time that was used for that week. This may happen on occasion for various reasons such as inclement weather or other operational needs. Management will apply this policy fairly based on the needs of the business and staff availability.

LEAVE WITHOUT PAY

Leave without pay shall be taken at the discretion of the Department Head. Leave without pay may be taken without using up other leave time._

SICK LEAVE

Lyon County, Kansas provides sick leave in the form of paid time off for personal or family illness, medical appointments, or injury. Sick leave is not an entitlement but rather a benefit to be used only in time of authentic need. All eligible regular full-time and regular part-time and $\frac{3}{4}$ time employees shall be eligible for paid sick leave. Sick leave with pay for all appointed officials, all full-time, and all part-time regular employees may be authorized at the discretion of the employee's Department Head (elected or appointed). This includes illness and disability of the employee or of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. Also, to keep a medical or dental appointment if the appointment cannot be scheduled other than during regular working hours. Leave for maternity purposes will be used as any other sick leave.

The sick leave is calculated from January 1 through December 31. Sick leave shall be credited to the employee account from the most recent date of employment under the conditions and at the rate hereinafter stated. Sick leave not taken during the year in which it is credited to the employee benefit account, will amass to the credit of the employee up to a maximum of 480 hours of credited sick leave. When an employee reaches the 480 hour maximum, additional hours of credited sick leave to the account not used by the employee during the year shall be paid to the employee at his or her current regular rate of pay at year-end.

Once all sick days have been expended, vacation and other personal leave in the employee accounts shall be used first for leave purposes and further leave shall be without pay. (Sick leave does not accrue to the 40 hour work week).

EMPLOYEES MAY BE SUBJECT TO DISMISSAL FOR MISUSE OF SICK LEAVE.

NOTICE OF ILLNESS

If an employee finds it necessary to be absent due to illness, the employee's supervisor or department head shall be notified within one hour of the regular starting time for reporting to work or in accordance with specific departmental procedure (keep in mind that some departments need more than one hour to be notified). Maximum sick leave to be taken will not exceed the hours scheduled for a regular workday. When any department's employees take off part of a day sick leave, then their sick leave plus hours worked will add up to their regularly scheduled hours.

*An employee must keep his/her supervisor informed of their condition if the absence is three days or longer, or if a potential pattern of abuse is suspect. In such instances the supervisor may require documentation of such condition from a medical professional and a medical notification of fitness to return to work may be required from a doctor at any time. Supervisor may also refer the employee to Human Resources to discuss FMLA if necessary.

CREDITS

An employee begins getting credited sick leave from the first full month of employment (i.e. if the employee starts before the 15th of the month, it is a qualifying month for credit, if it is after the 15th of the month, it is not a qualifying month for credit of the benefit). Employees will see credits added to their accounts the payroll closest to the end/beginning of the month. The maximum amount of sick leave shall be 480 hours. Employees will not receive credits to their sick leave account during the period of time the employee is in unpaid status.

Regular Full Time employees will be credited sick leave at the rate of 8 hours per month.

Regular Part-Time employees who are $\frac{3}{4}$ time will be credited sick leave at the prorated rate for their $\frac{3}{4}$ hours worked.

Regular Part Time employees will be credited sick leave at the rate of 4 hours per month.

No sick leave shall be credited to temporary, part-time employees or elected officials. Temporary employees who are reclassified to full-time or to regular part-time employees shall receive credit to their sick leave account from the effective date of the employment change in accordance with the rules set forth about the fifteenth of the month.

WHEN CREDITED

Sick leave will be credited to the employee at the beginning of the pay period closest to the end/beginning of the month, of the first complete month (or qualified month) worked.

ELECTED OFFICIALS

If an employee is elected to an office, they will be paid out according to the sick and vacation leave policy. Should an elected official not run for re-election and become an employee of Lyon County, leave accruals will be reinstated. Vacation leave will be awarded on the employee's years of service not to include the

years in elected office._

USE OF SICK LEAVE

Sick leave must be in the employee account before it can be used.

Sick leave may be taken after an employee has successfully completed the first qualified month of service.

A minimum of ¼ hour of sick leave must be taken

Only for personal/family illness or injury.

To keep a medical or dental appointment with the approval of the department head.

PERSONAL NECESSITY LEAVE

An employee may use available sick leave to provide care to an eligible family member due to illness or injury. Eligible family members include spouse, father, mother, grandmother, grandfather, children, foster children, stepchildren, grandchildren, or the same relative of the spouse. Personal Necessity Leave shall be charged to the employee's sick leave.

In the event of separation, sick leave in excess of 240 hours shall be paid on the final paycheck. In the event of the death of an employee, payment for credited sick leave in excess of 240 hours shall be made to the employee's direct deposit account on file. Upon separation, sick leave credits to the employee account for the last month of work if separation occurs after the 15th of that month. Utilizing sick leave during the last two weeks (after proper termination notice is given in writing) is at the discretion of the Department Head.

SCHEDULING

ADMINISTRATIVE EXEMPT EMPLOYEES

If you work four hours or more on your normally scheduled day, no earned Vacation Leave or Sick Leave is required to be taken for any time off requested for that day.

FIELD EXEMPT EMPLOYEES

We understand that business demands may require you to work beyond your normal schedule. In cases where you have used your Vacation Leave or Sick Leave during the week, if your manager determines the need to have you work beyond your normal schedule (e.g. work on a weekend), you will be credited any Vacation Leave or Sick Leave or sick time that was used for that week. This may happen on occasion for various reasons such as inclement weather or other operational needs. Department Heads will apply this policy fairly based on the needs of the business and staff availability.

7.10 Personal Leave of Absence

Leave of absence may be granted at the discretion of the department head after all accumulated sick leave, vacation leave, and Family Medical Leave has been used by the employee. A leave of absence without pay, including holiday pay, will be limited to a maximum of three calendar months.

During a leave of absence, no vacation, or sick leave will accumulate.

If an employee on leave of absence chooses to retain health and life insurance coverage under the County's group plan, the employee must pay the premium for coverage to the human resources department on or before the 10th day of the month preceding the month to be covered. Lyon County, Kansas will collect a pro-rated share of the cost of health insurance premiums already paid on behalf of the employee for the number of days of coverage during which the employee is either not working or using accumulated sick or vacation leave. Lyon County, Kansas pays the insurance premiums for a month on or about the 10th of the month proceeding the month covered, and the insurance carrier makes no partial refunds of premiums. An employee wishing to drop coverage must notify the human resources department in writing using proper forms before the 10th day of the month preceding the effective date of the drop to avoid being responsible for reimbursing the County for coverage already paid.

It is the responsibility of the department head to notify the human resources department and the Board of County Commissioners of any granted leave of absence in excess of one week.

7.11 Sick Pay

Lyon County, Kansas provides sick leave in the form of paid time off for personal or family illness, medical appointments, or injury. Sick leave is not an entitlement but rather a benefit to be used only in time of authentic need. All eligible regular full-time and regular part-time and $\frac{3}{4}$ time employees shall be eligible for paid sick leave. Sick leave with pay for all appointed officials, all full-time, and all part-time regular employees may be authorized at the discretion of the employee's Department Head (elected or appointed). This includes illness and disability of the employee or of a member of the employee's family when the illness or disability reasonably requires the employee to be absent from work. Also, to keep a medical or dental appointment if the appointment cannot be scheduled other than during regular working hours. Leave for maternity purposes will be used as any other sick leave.

The sick leave is calculated from January 1 through December 31. Sick leave shall be credited to the employee account from the most recent date of employment under the conditions and at the rate hereinafter stated. Sick leave not taken during the year in which it is credited to the employee benefit account, will amass to the credit of the employee up to a maximum of 480 hours of credited sick leave. When an employee reaches the 480 hour maximum, additional hours of credited sick leave to the account not used by the employee during the year shall be paid to the employee at his or her current regular rate of pay at year-end.

Once all sick days have been expended, vacation and other personal leave in the employee accounts shall be used first for leave purposes and further leave shall be without pay. (Sick leave does not accrue to the 40 hour work week).

EMPLOYEES MAY BE SUBJECT TO DISMISSAL FOR MISUSE OF SICK LEAVE.

See Leave of Absence for information concerning health insurance coverage if you do not have accumulated vacation and sick leave adequate to last the entire time you are off the job.

NOTICE OF ILLNESS

If an employee finds it necessary to be absent due to illness, the employee's supervisor or department head shall be notified within one hour of the regular starting time for reporting to work or in accordance with specific departmental procedure (keep in mind that some departments need more than one hour to be notified). Maximum sick leave to be taken will not exceed the hours scheduled for a regular workday. When any department's employees take off part of a day sick leave, then their sick leave plus hours worked will add up to their regularly scheduled hours. An employee must keep his/her supervisor informed of their condition if the absence is three days or longer, or if a potential pattern of abuse is suspect. In such instances the supervisor may require documentation of such condition from a medical professional and a medical notification of fitness to return to work may be required from a doctor at any time. Supervisor may also refer the employee to Human Resources to discuss FMLA if necessary.

CREDITS

An employee begins getting credited sick leave from the first full month of employment (i.e. if the employee starts before the 15th of the month, it is a qualifying month for credit, if it is after the 15th of the month, it is not a qualifying month for credit of the benefit). Employees will see credits added to their accounts the payroll closest to the end/beginning of the month. The maximum amount of sick leave shall be 480 hours. Employees will not receive credits to their sick leave account during the period of time the employee is in unpaid status.

Regular Full Time employees will be credited sick leave at the rate of 8 hours per month.

Regular Part-Time employees who are $\frac{3}{4}$ time will be credited sick leave at the prorated rate for their $\frac{3}{4}$ hours worked.

Regular Part Time employees will be credited sick leave at the rate of 4 hours per month.

No sick leave shall be credited to temporary, part-time employees or elected officials. Temporary employees who are reclassified to full-time or to regular part-time employees shall receive credit to their sick leave account from the effective date of the employment change in accordance with the rules set forth about the fifteenth of the month.

WHEN CREDITED

Sick leave will be credited to the employee at the beginning of the pay period closest to the end of the month, the first complete month (or qualified month) worked.

USE OF SICK LEAVE

Sick leave must be in the employee account before it can be used.

Sick leave may be taken after an employee has successfully completed the first qualified month of service.

A minimum of ¼ hour of sick leave must be taken

Only for personal/family illness or injury.

To keep a medical or dental appointment with the approval of the department head.

PERSONAL NECESSITY LEAVE

An employee may use available sick leave to provide care to an eligible family member due to illness or injury. Eligible family members include spouse, father, mother, grandmother, grandfather, children, foster children, step-children, grandchildren, or the same relative of the spouse. Personal Necessity Leave shall be charged to the employee's sick leave.

In the event of separation, sick leave in excess of 240 hours shall be paid on the final paycheck. In the event of the death of an employee, payment for credited sick leave in excess of 240 hours shall be made to the employee's direct deposit account on file. Upon separation, sick leave credits to the employee account for the last month of work if separation occurs after the 15th of that month. Utilizing sick leave during the last two weeks (after proper termination notice is given in writing) is at the discretion of the Department Head.

SCHEDULING OF LEAVE

ADMINISTRATIVE EXEMPT EMPLOYEES

If you work four hours or more on your normally scheduled day, no earned Vacation Leave or Sick Leave is required to be taken for any time off requested for that day.

FIELD EXEMPT EMPLOYEES

We understand that business demands may require you to work beyond your normal schedule. In cases where you have used your Vacation Leave or Sick Leave during the week, if your manager determines the need to have you work beyond your normal schedule (e.g. work on a weekend), you will be credited any Vacation Leave or Sick Leave or sick time that was used for that week. This may happen on occasion for various reasons such as inclement weather or other operational needs. Department Heads will apply this policy fairly based on the needs of the business and staff availability.

7.12 Unemployment Compensation Insurance

Unemployment compensation insurance is paid for by Lyon County, Kansas and provides temporary income for team members who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the Lyon County, Kansas.

7.13 Vacation

Vacation leave with pay is granted to all department heads, and to all full-time and regular part-time employees. Vacation leave with pay is not granted to Elected Officials. Vacation leave is a benefit to the employee from Lyon County and carries no entitlement. On January 1 of each year the amount of posted vacation may not exceed the annual maximum vacation leave based on length of service. Any excess leave is lost and no payment will be made for lost vacation leave. The only exception to this policy will be in the event that the employee is called back to work by the Elected Official or Department Head during scheduled vacation leave time. In that event, the Elected Official or Department Head will inform Payroll and the employee's unused vacation leave days must be taken by March 31st of the following year.

Total hours of vacation leave will be posted to all employees' accounts on the first payroll of the month following the qualified month worked.

Upon attaining the fifth and every subsequent 5th year anniversaries of employment, vacation leave will be benefitted based upon the length of service and will be posted on the subsequent posting date. Total vacation leave remaining during the calendar year will be printed on the stub of the employee's paycheck.

Vacation leave is calculated to determine qualified benefit from the beginning of the month in which employment starts, if employment begins on or before the 15th of the month, the benefit is printed on the first of the month following's payroll check. If employment begins after the 15th of the month, leave is calculated to benefit from the first of the following month. Upon separation, vacation leave is calculated to determine the qualification for benefit, for the last month of work if separation occurs after the 15th of that month. Vacation days will accrue to the 40 hour work week.

Regular Full-Time Employees: Shall receive vacation leave schedule benefit with pay as follows:

Regular Part Time: Employees will calculate qualified benefit of vacation leave at the rate of one-half (1/2) the scheduled rate of Regular Full Time employees or three-quarters (3/4) credit for three-quarter's time employees.

Temporary Part-Time: No vacation leave will be allowed for temporary part-time employees. Temporary employees who are reclassified as full-time or as regular part-time employees will follow the schedule for vacation leave benefit from the effective date of the employment change in accordance with the rules set forth above concerning the 15th of the month.

Termination Pay: Upon termination of employment an employee will receive pay for unused vacation leave. In the event of the death of an employee, the vacation leave will be paid to the deceased employee's direct deposit account on file. Utilizing vacation leave during the last two weeks (after proper termination notice is given in writing) is at the discretion of the Department Head or Elected Official.

SCHEDULING

Vacation will be scheduled so as to meet the operating requirement of the County. Minimum vacation leave taken at one time at the discretion of the Department Head (elected or appointed), will be one hour. Scheduling of vacation leave is at the sole discretion of the Department Head. The maximum vacation leave that can be used is the balance of the employee's earned but unused leave, provided it does not produce an undue hardship on the department. Unearned leave time of any sort shall not be given.

ADMINISTRATIVE EXEMPT EMPLOYEES

If you work four hours or more on your normally scheduled day, no earned Vacation Leave or Sick Leave is required to be taken for any time off requested for that day.

FIELD EXEMPT EMPLOYEES

We understand that business demands may require you to work beyond your normal schedule. In cases where you have used your Vacation Leave or Sick Leave during the week, if your manager determines the need to have you work beyond your normal schedule (e.g. work on a weekend), you will be credited any Vacation Leave or Sick Leave or sick time that was used for that week. This may happen on occasion for various reasons such as inclement weather or other operational needs. Department Heads will apply this policy fairly based on the needs of the business and staff availability.

7.14 Vision Care Insurance

All full-time, and regular part-time team members who have completed 30 days of employment, will be eligible for Superior Vision Insurance. The effective date of the insurance is the first day of the following month. Vision care plan benefits are described in detail in the Summary Plan Description (SPD).

7.15 Workers' Compensation Insurance

Lyon County, Kansas provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. State law requires that the employer or insurance carrier pay an injured worker 2/3 of the employee's gross average weekly wage up to a stated maximum. Employees are not paid benefits for the first week they are off work except medical benefits, however, employees off seven days are entitled to receive weekly compensation, if off three weeks, employees can receive compensation for the first week. If the employee used paid leave for the first week, Lyon County must be repaid for that time if the employee wishes to recoup their leave.

INJURED ON THE JOB

Employees who sustain work-related injuries or illnesses should inform their supervisor or safety supervisor immediately, or within a reasonable amount of time after it is discovered. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately, or as soon as practicable. The supervisor shall be responsible for reporting the incident to the Human Resources office as soon as possible to receive guidance and instructions. The employee will complete an accident form from the Department Head Handbook. This will enable an eligible employee to qualify for coverage as quickly as possible.

PHYSICIAN'S DETERMINATION

Employees injured on the job shall not be allowed to return to work without a signed doctor's release. The employee shall contact Human Resources on a weekly basis with documentation of their physician's determination if the employee may return to work on a modified work schedule and/or with modified work duties as appropriate for the employee's abilities. Human Resources will work with the employee's Department Head to provide an appropriate alternative productive work assignment that meets the physical and medical restrictions placed on the injured worker. If no appropriate work assignment is available within the employee's department, the Human Resources department will attempt to find an appropriate work assignment in another County department.

DESIGNATED PROVIDER

Lyon County has designated a Newman Regional Health as its designated provider (see the Department Head Handbook), for employees who are injured while on the job. Employees will be directed to this designated Health Care Provider for all work-related accidents or injuries, unless it is imperative that they go elsewhere in an emergency.

SAFETY SUPERVISOR

Lyon County has appointed a Safety Supervisor. The best way to handle accidents is through preventative training and not reactive measures, as often as possible. If you as an employee, notice any unsafe conditions, please notify the safety supervisor. If an accident does happen, the safety supervisor must be involved in the investigation, to help find ways to learn from the accident in order to prevent it from happening again. Safety is everyone's job. Attendance at Safety Supervisor meetings are mandatory. Neither Lyon County nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Lyon County.

7.16 COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation; termination of employment; death of an employee; a reduction in an employee's hours; leave of absence; divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage after a qualifying event at the County's group rates plus an administration fee for continuation coverage. The County provides each eligible employee with a written notice describing rights granted under COBRA when a qualifying event occurs. The notice contains important information about the rights and obligations of the employee and/or beneficiary(ies). Failure to timely comply with the notice may result in a loss of insurance coverage. It is imperative that each employee keep the County apprised of the status of his/her family life and age of dependents.

7.17 Family and Medical Leave (FMLA)

In accordance with the Family and Medical Leave Act of 1993 (FMLA), Lyon County, Kansas provides up to 12 or 26 weeks of unpaid, job-protected leave in a 12-month period to covered employees in certain circumstances.

Eligibility

To qualify for FMLA leave, you must:

1. Have worked for the Organization for at least 12 months, although it need not be consecutive;
2. Worked at least 1,250 hours in the last 12 months; and
3. Be employed at a worksite that has 50 or more employees within 75 miles.

Reasons for Leave

You may take up to 12 weeks of unpaid FMLA leave in a 12-month period for any of the following reasons:

- The birth of a child and in order to care for that child (leave must be completed within one year of the child's birth);
- The placement of a child with you for adoption or foster care and in order to care for the newly placed child (leave must be completed within one year of the child's placement);
- To care for a spouse, child, or parent with a serious health condition;
- To care for your own serious health condition, which makes you unable to perform any of the essential functions of your position; or
- A qualifying exigency of a spouse, child, or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).

You may take up to 26 weeks of unpaid FMLA leave in a single 12-month period, beginning on the first day that you take FMLA leave to care for a spouse, child, or next of kin who is a covered service member and who has a serious injury or illness related to active duty service.

As used in this policy:

- **Spouse** means a husband or wife as recognized under state law for the purposes of marriage in the state or other territory or country where the marriage took place.
- **Child** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time FMLA leave is to commence. A child for the purposes of military exigency or military care leave can be of any age.
- **Parent** means a biological, adoptive, step, or foster parent or any other individual who stood in loco parentis to you when you were a child.
- **Next of kin** for the purposes of military care leave is a blood relative other than a spouse, parent, or child in the following order: brothers and sisters, grandparents, aunts and uncles, and first cousins. If a military service member designates in writing another blood relative as his or her caregiver, that

individual will be the only next of kin. In appropriate circumstances, you may be required to provide documentation of next of kin status.

- **Serious health condition** means an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. Ordinarily, unless complications arise, cosmetic treatments and minor conditions such as the cold, flu, ear aches, upset stomach, minor ulcers, headaches (other than migraines), and routine dental problems are examples of conditions that are not serious health conditions under this policy. If you have any questions about the types of conditions that may qualify, contact Human Resources.
- **Health care provider** means a medical doctor or doctor of osteopathy, physician assistant, podiatrist, dentist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, clinical social worker, or Christian Science practitioner licensed by the First Church of Christ. Under limited circumstances, a chiropractor or other provider recognized by our group health plan for the purposes of certifying a claim for benefits may also be considered a health care provider.
- **Qualifying exigencies** for military exigency leave include:
 - Short-notice call-ups/deployments of seven days or less (**Note:** Leave for this exigency is available for up to seven days beginning the date of call-up notice);
 - Attending official ceremonies, programs, or military events;
 - Special childcare needs created by a military call-up including making alternative childcare arrangements, handling urgent and nonroutine childcare situations, arranging for school transfers, or attending school or daycare meetings;
 - Making financial and legal arrangements;
 - Attending counseling sessions for yourself, the military service member, or the military service members' son or daughter who is under 18 years of age or is 18 or older but incapable of self-care because of a mental or physical disability;
 - Rest and recuperation (**Note:** Fifteen days of leave is available for this exigency per event);
 - Post-deployment activities such as arrival ceremonies, re-integration briefings, and other official ceremonies sponsored by the military (**Note:** Leave for these events are available for 90 days following the termination of active duty status). This type of leave may also be taken to address circumstances arising from the death of a covered military member while on active duty;
 - Parental care when the military family member is needed to care for a parent who is incapable of self-care (such as arranging for alternative care or transfer to a care facility); and
 - Other exigencies that arise that are agreed to by both the Organization and you.
- A **serious injury/illness** incurred by a service member in the line of active duty or that is exacerbated by active duty is any injury or illness that renders the service member unfit to perform the duties of his or her office, grade, rank, or rating.

Notice and Leave Request Process

If the need for leave is foreseeable because of an expected birth/adoption or planned medical treatment, you must give at least 30 days' notice. If 30 days' notice is not possible, give notice as soon as practicable (within one or two business days of learning of your need for leave). Failure to provide appropriate notice may result in the delay or denial of leave.

In addition, if you are seeking intermittent or reduced schedule leave that is foreseeable due to planned medical treatment or a series of treatments for yourself, a family member, or covered service member, you must consult with the Organization first regarding the dates of this treatment to work out a schedule that best suits your needs or the needs of the covered military member, if applicable, and the Organization.

If the need for leave is unforeseeable, provide notice as soon as possible. Normal call-in procedures apply to all absences from work, including those for which leave under this policy may be requested. Failure to provide appropriate notice may result in the delay or denial of leave.

Certification of Need for Leave

If you are requesting leave because of your own or a covered relative's serious health condition, you and the relevant health care provider must supply appropriate medical certification. You may obtain Medical Certification forms from the Human Resources Department. When you request leave, the Organization will

notify you of the requirement for medical certification and when it is due (at least 15 days after you request leave). If you provide at least 30 days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of FMLA-covered leave until it is provided.

At our expense, the Organization may require an examination by a second health care provider designated by us. If the second health care provider's opinion conflicts with the original medical certification, we, at our expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. Subsequent medical recertification may also be required. Failure to provide requested certification within 15 days, when practicable, may result in delay of further leave until it is provided.

The Organization also reserves the right to require certification from a covered military member's health care provider if you are requesting military caregiver leave and certification in connection with military exigency leave.

Call-In Procedures

In all instances of absence, the call-in procedures and standards established for giving notice of absence from work must be followed.

Paid Leave Utilization During FMLA Leave

FMLA leave is unpaid; however, you will be required to substitute any accrued and unused paid leave (e.g., vacation/paid time off/sick days/personal days) for unpaid FMLA leave as permitted by law.

Your FMLA leave runs concurrently with other types of leave, such as accrued paid leave that is substituted for unpaid FMLA leave and any state family leave laws, to the extent allowed by state law. The substitution of paid leave for unpaid FMLA leave does not extend the 12 or 26 weeks (whichever is applicable) of FMLA leave. In addition, the substitution of paid leave for unpaid leave may not result in your receipt of more than 100 percent of your salary.

If you are receiving short- or long-term disability or workers' compensation benefits during a personal medical leave, you will not be required to utilize accrued paid leave. However, where state law permits, you may elect to use accrued paid leave to supplement these benefits.

Leave Increments

Intermittent Leave

If medically necessary, FMLA leave for a serious health condition may be taken intermittently (in separate blocks of time due to a serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday). FMLA leave may also be taken intermittently or on a reduced leave schedule for a qualifying exigency relating to covered military service.

As FMLA leave is unpaid, the Organization will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave that is foreseeable due to planned medical treatments, the Organization may temporarily transfer you to an available alternative position that better accommodates your leave schedule and has equivalent pay and benefits.

Parental Leave

Leave for the birth or placement of a child must be taken in a single block and cannot be taken on an intermittent or reduced schedule basis. Parental leave must be completed within 12 months of the birth or placement of the child; however, you may use parental leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc.

Family Care, Personal Medical, Military Exigency, and Military Care Leave

Leave taken for these reasons may be taken in a block or blocks of time. In addition, if a health care provider deems it necessary or if the nature of a qualifying exigency requires, leave for these reasons can be taken on an intermittent or reduced-schedule basis.

Fitness for Duty Requirements

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. You will not be permitted to resume work until it is provided.

Health Insurance

Your health insurance coverage will be maintained by the Organization during leave on the same basis as if you were still working. You must continue to make timely payments of your share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage. If this occurs, you will be notified 15 days before the date coverage will lapse that coverage will terminate unless payments are promptly made.

Alternatively, at our option, the Organization may pay your share of the premiums during the leave and recover the costs of this insurance upon your return to work. Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period. Under most circumstances, if you do not return to work at the end of leave, the Organization may require reimbursement for the health insurance premiums paid during the leave.

Reinstatement

Upon returning to work at the end of leave, you will generally be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken.

Spouse Aggregation

If you and your spouse are both employed by the Organization, the total number of weeks to which you are both entitled in the aggregate because of the birth or placement of a child or to care for a parent with a serious health condition will be limited to 12 weeks per leave year. Similarly, spouses employed by the Organization will be limited to a combined total of 26 weeks of leave to care for a military service member. This 26-week leave period will be reduced, however, by the amount of leave taken for other qualifying FMLA events. This type of leave aggregation does not apply to leave needed for your own serious health condition, to care for a spouse or child with a serious health condition, or because of a qualifying exigency.

Failure to Return

If you fail to return to work or fail to make a request for an extension of leave prior to the expiration of the leave, you will be deemed to have voluntarily terminated your employment. The Organization is not required to grant requests for open-ended leaves with no reasonable return date under these policies or as disability accommodations.

Alternative Employment

While on leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the Organization. If you are on a leave of absence and are found to be working elsewhere without permission, you will be subject to disciplinary action up to and including termination.

Interaction with State and Local Laws

Where state or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits that are more favorable to the employee, as provided by these laws, will apply.

Abuse of Leave

If you are found to have provided a false reason for a leave, you will be subject to disciplinary action up to and including termination.

Designation of Leave

If the Organization becomes aware of any qualifying reason for FMLA leave, the Organization will designate it as such. An employee may not refuse FMLA designation under this policy.

Retaliation

The Organization will not retaliate against team members who request or take leave in accordance with this policy.

7.18 Military Leave (USERRA)

A Lyon County, Kansas employee who is a member of any military component of the United States Armed Forces will be allowed a leave of absence for required training or duty. All military leave is unpaid leave, except Holiday's. As a special benefit, Lyon County, Kansas wants our Armed Forces to know that we appreciate all that they do for our country. Holiday Pay will follow Holiday Pay policy language for the employee's department while they are on USERRA leave.

At the time of their notification by the military, the employee shall submit, to their supervisor, a written request to take military leave. A copy of the employee's military orders shall be submitted to the department head for inclusion to be attached to the Leave Request Form and forwarded to the Human Resources department to be included in the employee's personnel file. Military orders shall be furnished prior to the absence.

An employee who takes military leave of less than 31 consecutive days at a time during a twelve month period will be unpaid, but they will continue to receive credits for vacation and sick leave during the absence. If an employee is on military leave more than thirty-one consecutive days at a time, the employee will not receive vacation leave and sick leave for the absent period. An employee may choose to use vacation leave for their annual active duty training but will not be required to do so.

If an employee desires to keep his/her life insurance and health insurance in effect during military leave of less than thirty-one consecutive days, the employee must make arrangements with Human Resources to pay the amount that is regularly deducted from the paycheck while on paid status. Lyon County will continue to pay the County's share of payment for life and health insurance for an employee on military leave of less than 31 consecutive days. To continue insurance beyond consecutive days of military leave, the employee must make arrangements with Human Resources. Continuation would be subject to the United Services and Employment and Reemployment Rights Act (USERRA) and the county's current contractor agreements for the respective benefit services.

An employee returning from military leave will be reinstated in accordance with the provisions of the Federal Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) or the Kansas Military Leave Laws. To be eligible for reinstatement an employee must give the County notice of intent to return within certain time limits as specified in those laws. Please see Human Resources for details regarding eligibility for reinstatement and the requirements for notifying the County of intent to return.

8.0 Safety and Loss Prevention

8.1 Business Closure and Emergencies

Lyon County, Kansas recognizes that inclement weather and other emergencies may affect your ability to get to work. In such situations, your safety is paramount.

Company Closure

Examples of emergencies when the Organization may close include, but are not limited to, power outage, water main breaks, inclement weather, etc. Closures are approved by the Board of County Commissioners.

Notification

In an emergency, the Organization will make every effort to notify each department head of the closing by phone/email/website/etc. These notification efforts assume that you have access to electricity and internet and/or phone service. Department heads are responsible for notifying their employees of the closure.

When the Organization is unable to notify you of the closure, use common sense to assess the safety and practicality of the situation. In a regional power outage, for example, the Organization is likely to have no power. If there is reported flash flooding in your area, report to work only if you can make it safely.

Partial-Day Closure

If an emergency event such as inclement weather or a power outage occurs, the Organization may decide to close mid-day. When the Organization closes mid-day, you will be instructed to leave immediately so that the conditions do not further deteriorate and affect your ability to travel safely.

If you are exempt and are working at home with prior permission, or at the office on the day of the partial day closure, you will be paid your normal salary for the week. If you are nonexempt, you will be paid for the hours you worked, unless state law dictates otherwise.

Notified of Closure Prior to Reporting to Work

If you are nonexempt and are notified of a closure prior to reporting to work, you will not be paid during the closure, unless state law dictates otherwise. If you are exempt, you will be paid your normal salary for the week.

Benefits Coverage

Your health insurance coverage will be maintained by the Organization during the closure on the same basis as if you were still working.

Extending Leave

When the Organization closure ends, you are expected to report to work. Contact your Department Heads, supervisors or designees if you cannot return to work at the end of the closure. The Organization recognizes that you may need additional time off to repair extensive home damage or for other emergency situations. These will be assessed on a case-by-case basis.

If You Cannot Get to Work

Unique circumstances may affect your ability to come to work even when the Organization is able to remain open. The Organization recognizes that in a severe national or regional disaster, all methods of communication may be unavailable; however, you should continue to try and contact your Department Heads, supervisors or designees, by any method possible.

Time missed under circumstances where the Organization remains open and you are unable to report to work is to be used as vacation time, personal time, or is unpaid.

8.2 Drug and Alcohol Policy

All employees are absolutely prohibited from unlawfully possessing, distributing, manufacturing, dispensing or using controlled substances, and/or alcohol in the workplace. This includes the County offices or vehicles or any County job site. Any employee violating the County's policy is subject to corrective action, up to and including termination for the first offense.

ANY LOCATION AT WHICH COUNTY BUSINESS IS CONDUCTED, WHETHER ON OR OFF COUNTY-

OWNED PROPERTY, IS DECLARED TO BE A DRUG-FREE WORKPLACE.

The issues of drug and alcohol testing, safeguards, selection for testing, tested substances, laboratory requirements, notice of results, confidentiality, and all other matters related to County requirements for pre-employment and post-employment drug and alcohol testing are attached as Appendix A of this handbook and Appendix B, Policy for Sensitive Positions Requiring a Commercial Driver's License (CDL), represent the complete policy of Lyon County regarding the Drug & Alcohol Policy.

8.3 General Safety

It is the responsibility of all Lyon County, Kansas team members to maintain a healthy and safe work environment. Report all safety hazards and occupational illnesses or injuries to your department head, supervisor or designee as soon as reasonably possible and complete an occupational illness or injury form as needed. Failure to follow Lyon County, Kansas health and safety rules may result in disciplinary action, up to and including termination of employment.

Lyon County, Kansas has appointed a safety supervisor, Matt Collins. The best way to handle accidents is through preventative training and not reactive measures, as often as possible. If you as an employee, notice any unsafe conditions, please notify the safety supervisor. If an accident does happen, the safety supervisor must be involved in the investigation, to help find ways to learn from the accident in order to prevent it from happening again. Safety is everyone's job. Attendance at safety supervisor meetings and trainings are mandatory.

Neither Lyon County, Kansas nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Lyon County, Kansas.

Additionally, All County employees that have experienced a significant medical event on or off duty must provide a doctor's release before returning to work.

8.4 Workplace Violence

As the safety and security of our team members, vendors, contractors, and the general public is in the best interests of Lyon County, Kansas, we are committed to working with our team members to provide a work environment free from violence, intimidation, and other disruptive behavior.

Zero Tolerance Policy

Lyon County, Kansas has a zero tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, team members, and non-employees such as contractors, customers, and visitors.

Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

Prohibited Conduct

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Lyon County, Kansas property or while performing Lyon County, Kansas business except as permitted by state law.

- Violating a restraining order, order of protection, injunction against harassment, or other court order.

Reporting Incidents of Violence

Report to your department heads, supervisors or designees, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

Violations

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

Retaliation

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to your chain of command.

8.5 Drug-Free Workplace

Drug-Free Workplace Act

As a federal contractor, Lyon County, Kansas must comply with the requirements of the Drug-Free Workplace Act of 1988, which is a part of Public Law 100-690, Anti-Drug Abuse Act of 1988. The federal Drug-Free Workplace Act of 1988 (§ 5152) covers grants and contracts for the procurement of any service with a value of \$25,000 or more.

To comply with the act, federal agency contractors and federal grant recipients must provide a drug-free workplace. These federal contractors and grant recipients will:

- Publish a statement prohibiting the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs in the workplace and specify the actions that will be taken against team members for violations.
- Distribute a copy of the policy statement to team members engaged in the performance of a federal grant or contract.
- Notify team members that compliance with the policy is a condition of employment on such grant or contract and that team members must abide by the terms of the policy statement. The policy statement includes the requirement that team members notify the Organization of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- Notify the granting or contracting agency within 10 days after learning of a criminal drug statute conviction.
- Impose a sanction as required under this act on team members who are so convicted.
- Establish a program of drug-free awareness, informing team members about the organization's policy of maintaining a drug-free workplace, the penalties that may be imposed upon team members for drug-abuse violations, the dangers of drug abuse in the workplace, and any available drug counseling, rehabilitation, and assistance programs.
- Make a good faith effort to continue to maintain a drug-free workplace through implementation of these requirements.

Americans with Disabilities Act

In addition to complying with the federal Drug-Free Workplace Act of 1988, the Organization must comply with the requirements of the Americans with Disabilities Act of 1990 (ADA). Individuals who currently use drugs illegally are not individuals with disabilities protected under the ADA when an employer takes action because of their continued use of drugs. This includes people who use prescription drugs illegally as well as those who use illegal drugs. However, people who have been rehabilitated and do not currently use drugs illegally, or who are in the process of completing a rehabilitation program, may be protected by the ADA.

Drug-Free Workplace Policy

The Organization, in compliance with the federal Drug-Free Workplace Act of 1988, has adopted the following policy that must be adhered to as a condition of employment:

- The unlawful use, possession, manufacture, dispensation, or distribution of controlled substances in all work locations is prohibited.
- Any team members convicted of a criminal drug statute violation occurring in the workplace must notify their Department Heads, supervisors or designees of the conviction within five days after the conviction. As required by the federal Drug-Free Workplace Act of 1988, the Organization must inform contracting or granting agencies of such convictions within 10 days after receiving notification or otherwise receiving notice of a conviction.
- Upon receiving such notification, the Organization, in conjunction with the location concerned, will take all steps necessary to assure the proper conduct of sponsored projects and programs. If a decision is reached to allow the affected individual to continue employment with the Organization, the individual must participate in and satisfactorily complete an approved drug abuse assistance or rehabilitation program.

The Organization will evaluate its obligations in accordance with state and other applicable laws where required, on a case by case basis.

9.0 Trade Secrets and Inventions

9.1 Confidentiality and Nondisclosure of Trade Secrets

Lyon County, Kansas safeguards personal employee information in its possession to ensure confidentiality. Additionally, the County will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the County includes employee name, address, telephone number, e-mail address, emergency contact information, EEO data, social security number, date of birth, employment eligibility data, benefits plan enrollment information (which may include dependent personal information), and school/college or certification credentials.

All pre-employment inquiring information and reference checking records conducted on employees and former employee files are maintained in locked, segregated areas.

Personal employee information are confidential and as such will be shared only as required and with those who have a need to have access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. Participants in County benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

9.2 Inventions

Any invention created, in whole or in part, during your work hours, or from the use of equipment or facilities belonging to Lyon County, Kansas, is a "work for hire" and is the property of the Lyon County, Kansas.

If you intend to develop and maintain property rights to any invention that relates in any way to products or services of the Lyon County, Kansas, you are required to obtain a written waiver of this policy, signed by both you and your departments head, Board of County Commissioners, or Human Resources.

10.0 Customer Relations

10.1 Customer, Client, and Visitor Relations

Lyon County, Kansas strives to provide the best services possible to our customers and clients. Our customers and clients support the County and generate our wages. You are expected to treat every customer, client, or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor or customer during your working time. If you are having problems with a customer, client, or visitor, notify your Department Heads, supervisors or designees immediately. If a customer, client, or visitor voices a suggestion, complaint, or concern regarding our services, inform your Department Heads, supervisors or designees or a member of management.

Lastly, make every effort to be prompt in following up on customer, client, or visitor orders or questions. Positive customer, client, and visitor relations will go a long way to establishing our Organization as a leader in its field.

10.2 Products and Services Knowledge

As a representative of Lyon County, Kansas, you are expected to be familiar with the services we offer. Take every opportunity to learn the interrelationship between your department or division and the others of the Organization. We consider our team members to be the best reflection of our business brand and company success.

Kansas Policies

Hiring and Orientation Policies

Disability Accommodation

Lyon County, Kansas complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, Lyon County, Kansas will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your department heads, supervisors or designees. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, Lyon County, Kansas will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by Lyon County, Kansas in connection with a request for accommodation will be treated as confidential.

Lyon County, Kansas encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, Lyon County, Kansas is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on Lyon County, Kansas.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law. Lyon County, Kansas will not discriminate or retaliate against team members for requesting an accommodation.

EEO Statement and Nonharassment Policy

Equal Opportunity Statement

Lyon County, Kansas is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, or retaliation because of age (40 and older), race, color, national origin, ancestry, religion, sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. The Organization is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment.

The Organization will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Organization will take appropriate corrective action, if and where warranted. The Organization

prohibits retaliation against team members who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy. We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your Department Heads, supervisors or designees or any other designated member of management.

Policy Against Workplace Harassment

Lyon County, Kansas has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age (40 and older), race, color, national origin, ancestry, religion, sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, team members, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Organization or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults or blocking or impeding movements.

Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion toward an individual because of the individual's age (40 and older), race, color, national origin, ancestry, religion, sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and

- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

Reporting Discrimination and Harassment

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify Human Resources at 620-341-3252 or any member of management. **Human Resources will need a formal, written complaint, in order to start the process.**

The Organization prohibits retaliation against team members who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination. We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Organization determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Organization may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the Organization will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

Religious Accommodation

Lyon County, Kansas is dedicated to treating its team members equally and with respect and recognizes the diversity of their religious beliefs. All team members may request an accommodation when their religious beliefs cause a deviation from Lyon County, Kansas dress code or the individual's schedule, basic job duties, or other aspects of employment. Lyon County, Kansas will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that will be considered are cost, the effect that an accommodation will have on current established policies, and the burden on operations — including other team members — when determining a reasonable accommodation. At no time will Lyon County, Kansas question the validity of a person's belief.

If you require a religious accommodation, speak with your department heads, supervisors or designees, or human resources.

Wage and Hour Policies

Accommodations for Nursing Mothers

Lyon County, Kansas will provide nursing mothers reasonable break time to express milk for their infant child for up to one year following the child's birth.

If you are nursing, you will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from coworkers and the public.

Expressed milk can be stored in refrigerators provided in the lactation room. Sufficiently mark or label your milk to avoid confusion for other team members who may share the refrigerator. You may also bring a personal cooler for storage.

Break time should, if possible, be taken concurrently with any other break time already provided. If you are nonexempt, record the start and end time for any time taken that does not run concurrently with normally scheduled rest periods. Break time may be unpaid where permissible by applicable law.

You must make reasonable efforts to not disrupt Organization operations.

You are encouraged to discuss the length and frequency of these breaks with your Department Heads, supervisors or designees.

The Organization will not discriminate or retaliate against team members who express breast milk in the workplace in accordance with this policy.

Meal and Rest Periods

Lyon County, Kansas strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding meal and rest periods. Check with your department heads, supervisors or designees regarding procedures and schedules for rest and meal breaks. Lyon County, Kansas requests that team members accurately observe and record meal and rest periods. If you know in advance that you may not be able to take your scheduled break or meal period, let your department heads, supervisors or designees know; in addition, notify your department heads, supervisors or designees as soon as possible if you were unable to or prohibited from taking a meal or rest period.

Each workday, full-time non-exempt employees are provided with 2 rest periods not to exceed 20 minutes in length, unless otherwise specified by the department head. To the extent possible, rest periods will be provided in the middle of the work periods. Since this time is counted and paid as "time worked," employees must not be absent from their workstations beyond the allotted rest period time. Part-time employees may receive rest breaks as scheduled by their department head.

All full-time employees are provided with one meal period of 30-60 minutes each workday, unless otherwise specified by the department head. Supervisors may schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Breaks are not to be scheduled at the beginning or end of a shift or in conjunction with the lunch break, unless approved by the department head.

BREAK TIME CANNOT BE USED IN LIEU OF SICK OR VACATION LEAVE.

Lunch breaks should not be taken at the beginning or end of the workday. Lunch breaks should be no less than thirty minutes or longer than sixty minutes in length. Employees who work more than four (4) hours may take a lunch break, which is subject to scheduling by the department head or Elected Official.

Overtime

If you are nonexempt, you may qualify for overtime pay. All overtime must be approved in advance, in writing, by your Department Heads, supervisors or designees.

At certain times Lyon County, Kansas may require you to work overtime. We will attempt to give as much notice as possible in this instance. However, advance notice may not always be possible. Failure to work overtime when requested or working unauthorized overtime may result in discipline, up to and including discharge.

Any non-exempt employee who works overtime will be compensated through pay or, if permitted consistently in the department or elected office, flex time in the following manner:

Hours worked over 40 hours in one workweek will be compensated at the rate of one and one-half times (1.5) his/her normal hourly wage for all time worked in excess of 40 hours each week, unless otherwise required by law.

Flex time must be taken within the work week in which the extra hours-worked occurred.

For purposes of calculating overtime for non-exempt employees, the payroll workweek begins on 12:00am Sunday and ends on 11:59pm Saturday.

Calculating Overtime—the 40 hour work week will include holidays, vacation hours, and jury duty hours for the purposes of calculating overtime. Any other leave time will not be considered for the purpose of

calculating overtime on the 40 hour work week.

FOR OVERTIME PAY PARTIAL HOURS-WORKED SHALL BE ROUNDED OFF TO THE NEAREST QUARTER-HOUR.

Pay Period

At Lyon County, Kansas, the standard pay period is biweekly for all team members. If a pay date falls on a holiday, you will be paid on the preceding workday. If a pay date falls on a Saturday or Sunday, you will be paid on the preceding Friday. Special provisions may be required from time to time if holidays fall on pay dates. Check with your department heads, supervisors or designees if this type of date arises.

Review your paycheck for accuracy. If you find an issue, report it to your department heads, supervisors or designees immediately.

Travel Time Pay

Some nonexempt positions within Lyon County, Kansas require travel. Lyon County, Kansas pays nonexempt team members for travel time in accordance with federal and state law. For purposes of this policy, the regular workday is 8:00 – 5:00 (Monday – Friday).

Home to Work Travel

If you travel from home before the regular workday and return to your home at the end of the workday, you are engaged in ordinary home to work travel, which is not work time.

Home to Work on a Special One Day Assignment in Another City

If you regularly work at a fixed location in one city and you are given a special one day assignment in another city, but return home the same day, the time spent in traveling to and returning from the other city is work time, except that Lyon County, Kansas may deduct/not count that time you would normally spend commuting to the regular work site.

Travel That Is All in a Day's Work

Your time spent in travel as part of your principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.

Travel Away from Home Community

Travel that keeps you away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across your workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. Lyon County, Kansas will not consider as work time that time spent in travel away from home outside of your regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

Work Performed While Traveling

Any work you perform while traveling must be counted as hours worked.

Calculating and Reporting Travel Time

You are responsible for accurately tracking, calculating, and reporting your travel time. Travel time should be calculated by rounding up to the nearest quarter hour.

Business travel should be properly authorized, reported and reimbursed; under no circumstances may expenses for personal travel be charged to, or be temporarily funded by Lyon County, Kansas unless otherwise noted in this policy. It is the traveler's responsibility to report his or her actual travel expenses in a

responsible and ethical manner, in accordance with the regulations set forth in this policy. Any exceptions to the policy must be submitted for approval to the department head (elected or appointed).

APPROVAL OF TRAVEL

Travelers may not approve the reimbursement of their own travel expenses. In addition, an employee may not approve the travel expenses of an individual to whom he or she reports either directly or indirectly.

PAYMENT OF TRAVEL EXPENSES

Under guidelines established by Lyon County, Kansas, corporate travel cards may be issued to employees who travel on official County business. Any traveler issued such a card should use the card to pay for all expenses related to official company business travel, including lodging and subsistence, except where the card is not accepted. Certain prepaid expenses such as transportation tickets and conference fees may be billed directly to the company.

MEALS REIMBURSEMENT

It is the policy of the County to economize on all travel-related expenditures whenever possible and meals should be reasonably priced. The County will not pay for or reimburse the employee for any expenses incurred on behalf of the employee's spouse, child, or other traveling companion who is not a County employee. The County will only reimburse employees for meals incurred while in the course of conducting County business. The following schedule should be guidance as to whether meals reimbursement will be appropriate:

- Employee leaves before 6:00am to attend to County business out of the employee's tax home—a reasonable breakfast reimbursement can be submitted.
- Likewise, if an employee leaves their tax home at 12:00pm or before 6:00pm to attend to County business—a reasonable lunch and dinner reimbursement may be submitted.
- If an Employee returns to their tax home before the above recommended breakfast, lunch or dinner times, it may not be reasonable to expect a reimbursement for the breakfast, lunch or dinner.

Additionally, if the department head provides lodging or training that supplies any of the above mentioned meals, then it may not be reasonable to expect a reimbursement for the breakfast, lunch and/or dinner. Meals provided by the County as a requirement of the job will not be considered compensation to the employees.

THE COUNTY WILL NOT PAY FOR, OR REIMBURSE FOR, ANY ALCOHOLIC BEVERAGES OR ANY ITEM DEEMED INAPPROPRIATE BY THE BOARD OF COUNTY COMMISSIONERS AND/OR YOUR DEPARTMENT HEAD.

APPLICATION FOR REIMBURSEMENT

Any necessary and reasonable expense incurred while traveling in the conduct of County business is reimbursable to the employee by the following procedure:

- Whenever possible, a purchase requisition shall be completed well in advance of the travel with an estimate of the costs of lodging, transportation, and registration fees.
- After a trip is completed, out-of-pocket expenses and mileage reimbursement shall be paid to the employee upon completion of a County voucher.
- No out-of-pocket expense shall be paid without a valid receipt to support the expenditure.
- It is the responsibility of the employee to obtain and provide receipts, complete the voucher document, and return it to the department head for approval.
- It is the responsibility of the department head to review for approval the voucher document and forward it to the accounting manager's office for payment. Reimbursement will be made upon regular warrant dates.
- The County will NOT pay for the purchase of any alcoholic beverage.

TRANSPORTATION MODEL

Transportation expenses will be reimbursed based on the most economical mode of transportation and the most commonly traveled route consistent with the authorized purpose of the trip.

Transportation tickets should be procured in advance to obtain any discounts offered by the carrier.

MILEAGE EXPENSES

Mileage should ordinarily be computed between the traveler's headquarters and the common carrier or destination. Expenses for travel between the traveler's residence and the workplace will not be allowed. However, mileage expenses may be allowed between the traveler's residence and the common carrier or destination if company business travel originates or terminates before or after the traveler's working hours, or if travel originates or terminates during a regularly scheduled day off.

AIR TRAVEL

Coach class or any discounted class airfare should be used in the interest of economy. The use of business or first-class or other higher-cost services may be authorized only under the circumstances listed in the policy.

AUTOMOBILE TRAVEL

Travelers may use their private vehicles for business purposes if it is less expensive than renting a car, taking a taxi or using alternative transportation, or if it saves time.

PERSONAL VEHICLES & MILEAGE REIMBURSEMENT RATE

Employees who are approved by their department head to use their personal vehicles for business purposes will receive a mileage reimbursement if no County vehicle is available. Reimbursements for expenses must be incurred outside of the area of his/ her tax home. The employee's tax home is the general vicinity of his/her principle place of business.

Employees who operate personal vehicles for County business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent. Employees must have a valid Kansas Driver's license prior to operating County vehicles.

The standard mileage reimbursement rate is the Internal Revenue Service rate, which takes into account all actual automobile expenses such as fuel and lubrication, towing charges, repairs, replacements, tires, depreciation, and insurance. Under IRS regulations, travelers who claim this rate are not required to substantiate the actual costs of operating the vehicle, but are required to substantiate business miles traveled.

Travelers with physical disabilities who must use specially equipped or modified vehicles may claim reimbursement at the standard rate per mile. However, if the traveler incurred higher-than-standard operating costs, the traveler may seek reimbursement. The traveler must certify in a statement submitted with the travel expense voucher that he or she incurred higher operating costs. The actual fixed and variable costs must be specified in the statement.

There will be no other compensation for use of personal vehicles, including payment of damages.

SURFACE TRANSPORTATION USED IN LIEU OF AIR TRAVEL

If advance approval has been obtained, a traveler may use surface transportation for personal reasons even though air travel is the appropriate mode of transportation. The cost of meals and lodging, parking, mileage, tolls, taxis, and ferries incurred while in transit by surface transportation may be reimbursed. Such costs may not exceed the cost of airfare, based on the lower of the regular coach fare available for the location of travel from a standard commercial air carrier, plus transportation costs to and from the terminals.

RENTAL CARS

A vehicle may be rented when renting would be more advantageous to Lyon County, Kansas than other means of commercial transportation, such as using a taxi. Advance reservations should be made whenever possible, and a compact or economy model requested. The traveler is responsible for obtaining the best available rate commensurate with the requirements of the trip. The discount negotiated with car rental agencies for government agencies should be requested when available.

Travelers are expected to use rental agencies that include insurance coverage. The rental agency's company identification number should be given to the agency at the time of rental to ensure that the vehicle is covered by physical damage insurance.

Vehicle rental charges billed directly to Lyon County will not be authorized. Rental car charges should be paid with the traveler's corporate credit card.

TRAVEL TIME & TRAINING

Lyon County, Kansas pays only for "hours worked." Each department shall hold to the absolute minimum the number of personnel attending a function requiring travel. No County department shall pay an employee's travel cost to attend a function that does not benefit the County. However, to promote employee initiative and efforts at self-improvement, your department head (elected or appointed), or designee has discretionary authority to give you time off to participate in the desired function. A department head (elected or appointed), or designee, must assign more than one employee to a vehicle, whenever possible, in authorizing the use of a privately-owned or County-owned vehicle or conveyance. Study time may not be considered hours worked.

Copies of all original certificates of training must be turned into the human resources department upon completion and will be part of the employee's personnel file.

COUNTY CREDIT CARDS

1. Each elected office or department should have a County credit card provided via the Lyon County Clerk.
2. If the elected office or department head should need more for departmental reasons, they will need to make that request to the Lyon County Clerk.

As always, employees should contact their chain of command for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

Performance, Discipline, Layoff, and Termination

Disciplinary Process

Disciplinary Process

Violation of Lyon County, Kansas policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. Lyon County, Kansas encourages a system of progressive discipline depending on the type of prohibited conduct. However, Lyon County, Kansas is not required to engage in progressive discipline and may discipline or terminate team members who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your department heads, supervisors or designees will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the Organization is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

The County expects employees to meet standards of high-quality work performance and conduct. Occasionally, an employee will fail to meet those standards and corrective action may be necessary to ensure the effective operation of the County's business. Corrective action by a Department Head or Supervisor shall be exercised discretely and in such a manner as is appropriate to the immediate problem, taking into consideration the employee's past conduct as reflected by the employee's personnel file.

The County prescribes to a policy of progressive discipline.

Depending on the conduct, it is our general policy to take disciplinary steps in the following order:

- Verbal Warnings

- Written Warnings
- Suspension, with or without pay
- Termination

THE COUNTY RESERVES THE RIGHT TO DISREGARD PROGRESSIVE DISCIPLINE WHEN DEEMED NECESSARY.

To decide on the appropriate course of action, the County may consider:

- The seriousness of the violation
- Employment record
- Ability to correct the conduct
- Actions the County has taken for similar conduct by other employees
- How an employee's actions affect customers/clients/the public

Some conduct may result in immediate dismissal. Here are some examples:

- Violence or the threat of violence
- Theft of County property
- Excessive tardiness or absenteeism
- Arguing or fighting with co-workers or customers
- Using or possessing alcohol or illegal drugs at work
- Being under the influence of alcohol or illegal drugs at work
- Failing to carry out reasonable job assignments
- Making false statements in a job application
- Violating County rules and regulations
- Unlawful discrimination or harassment

General Policies

Access to Personnel and Medical Records Files

Access to Personnel and Medical Records Files

Lyon County, Kansas maintains separate medical records files and personnel files for all team members. Files containing medical records are stored separate and apart from any business-related records in a safe, locked, inaccessible location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. If you wish to review your personnel or medical records file, you must give Lyon County, Kansas reasonable notice. Inspection must occur in the presence of a human resources department employee.

All requests by an outside party for information contained in your personnel file will be directed to human resources, which is the only department authorized to give out such information.

EMPLOYEE RECORDS MANAGEMENT

The Human Resources department retains and destroys personnel records in accordance with the Lyon County's policies on business records retention as well as federal and state laws governing records retention, as detailed below. If Lyon County's retention procedure is not of sufficient duration for subsequent changes in state or federal law, this procedure will be superseded by applicable state or federal requirements.

The HR department maintains both employee record information and government compliance reports. Both are subject to the following retention requirements and destruction procedures.

MAINTENANCE OF EMPLOYEE RECORDS

The following employee information records are maintained in segregated personnel files:

1. Pre-employment information.
2. I-9 forms.
3. Benefits plan and employee medical records.
4. Health and safety records.
5. General employee personnel records.

Government compliance reports are maintained in reverse chronological sequence and filed separately from the above employee information records.

DESTRUCTION OF EMPLOYEE AND APPLICANT RECORDS

All paper personnel records and confidential employee data maintained by the HR department will be destroyed by shredding after retention dates have passed; this procedure pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).

Application materials submitted by applicants for employment who were never employed are also to be shredded.

Personnel records include electronic as well as paper records. The HR department will work with the IT department periodically but no less than twice annually to review and ensure that the HR department's electronic records relating to employee information and compliance reports are properly purged.

RETENTION OF TERMINATED EMPLOYEES' RECORDS

The retention periods for terminated employees' and applicants' records and compliance reports are as follows:

Pre-employment records: Résumés, applications and related employment materials, including interview records and notes, for applicants not hired: 3 years.

Résumés, applications and related employment materials, including interview records and notes, for employees: 4 years after date of termination.

Background checks, drug test results, driving records, company employment verifications, letters of reference and related documents: 5 years.

Employee records: Terminated employee I-9 Forms: The later of 3 years from date of hire or 1 year following termination of employment.

Compensation, job history and timekeeping records: 4 years after termination.

FMLA and USERRA and related leave records: 3 years after termination.

Performance appraisal and disciplinary action records: 4 years after termination.

Benefit records: 6 years after the filing date of the documents, based on the information they contain, or 6 years after the date on which such documents would have been filed but for an exemption or simplified reporting requirement.

Disputed issues (records relating to issues 2 years after resolution of dispute involving external agencies or parties, wage-hour investigation by DOL, EEOC charge, arbitrations, court actions, etc.), OSHA and employee safety records: 5 years after termination.

Workers' compensation claims: 30 years after date of injury/illness.

Compliance reports and records:

State New Hire reports: 1 year after report was filed.

EEO-1: 2 years after report was filed.

Annual Affirmative Action plans: 2 years after close of AAP year.

OSHA 300/300A: 5 years after posting.

Form 5500: 6 years after report was filed.

Federal/state tax reports: 4 years after report was filed.

CONFIDENTIALITY

Lyon County safeguards personal employee information in its possession to ensure confidentiality. Additionally, the County will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the County includes employee name, address, telephone number, e-mail address, emergency

contact information, EEO data, social security number, date of birth, employment eligibility data, benefits plan enrollment information (which may include dependent personal information), and school/college or certification credentials.

All pre-employment inquiring information and reference checking records conducted on employees and former employee files are maintained in locked, segregated areas.

Personal employee information are confidential and as such will be shared only as required and with those who have a need to have access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a need for such access. Participants in County benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

See also *Kansas Open Records Act* in Section 2.

DEPARTMENT HEAD RECORDS

Elected Officials & Department Heads may maintain supplemental records pursuant to the provisions set forth below. The employee's right to privacy will be maintained consistent with the County's need for pertinent information about the employee. Employee records maintained by the department head/supervisor may include the following:

- Notes regarding performance to be used on employee evaluation
- Leave records
- Documentation of oral reprimand or other job counseling regarding performance

ACCESS TO PERSONNEL FILE POLICY

Employee files are maintained by Human Resources and are considered confidential. Department heads and supervisors other than the Human Resources director may only have access to personnel file information on a need-to-know basis. A department head considering the hire of a former employee or transfer of a current employee may be granted access to the file.

Personnel files are to be reviewed in the Human Resources department. Personnel files may not be taken outside of the department.

SOCIAL SECURITY NUMBERS

Representatives of government or law enforcement agencies, in the course of their business, may be allowed access to file information. This decision will be made at the discretion of the Human Resources director in response to the request, a legal subpoena or court order.

SOCIAL SECURITY NUMBER PRIVACY

It is the policy of Lyon County to protect the confidentiality of Social Security Numbers obtained and used in the course of business from its employees and applicants. All employees are expected to rigorously adhere to this policy. Any employee violating the provisions of this policy and its operating procedures will be disciplined in accordance with County rules.

COLLECTION OF SOCIAL SECURITY NUMBERS

Collection of Numbers: Social Security numbers will be collected from applicants and employees as required in meeting federal and/or state reporting requirements. These purposes include:

- To conduct pre-employment background checks *To verify eligibility for employment* To withhold federal and state taxes *To comply with state new-hire reporting* To facilitate enrollment in Lyon County benefit plans

STORAGE OF AND ACCESS TO SOCIAL SECURITY NUMBERS

Storage: All documents containing Social Security numbers shall be stored in locked secured areas. All computer applications containing Social Security numbers shall be maintained on secured, authorized-access computer stations only.

Access: Only persons who have a legitimate business reason will have access to Social Security numbers;

such access will be granted through department heads responsible for functions with reporting or transporting such data responsibilities. Department heads and employees granted such access must take all necessary precautions to ensure the integrity of records that include such numbers when the records are not being used.

Destruction of Numbers: Records that include Social Security numbers will be maintained in accordance with federal and state laws. When such documents are released for destruction, the records will be destroyed by shredding.

PRIVACY BREACH

If an employee becomes aware of a material breach in maintaining the confidentiality of his or her personal information, the employee should report the incident to the Human Resources department. The Human Resources department has the responsibility to investigate the incident and take corrective action. Please be aware that a standard of reasonableness will apply in these circumstances.

Examples of release of personal information that *will not be considered a breach* include the following: Release of partial employee birth dates, (day and month) is not considered confidential and will be shared with department heads that elect to recognize employees on such dates.

Personal telephone numbers or e-mail addresses may be distributed to department head in order to facilitate work schedules or operations.

Employee identifier information used in salary or budget planning, review processes and for timekeeping purposes will be shared with department heads.

Employee's employment anniversary or service-recognition information will be distributed to appropriate department heads.

Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.

CONFIDENTIAL NATURE OF WORK

The contents of Lyon County records or information are confidential and may not be disclosed to anyone, except where required for a business purposes, or in accordance with a request under the *Kansas Open Records Act*. Records covered by this policy include, but are not limited to, documents, notes, verbal information, computer records or files, or similar, and employees must not disclose any confidential information, purposefully or inadvertently through casual conversation to any unauthorized person inside or outside the County.

Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

See *Kansas Open Records Act* below.

Kansas Open Records Act (KORA)

The contents of Lyon County, Kansas records or information are confidential and may not be disclosed to anyone, except where required for a business purposes, or in accordance with a request under the Kansas Open Records Act. Records covered by this policy include, but are not limited to, documents, notes, verbal information, computer records or files, or similar, and employees must not disclose any confidential information, purposefully or inadvertently through casual conversation to any unauthorized person inside or outside the County.

Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

Lyon County, Kansas fully complies with the Kansas Open Records Act (KORA) found at K.S.A. § 45-215 et seq., and department heads and employees should likewise strictly follow the provisions of KORA in an effort to make available to the public all records which are declared by the legislature to be "open records." Among other provisions, KORA provides that any member of the public may request, and shall be provided upon request, information on Lyon County employees as follows: names, positions, salaries, and length of

service of the officers and employees of the County once they are employed as such.

All appropriate notices with regard to the inspection, copying and fees for such public records shall be posted in each department as required by law and this handbook.

Benefits

Jury Duty Leave

Jury Duty Leave

Lyon County, Kansas encourages team members to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify your department heads, supervisors or designees as soon as possible to make scheduling arrangements.

A Regular Full Time and Regular Part-time employees shall be granted civil leave with pay when required to do any of the following:

- Perform jury duty;
- Appear in court as a witness by subpoena as approved by the department head;
- Appear in court as a party in a civil law suit related to the performance of the employee's official duties with the County;
- Serve as an expert witness because of professional knowledge related to the employee's County position;
- Serve as a witness before equal opportunity or civil rights commission or bodies;
- Performing emergency civilian duty in connection with national defense, emergency preparedness operations or Lyon County rural volunteer fire fighting duty.

An employee granted civil leave for the purposes shown above shall receive full pay and benefits for the time absent from work provided the employee had been scheduled to work during the time missed. Elected and appointed officials and employees shall not accept witness or jury fees if called to duty in Lyon County during regular working hours, but if the employee receives pay or fees for the jury duty or required appearances, that pay or fee shall be returned to the County (if performed while during regular working hours). Employees may accept such fees if called to duty while not working on County time. The employee may retain any amount paid for mileage expenses in traveling to and from the place of the jury duty or required appearance. Jury duty will accrue to the 40 hour work week.

IF AN EMPLOYEE IS SUMMONED AS A JUROR OR SUBPOENAED AS A WITNESS IN ANY MUNICIPAL, STATE, OR FEDERAL COURT DURING REGULAR WORKING HOURS AND THE EMPLOYEE IS PAID REGULAR WAGES BY LYON COUNTY, THEN HE OR SHE MUST NOT ACCEPT WITNESS OR JUROR FEES IN ADDITION TO THAT COMPENSATION, UNLESS OTHERWISE PROVIDED BY LAW.

If an employee is involved in a court case as either the plaintiff or defendant, and their involvement is not resulting from their duties with the county, the employee will not be granted civil leave with pay. Any absence from work in these cases shall be charged to the employee's vacation leave account or to leave of absence without pay.

In the case of volunteer firefighter, volunteer certified emergency medical service attendant, volunteer reserve law enforcement officer or volunteer part-time law enforcement duty, the employee must have been trained and/or certified in the specific field. In each instance, granting of civil leave will be at the discretion of the department head with consideration being given to departmental workload and schedules.

Lyon County, Kansas reserves the right to require team members to provide proof of jury duty service to the extent authorized by law.

Lyon County, Kansas will not retaliate against team members who request or take leave in accordance with this policy.

Leave for Victims of Domestic Violence/Sexual Assault

Lyon County, Kansas will provide team members who are victims of domestic violence or sexual assault up to eight days of leave per year to:

- Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the victim or the victim's children.
- Seek medical attention for injuries caused by domestic violence or sexual assault.
- Obtain services from a domestic violence shelter, domestic violence program, or rape crisis center due to domestic violence or sexual assault.
- Settle matters, including, but not limited to, court appearances in the aftermath of domestic violence or sexual assault.

In order to obtain leave under this policy, you must provide reasonable advance notice of your intention to take leave, unless such advance notice is not feasible. Within 48 hours after returning from the requested time off, you must provide documentation to support the necessity for leave. Appropriate forms of documentation include:

- A police report indicating that you were a victim of domestic violence or sexual assault.
- A court order protecting or separating you from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that you have appeared in court.
- Documentation from a medical professional, domestic violence advocate, or advocate for victims of sexual assault, health care provider, or counselor that you were undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

If an unscheduled absence occurs, Organization will not take action against you if, within 48 hours after the beginning of the unscheduled absence, you provide certification to the Organization as described above. Any information provided by you regarding a request for leave will be kept confidential to the extent allowed by law.

Leave under this policy is unpaid; however, exempt team members may receive pay as required by law.

You may opt to use Vacation and/or Sick Leave in place of unpaid leave.

The Organization will not retaliate against team members who request or take leave in accordance with this policy.

Voting Leave

If your work schedule prevents you from voting on Election Day (i.e. the voting place is not open before or after work), Lyon County, Kansas will allow you a reasonable time off to vote (at least two consecutive hours, not including your lunch period). The time when you can go to vote will be at the discretion of your department heads, supervisors or designees, consistent with applicable legal requirements.

Employees should request time off to vote from their supervisor at in accordance with normal requesting procedures within the department for the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees are encouraged to take advantage of advanced voting available through the County Clerk's office.

POLITICAL ACTIVITY

Each employee has the right and duty to register and vote on all political issues. Employees, however, are not permitted to use their position with the County to influence the vote or political activity of any person.

Employees shall not solicit, sell, or handle political contributions, nor shall they wear or display political badges, buttons, or signs during on-duty hours.

Safety and Loss Prevention

Workplace Smoking

Nonsmoking Policy

Lyon County, Kansas is concerned about the effect that smoking and secondhand smoke inhalation can have on its team members and clients. Smoking in all enclosed areas in the office, client areas, restrooms, and access points to the facility is prohibited. Access points are areas within a 10-foot radius outside of any doorway, open window, or air intake leading into buildings or facilities where smoking is prohibited. Outside areas beyond a 10-foot radius of buildings and facilities are not covered by the smoking restrictions.

The smoking restrictions do not apply to e-cigarettes because they are not considered "cigarettes" and their use does not qualify as "smoking" under the Kansas law's definitions.

Custom Policies

Custom Policies

Drug and Alcohol Testing (Non-Regulated) Policy Approval

Lyon County

Emporia, KS

Anti-Drug and Alcohol Misuse Prevention Policy

[Non-regulated]

Policy Date: November 10, 2022

Lyon County [NON DOT] [CN2608]

Substance Abuse and Testing Policy

I. PURPOSE

As a part of its commitment to safeguard the health of its employees and provide a safe place for its employees to work Lyon County (hereinafter "Company") has established this policy regarding the use of controlled substances and the misuse of alcohol by its employees. Substance abuse, while at work or otherwise, seriously endangers the safety of employees and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by the Company. The Company has established this policy to detect users and remove abusers of alcohol and illegal drugs from the workplace. It is also the policy of the Company to prevent the use and/or presence of these substances in the workplace in accordance with the following guidelines.

Employment with the Company is at-will. Company policies, procedures, and/or employee assistance programs are not intended to create any implied or express contracts, written or verbal, between the Company and its employees, independent contractors, or job applicants. The Company reserves the right to alter any policy, procedure, or program at its discretion and without notice to its employees, independent contractors, or job applicants. The Company creates no promises with any of its policies, procedures, and programs, and remains free to change wages and all other working conditions without having to consult employees or anyone else and without anyone's agreement. The Company reserves the right to terminate an employee with or without cause and to refuse to hire any job applicant, as is consistent with existing law.

II. SCOPE

As a condition of employment, employees are required to abide by the terms of this policy. This anti-drug and alcohol misuse prevention policy primarily governs actions in the areas of alcohol and drugs. Other Company policies may apply in these areas to the extent that they do not conflict with this policy.

[Certain employees may be subject to additional requirements under state and/or federal regulations.]

III. DEFINITIONS

A. "Illegal drugs"

"Illegal drugs" are drugs or controlled substances that are (1) not legally obtainable or (2) legally obtainable

but not obtained or used in a lawful or prescribed manner. Examples include, but are not limited to, cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP) as well as prescription drugs that are not lawfully obtained and/or not properly utilized. The term "illegal drugs" also includes mind-altering and/or addictive substances that are not sold as drugs or medicines but are used for the mind- or behavior-altering effect (e.g. glue, peyote).

B. Legal Drugs

"Legal drugs" are those prescribed or over-the-counter drugs that are legally obtained by the employee and used for the purpose for which they were prescribed and sold.

C. Company Property

The term "Company Property" includes work sites; parking lots; vehicles; offices owned, rented, utilized or serviced by the Company or by any customer of the Company; employee-owned or employee-rented vehicles on the property of the Company or of any customer of the Company while on Company business; and locations where the employee represents the Company in any capacity.

D. On Duty

The term "On Duty" includes all working hours as well as meal periods and break periods, regardless of whether on premises, and all hours when the employee represents the Company in any capacity.

E. Covered Employees

The term "Covered Employees" applies to any employee who is considered safety sensitive.

IV. DRUG USE PROHIBITIONS

A. The use, sale, purchase, possession, manufacture, distribution or dispensing of illegal drugs on Company property or while on duty is against Company policy and is cause for immediate termination.

B. It is also against Company policy for any employee to report to work or to work with the presence of illegal drugs in the employee's body. Employees who violate this policy are subject to disciplinary action, up to and including termination.

C. The use of legal drugs can also affect the safety of the employee, fellow employees or members of the public. Therefore, any employee who is taking any legal drug that might impair safety, performance or any motor function [must advise his or her supervisor before reporting to work under such medication. A failure to do so may result in disciplinary action. Improper use of "legal drugs" is prohibited and may result in disciplinary action up to and including termination].

D. Refusal to submit to, efforts to tamper with, or failure to pass a drug test will result in disciplinary action, up to and including termination, and/or referral to the Company's EAP.

V. ALCOHOL USE PROHIBITIONS

A. The consumption, possession or being under the influence of alcohol on Company property or while on duty is prohibited and will result in disciplinary action, up to and including termination. There may be occasions, however, removed from the usual work setting, at which it is permissible to consume alcohol in moderation (e.g., Company picnics, receptions, civic activities, sporting events).

B. Notwithstanding the exception mentioned above, it is always against Company policy to report to work or to work under the influence of alcohol and such action will result in disciplinary action, up to and including termination.

C. Employees asked to submit to an alcohol test and the test result is .04 or higher will be considered positive.

D. Refusal to submit to, efforts to tamper with or failure to pass an alcohol test will result in a disciplinary action, up to and including termination.

VI. TESTING EVENTS

A. Pre-Employment Testing

1. Applicants will be advised of the Company's pre-employment testing requirements in writing following an offer to hire and prior to referral for a physical and/or drug and/or alcohol testing. Applicants will be asked to sign the Applicant Drug/Alcohol Testing Consent Agreement.

2. All applicants considered final candidates and who have received an offer for a position will be tested for the presence of illegal drugs and/or alcohol and must receive negative test results as a part of the hiring process.

B. Random Testing

1. All covered employees are subject to random, unannounced drug and/or alcohol testing.
2. Selection of employees for random testing shall be conducted through the use of a computerized random number generator.
3. Random testing will be unannounced and unpredictable; and spread reasonably through out the calendar year.
4. Employees are required to proceed immediately to the collection site upon notification of testing.
5. Drug and alcohol testing will be conducted anytime an employee is on duty.
6. The list of employees selected will be retained by the DER in a secure location.

C. Post-Accident Testing

Employees who are involved in an accident will be tested for the presence of drugs and/or alcohol following an accident or other occurrence that involves one or more of the following covered events: a fatality, an injury to an employee or other individual, or damage to vehicles and/or other property.

The following chart defines when an accident has occurred and when testing must take place.

<u>Type of accident involved</u>	<u>Citation issued to the driver</u>	<u>Tests required</u>
Human fatality	YES	YES
<u>NO</u>	<u>YES</u>	
Bodily injury with immediate	YES	YES
<u>medical treatment away from the scene</u>	<u>NO</u>	<u>NO</u>
Disabling damage to any motor	YES	YES
vehicle requiring tow away	NO	NO

D. Reasonable Suspicion Testing

Employees will be required to submit to a drug and/or alcohol testing if reasonable suspicion exists that an employee is violating, or has violated this policy. Any supervisor or employee who believes another employee is violating this policy should report his or her belief to the Designated Employer Representative (DER).

E. Follow-up Testing

Any covered employees who have participated in a substance abuse counseling or rehabilitation program and all supervisor referrals due to work performance problems will be subject to unannounced follow-up testing as determined by the Substance Abuse Professional or at the discretion of the Company for a twelve-month period following completion of the program.

F. Additional Testing

Additional testing may also be conducted as required by applicable state or federal laws, rules or regulations, or as deemed necessary by the Company. Upon initial implementation of this substance abuse policy, all current employees will be subject to testing.

VII. TESTING PROCEDURES

1. The Company will determine for which drugs and/or alcohol testing will be performed.
2. Specimen samples will be analyzed by an appropriately licensed or certified laboratory.
3. Employees will be informed of the results by the Designated Employee Representative (DER) or other appropriate Company official.
4. The testing laboratory will report the finding of a confirmed positive test result to a designated Medical Review Officer (MRO). The MRO will contact the employee to verify the positive result. Following the verification of a positive result by the MRO, the Designated Employee Representative (DER) will be informed of the positive test result.
5. An employee may request and receive from the Company a copy of the test result report.
6. If an employee challenges the validity or accuracy of the verified positive result, he/she may appeal, in writing, to the MRO, within three (3) working days of the employee having been notified of the positive result.
7. The employee will be responsible for all costs associated with conducting any requested retest.

VIII. HANDLING OF POSITIVE TEST RESULTS

A. Use of drivers who fail or refuse a drug test

1. General. Compliance with this drug testing policy is a condition of employment. Refusal to take a required drug test or failure of a drug test shall result in removal from performing any job function for the County. **Additional disciplinary action up to and including termination may result.**

2. Prohibitions On Use. Lyon County will remove the employee from performing any job function for the following:

a. Fails a drug test as verified by the Medical Review Officer (MRO), or

b. Refuses to take a drug test required by this policy.

3. Required Referrals and Evaluation. Any applicant or employee who fails or refuses a drug test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.

4. **An employee may be given an opportunity to retain his or her employment, provided they first do the following:**

a. Have been evaluated by a SAP (this has to be completed before returning to duty), and

- b. Have completed the recommended evaluation/rehabilitation program successfully, and
- c. Receive a verified negative test result on a return-to-duty test
- d. Fill out the Last Chance Acknowledgement form

IX. DISCIPLINARY ACTION

A. Any violation of the Company's substance abuse policy, including a verified positive drug or confirmed alcohol test, will result in discipline up to and including termination.

B. Any employee engaging in the use, sale, purchase, possession or distribution of drugs or alcohol on duty or on Company property is subject to disciplinary action, up to and including termination.

C. A second positive test whether drug or alcohol or the equivalent will result in immediate termination of employment.

Lyon County may impose such additional disciplinary actions as they deem appropriate. This may include removal from performing job functions, suspension (with or without pay), and even termination.

X. INVESTIGATION

A. To ensure that illegal drugs and alcohol do not enter or affect the workplace, the Company reserves the right to search all vehicles, containers, lockers or other items on Company property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Company request.

B. Failure to consent to a search or to display personal property for visual inspection will be grounds for termination or denial of access to Company premises.

C. The Company will turn over all confiscated drugs to the proper law enforcement authorities. Further, the Company will cooperate with and may enlist the services of the proper law enforcement authorities in the course of any investigation.

XI. ARREST OR CONVICTION FOR DRUG-RELATED CRIME

A. If an employee is arrested or convicted of a drug-related crime, the Company may investigate the circumstances and Company officials may require a drug test.

B. As a condition of employment, an employee shall notify the Company's Designated Employee Representative (DER) of any criminal drug statute conviction or for any plea of guilty, nolo contendere or suspended imposition of sentence that has been entered on a criminal drug statute charge. The employee must give notice in writing to the Company within five (5) days of such conviction, plea or imposition.

XII. CONFIDENTIALITY

Results of an applicant's or employee's test for the use of illegal drugs or alcohol shall be remitted to the Designated Employee Representative (DER). In order to effectively address the employees with drug or alcohol problems, it will be necessary for the Designated Employee Representative (DER) to consult with other persons in the process. However, such results may be disseminated only on a need-to-know basis.

Employees are encouraged to approach their supervisor or Designated Employee Representative (DER) at any time with any questions they have about the Company's substance abuse policy as stated herein.

Lyon County [NON DOT] [CN2608]

Announcement of Substance Abuse Policy

Letter to all employees:

Substance abuse is a nationwide issue in all sectors of our lives - and the workplace is no exception. Alcohol and drug abuse have a significant health and safety impact as well as seriously affecting a company's productivity, product quality, health care and workers' compensation costs, and most importantly, the well-being of the most valuable resource - the employees.

As you know, Lyon County has always been committed to providing a safe and positive working environment and to looking out for the welfare of our employees. Substance abuse jeopardizes this commitment and undermines the capability of Lyon County to provide high quality products and services.

To address this problem, Lyon County has developed a policy regarding the illegal use of drugs and abuse of alcohol that we believe best serves the interests of all employees. Our policy formally and clearly states that the illegal use of drugs and the abuse of alcohol will not be tolerated. This policy was designed with two basic objectives in mind:

1. Employees deserve a work environment that is free from the effects of drugs and alcohol and the problems associated with their use; and
2. This Company has a responsibility to maintain a healthy and safe workplace.

I believe it is an important and worthwhile venture that we all work together to make Lyon County a drug-free workplace and a safe, rewarding place to work.

NOTE: This policy will take effect on _.

Date

Prior to this date, all employees are required to sign the accompanying agreement form, indicating that he/she has read, understood, and will comply with the substance abuse policy, and return it to _____.

Designated Person

Designated Person Title

Date

Lyon County [NON DOT] [CN2608]

Last Chance Acknowledgment

I, _____, request reinstatement or continued employment with Lyon County. I understand that my reinstatement to employment is conditional, subject to the following terms.

1. I am participating in and/or have completed an approved rehabilitation program at a licensed, approved facility and will actively comply with any and all follow-up requirements as stated by the program mandates.
2. I understand that any further violation of the substance abuse policy or failure to comply with and complete the follow-up terms of the approved treatment program will result in my immediate termination of employment.
3. I understand the importance of involving (if applicable) my spouse, family or the significant other person

in my life in the process of my recovery program.

4. I understand and recognize the importance of communication between; my supervisor and treatment provider regarding performance and compliance issues **ONLY** and specifically consent to such communication.

5. **[I understand the adverse effects of overtime that may impair my recovery and waive my rights to overtime during the period of the Last Chance Acknowledgment.] OPTIONAL**

6. I understand and agree that, as a condition to reinstatement, I am expected to meet all established requirements of the policies and procedures and that I will continue to be subject to established procedures for failure to comply with those standards.

7. I understand that my past conduct and my recovery program require that I may be required to comply with random drug and/or alcohol screening requests and procedures during the period of this Agreement. My failure to comply with this section may result in my immediate termination.

8. I understand that I will be subject to the terms of this Last Chance Acknowledgment for a period of **[twelve (12)]** months from the date of my reinstatement. I understand that compliance with this Last Chance Acknowledgment does not constitute a guarantee of continued employment and that I remain an "at-will" employee.

I understand and agree that my reinstatement and continued employment are conditioned upon my satisfactory compliance with the terms listed above. I have discussed these terms with my supervisor(s) and understand that I will be subject to further disciplinary action, up to and including termination of employment with Lyon County, if I fail to comply with the terms and intent of this agreement.

Employee's Name (print): _____

Employee's Signature: _____

Social Security Number: _____

Supervisor's Name (print): _____

Supervisor's Signature: _____

Date: _____

SUPPLEMENT

DILUTE NEGATIVE DRUG TEST RESULTS

Lyon County [NON DOT] [CN2608]

This supplement explains what happens when an employer receives a report from the MRO of a negative dilute specimen and employer options.

A negative dilute specimen (Creatinine 5mg/dl to <20 mg/dl, Specific gravity between 1.001 & 1.003) is a specimen that contains an unusually high level of water concentration. Some of the ways this can occur are outlined below:

1. Donor may consume large amounts of water as part of their regular routine.
2. In the case of "shy bladder" collector may offer extra fluids in order to obtain a specimen.
3. Donor may consume large amounts of water in an effort to intentionally dilute the specimen causing drug concentrations to fall below the cutoff levels.

4. Donor _____ may conceal additional water on their person and add to the specimen in an _____ effort to deliberately dilute the sample.

As an employer you may establish different policies regarding dilute negative specimens based on different types of tests. You have the following options:

- a. Accept a negative dilute specimen as a valid drug test.
- b. Require one recollection of the specimen.

Please mark the different types of tests in which your company will accept a negative dilute specimen or require a repeat test to be performed.

Pre-Employment _____ Accept Test _____ Repeat Test

Post-Accident _____ Accept Test _____ Repeat Test

Reasonable Cause _____ Accept Test _____ Repeat Test

Return to Duty _____ Accept Test _____ Repeat Test

Follow-Up _____ Accept Test _____ Repeat Test

Random _____ Accept Test _____ Repeat Test

1. You must treat all employees the same for this purpose. For example, you must not retest some employees and not others for each test type. Retests should be done as soon as possible and within the same selection quarter.
2. You are required to inform your employees in advance of your decisions on these matters.
3. You must ensure that the employee is given the minimum possible advance notice that he or she must go to the collection site.
4. You must treat the result of the recollected test as the test result of record.

Signature Title Date

Lyon County

430 Commercial St

Emporia, KS 66801

APPLICANT AFFIRMATION OF

DRUG & ALCOHOL TESTING CONSENT AGREEMENT

STATEMENT OF POLICY

Lyon County is committed to providing a safe, drug and alcohol-free workplace for all employees and the general public.

Lyon County is concerned with the safety and well-being of its employees. Lyon County Drug & Alcohol Testing Program offers a helping hand to those who need it, while sending a clear message that drug or alcohol use WILL NOT BE TOLERATED!

It is the policy of Lyon County that all applicants, for safety-sensitive positions, who receive a conditional offer of employment, submit to a drug test to document that they are drug free. Refusal to comply with this requirement will be considered the equivalent of receiving a confirmed "positive" result for employment and disqualification purposes. Any applicant who receives a confirmed "positive" drug screen result will have the offer of employment withdrawn and will be subject to disqualification from employment, but will be referred to a Substance Abuse Professional (SAP). If an applicant receives a verified positive drug test result and requests a retest of the split sample, applicant agrees to reimburse Lyon County for the cost of the retest \$150.00.

AFFIRMATION OF POLICY

As an applicant for a position, I affirm that I have read and understand the Lyon County Drug & Alcohol Testing Policy Statement of Policy noted above, and I am aware that any offer of employment is conditional upon my taking a drug test and the results thereof. If hired into a position for Lyon County, I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with the Lyon County.

Applicant Name (Please Print)

Applicant Signature Date

Lyon County Representative Date

Lyon County CN2608

430 Commercial St

Emporia, KS 66801

EMPLOYEE AFFIRMATION OF

DRUG AND ALCOHOL TESTING POLICY

As an employee of Lyon County, I affirm that I have received, read and understand the Lyon County Drug and Alcohol Testing Policy and educational materials. I am aware that I may be required to undergo a drug and/or alcohol screen as outlined by Lyon County policy requirements and that I will be informed prior to the drug/alcohol screen; and, that I may be referred to an education and treatment program depending on the results of the drug/alcohol screen. I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with the company. I am aware and agree that the Policy does not create any contractual rights in my favor or in any way alter the at-will nature of my employment or imply that discharge will occur only "for cause."

Employee Name (Please Print)

Employee Signature Date

Lyon County Representative Date

**Drug and Alcohol Testing (FMCSA/DOT) Policy
LYON COUNTY**

Emporia, KS

FINAL

DRUG AND ALCOHOL TESTING POLICY

(FMCSA/DOT)

Policy Date: November 10, 2022

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APPENDIX

- A. INFORMATION CONCERNING THE EFFECTS
OF ALCOHOL AND CONTROLLED SUBSTANCES**
- B. DER AND SERVICE AGENTS**
- C. JOB CLASSIFICATION SUPPLEMENT**
- D. DILUTE SPECIMEN NEGATIVE INFORMATION**

I. General

A. Purpose

- 1. The Department of Transportation (DOT), Federal Motor Carriers Safety Administration (FMCSA) requires Lyon County, to establish a drug and alcohol testing program designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. Further, the purpose of this policy is to bring Lyon County into compliance with all regulations, which require affirmative actions to eliminate the impact of the use of controlled substances and misuse of alcohol in the workplace.**
- 2. This policy does not create any contractual rights in favor of employees to whom the Policy is applicable. Nor does this Policy in any way alter the at-will nature of employment or imply that discharge will occur only "for cause".**
- 3. Those areas of the policy printed in bold and underlined text reflect Lyon County independent authority to require additional provisions with regard to the drug and alcohol testing procedures.**
- 4. The presence of controlled substances in the body as well as the use or possession of controlled**

substances and/or alcoholic beverages while on Lyon County property, or in any Lyon County vehicle, or on duty, including breaks or lunch, paid or unpaid, on any shift, is strictly prohibited.

5. Designated Employer Representative: (Appendix B) contains the name, address, and telephone number of the Designated Employer Representative (DER). The DER is authorized by Lyon County to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer consistent with the requirements of 49 CFR, Part 40.

B. Applicability

This policy applies to any employee of Lyon County who holds a Commercial Drivers License (CDL) and uses that license to operate a commercial motor vehicle. 49 CFR Part 382.107 defines these vehicles as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- (1) Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- (2) Has a gross vehicle weight rating of 26,001 or more pounds; or
- (3) Is designed to transport 16 or more passengers, including the driver; or
- (4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F)

C. Testing Procedures

All testing conducted under this policy will follow the procedures as set forth in 49 CFR Parts 40 and 382.

D. Definitions

Words and phrases used in this policy are as defined and found in 49 CFR Parts 40.3 and 382.107.

II. Prohibitions

A. Alcohol

1. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.
2. No driver shall use alcohol while performing a safety-sensitive function. This includes beverages containing alcohol or substances containing alcohol including any medication, mouthwash, food, candy, or any other substance that would cause alcohol to be present in the body.
3. No driver shall perform safety-sensitive functions within four hours after using alcohol.
4. No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until a post-accident alcohol test has been administered, which ever occurs first.

B. Controlled Substances

1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance.

a. ILLEGAL DRUGS: The use of any illegal drug or any substance identified in Schedules I through V of the Controlled Substance Act is prohibited at all times unless a legal prescription has been written for the substance. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

b. LEGAL DRUGS: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a supervisor. In addition, the employee must obtain a written release from a licensed medical practitioner releasing the person to perform their job duties any time they obtain a performance-altering prescription.

c. PRESCRIPTION DRUGS: A legally prescribed drug means that the employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing safety-sensitive functions is prohibited.

C. Refusal to submit to a required alcohol or controlled substances test

No driver shall refuse to submit to an alcohol or controlled substance test required by 49CFR, Parts 40 and 382.

As an employee, you have refused to take a drug test if you:

1. Fail to appear for any test (except pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer
2. Fail to remain at the testing site until the testing process is complete
3. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations
4. In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of the provision of a specimen
5. Fail to provide a sufficient amount of urine when directed and it has been determined through a required medical evaluation, that there was no adequate medical explanation for the failure
6. Fail or decline to take an additional drug test the employer or collector has directed you to take
7. Failing to undergo a medical examination when required
8. Failing to cooperate with any part of the testing process
9. For an observed collection, fail to follow the observer's instructions to raise and lower clothing above the waist, lower clothing and underpants, and turn around to permit the observer to determine if you have a type of prosthetic or other device that could be used to interfere with the collection process
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
11. Admit to the collector or MRO that you adulterated or substituted the specimen
12. Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations

13. Fail to provide a sufficient breath specimen, and the physician has determined through a required medical evaluation, that there was no adequate medical explanation for the failure

14. Failing to sign Step 2 of the alcohol testing form

15. The employee refuses to wash his or her hands – after being directed to do so

For Pre-employment Tests, the Following Are NOT Refusals

1. Failure to appear for the test

2. Failure to remain at the site prior to the commencement of the test

3. Failure to provide a specimen before the test commences

III. Tests Required (DOT PANEL)

A. Pre-employment testing

1. Any applicant offered a safety sensitive position or an employee transferring to a safety sensitive position must first take a pre-employment drug test. This applicant or employee must receive a verified negative test result before performing any safety sensitive function. Details of pre-employment testing and exemptions can be found in 49 CFR Part 382.301.

2. Lyon County must request alcohol and controlled substances information from previous employers in accordance with the requirements of 49 CFR Parts 40 382.413 and 391.23 (e).

3. Applicants offered a safety sensitive position and employees transferring to a safety sensitive position must sign release of information forms allowing Lyon County to receive alcohol and controlled substances information from previous employers.

B. Post-accident testing

1. As soon as practicable following an accident the driver of a commercial motor vehicle, operating on a public road in commerce, must be tested for alcohol and controlled substances under certain conditions.

a. Alcohol testing must be conducted if a driver receives a citation for a moving violation within 8 hours of the accident.

b. Drug testing must be conducted if a driver receives a citation for a moving violation within 32 hours of the accident.

2. The driver who is subject to post-accident testing shall remain readily available for such testing (meaning that the employer knows the location of the driver). If employee leaves the scene of the accident prior to submission to such test, employee may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of the accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The following chart defines when an accident has occurred and when testing must take place.

Type of accident involved Citation issued to the CMV driver Tests required

Human fatality YES YES

NO YES

Bodily injury with immediate YES YES

medical treatment away from the scene NO NO

Disabling damage to any motor YES YES

vehicle requiring tow away NO NO

Details of post-accident testing and exemptions can be found in 49 CFR Part 382.303.

C. Random testing

All drivers that perform safety sensitive functions are subject to random drug and alcohol testing.

- 1. Random testing will be unannounced and unpredictable; spread reasonably throughout the calendar year. Testing will be conducted at all times of the day when safety sensitive functions are performed.**
- 2. Employees are required to proceed immediately to the collection site once notified of testing.**
- 3. Drug tests will be conducted anytime a safety sensitive employee is on duty. Alcohol tests will only be conducted on an employee immediately before performing, while performing, or just after performing a safety sensitive function.**
- 4. The list of employees selected will be retained by the DER in a secure location.**

Details of the random testing process can be found in 49 CFR Part 382.305.

D. Reasonable suspicion testing

All drivers that perform safety sensitive functions are subject to reasonable suspicion alcohol and/or drug testing. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse or alcohol misuse. A trained supervisor must make the determination to test based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Examples of reasonable suspicion include, but are not limited to, the following:

- 1. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse**
- 2. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substance**
- 3. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse**

Details of the reasonable suspicion testing process can be found in 49 CFR Part 382.307.

E. Return-to-duty testing

Details of the return-to-duty testing process can be found in 49 CFR Part 40, Subpart O.

F. Follow-up testing

Details of the follow-up testing process can be found in 49 CFR Part 40, Subpart O.

IV. Handling Of Test Results, Confidentiality

A. Access to records

1. Except as required by law or expressly authorized by release by an employee, Lyon County will not release driver information that is contained in records required to be maintained under 49 CFR Parts 40 and 382.

2. A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.

3. A driver's testing records will be made available to a subsequent employer upon receipt of a written request from the driver.

4. Lyon County may disclose information required to be maintained pertaining to a driver to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test result), (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the driver).

V. Consequences For Drivers Engaging In Prohibited Conduct

A. Use of drivers who fail or refuse a drug test

1. General. Compliance with this drug testing policy is a condition of employment. Refusal to take a required drug test or failure of a drug test shall result in removal from performing safety sensitive functions. Additional disciplinary action up to and including termination may result.

2. Prohibitions On Use. Lyon County will remove the employee from performing a safety sensitive function for the following:

a. Fails a drug test as verified by the Medical Review Officer (MRO), or

b. Refuses to take a drug test required by this policy. (See Section II.C.)

3. Required Referrals and Evaluation. Any applicant or employee who fails or refuses a drug test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.

4. An employee may be given an opportunity to retain his or her employment and return to duty, provided they first do the following:

a. Have been evaluated by a SAP, and

b. Have completed the recommended evaluation/rehabilitation program successfully, and

c. Receive a verified negative test result on a return-to-duty test

d. Fill out the Last Chance Acknowledgement form

B. Retesting of Drug Positive Samples

1. General. An applicant/employee may request a retest of a positive sample, within 72 hours of notification of the positive test result from the MRO. The request may be verbal or in writing to the MRO.

2. Retest Provisions. The retest will be conducted at a different SAMHSA certified laboratory. The test will be conducted on the split sample that was provided by the applicant/employee at the same time as the original sample. All costs for such testing are to be reimbursed to Lyon County by the applicant/employee unless the result of the split sample test invalidates the result of the original test. The method of collection, storing, and testing the split sample will be consistent with the

procedures set forth in 49 CFR Part 40.

3. Detection Levels. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite.

C. Use of drivers who fail or refuse an alcohol test

1. General. Compliance with this alcohol testing policy is a condition of employment. Refusal to take a required alcohol test or failure of an alcohol test will result in removal from performing safety sensitive functions. Additional disciplinary action up to and including termination may result.

2. Refusal and Prohibited Conduct. Lyon County will remove from performing a safety sensitive function any employee who:

- a. Has a confirmed alcohol test result of 0.02 or higher but less than 0.04. This driver must be removed from duty for a minimum of 24 hours. This is not a positive test requiring a SAP referral
- b. Fails an alcohol test with a confirmed result of 0.04 or higher, or
- c. Refuses to take an alcohol test required by this policy (See Section II.C.)

3. Required Referrals and Evaluation. Any employee who fails or refuses an alcohol test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.

4. An employee may be given an opportunity to retain his or her employment, provided they first do the following:

- a. Have been evaluated by a SAP, and
- b. Have completed the recommended evaluation/rehabilitation program successfully, and
- c. Receive a verified negative test result on a return-to-duty test

D. All costs associated with the evaluation and rehabilitation program are the responsibility of the employee.

E. Employees should consult their health insurance policy for extent of nervous, mental and substance abuse coverage.

F. A second positive test whether drug or alcohol or the equivalent will result in immediate termination of employment.

G. Additional Requirements

Lyon County may impose such additional disciplinary actions as they deem appropriate. This may include removal from performing covered functions, suspension (with or without pay), and even termination.

APPENDIX A

ALCOHOL AND CONTROLLED SUBSTANCES USE SUPPLEMENT

A. Why you should get involved:

- 1. Although Lyon County has no history of substance abuse problems, we recognize that substance abuse, alcoholism and alcohol misuse are problems throughout America.
- 2. There are three good reasons why you should be concerned if any of your co-workers are using

drugs or alcohol on the job.

a. Your health and safety may be at risk.

b. Substance abuse and alcohol misuse costs you money.

c. Substance abuse and alcohol misuse creates a negative work environment.

3. According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated \$102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.

4. Absenteeism among problem drinkers or alcoholics is 3.9 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.

5. Workers who use drugs and/or misuse alcohol don't function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity.

6. No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the company. Acceptance of any misuse puts you, this company, and the public at risk.

7. Workers who use alcohol and other drugs affect everyone. Studies show that compared to alcohol and drug-free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers' compensation claims.

8. The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage to the company's public image means that workplace substance abuse can further cut profits and competitiveness.

9. Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love.

10. If taking drugs and drinking affects your work life, it could lead to job loss and all the financial problems that would follow.

B. Effects on an individual's health, work, and personal life:

Alcohol

1. Alcohol is a central nervous system depressant. Taken in large quantities, it causes not only the euphoria associated with being drunk, but also adversely affects your judgment, ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.

2. Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.

3. In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

Marijuana

1. Marijuana is a central nervous system depressant. It causes a feeling of euphoria, increased sense of well being, lack of motivation, lowered inhibitions, talkativeness, dry mouth and throat, increased appetite, impaired coordination, concentration and memory, and increased heart rate.

2. Long term use may result in deteriorating work performance, "burn out" involving muddled thinking, acute frustration, depression, and isolation, impaired sexual development and fertility, including production of abnormal sperm and menstrual irregularities, damage to the lungs and pulmonary system, hallucinations and paranoia, increased risk to safety and health as a result of impaired judgment and motor abilities.

3. Prolonged use of marijuana often results in psychological dependence for the user. Moreover, marijuana is considered a "gateway" drug. Casual users of marijuana often become chronic users, or become abusers of "harder" drugs.

Cocaine

1. Cocaine is a central nervous system stimulant. It causes brief but intense feelings of euphoria and competence, increases pulse, blood pressure, body temperature, and respiratory rate. It dilates the pupils of the eyes, causes extreme excitability and anxiety, and produces sleeplessness and chronic fatigue.

2. Long-term use results in bleeding and other damage to nasal passages, paranoid psychosis, hallucinations, and other mental abnormalities. Use causes impaired driving ability and death caused by heart or respiratory failure.

3. Cocaine users often become psychologically and physically dependent on the drug after relatively short periods of use. In many cases, crack cocaine use leads to virtual immediate addiction.

Amphetamines/Methamphetamines

1. Amphetamine is a central nervous system stimulant. It causes feelings of alertness and euphoria, increases heart rate and blood pressure. It dilates the pupils of the eyes, decreases appetite, enables the user to go without sleep for relatively long periods of time, and causes distorted thinking.

2. Use causes dizziness, headaches, blurred vision, sweating, loss of coordination, tremors, convulsions, physical collapse, anorexia and malnutrition resulting from decreased appetite. It causes sudden blood pressure increases from injections resulting in fever, stroke, or heart failure, nervousness, irritability, drastic mood swings, hallucinations, paranoia, physical collapse, and brain deterioration; overdose or continued heavy use can be fatal.

3. Amphetamines are addictive both physically and psychologically. Following the use of amphetamines, many users experience a "crash" which is often counteracted by taking more of the drug, creating an increasingly difficult pattern to break.

Opiates

1. Opiates are central nervous system depressants. The physical effects of opiates depend on the opiate used, the dose, and how the drug is taken. Effects may include: short lived state of euphoria, followed by drowsiness, slowed heart rate, breathing, and brain activity, depressed appetite, thirst, reflexes, and sexual desire, and increased tolerance for pain.

2. The most common dangers associated with opiate misuse are: AIDS, blood poisoning, and hepatitis as the result of drug injection and use of un-sterilized or "shared" needles, death resulting from the injection of impure heroin, death resulting from an unexpectedly high purity of the drug, convulsions, coma, or death from overdose.

3. Opiates, particularly heroin, have an unusually high potential for abuse and addiction. Heroin addiction often leads to malnutrition, infection and unattended injuries and diseases. Addicts tend to continue using the drug despite damaging physical and psychological consequences.

Phencyclidine (PCP)

1. PCP is a central nervous system stimulant. The physical effects of PCP include: altered states of consciousness, disorientation, confusion, and memory loss; highly unpredictable, and sometimes bizarre or even violent behavior; extreme agitation; impaired driving ability and increased tolerance to pain.

2. The most common dangers of PCP use are mental changes resembling schizophrenia, severe depression, and loss of learning abilities and violent and other "intoxicated": behaviors resulting in bodily harm or death.

3. Physical dependence on PCP has been documented and may be accompanied by memory loss, violence, weight loss, and paranoia. Symptoms of withdrawal include headaches, intense cravings for the drug, increased need for sleep, and "flashbacks" for a period of years.

C. Signs and symptoms of alcohol misuse - Any one or more of the following signs may indicate a drinking problem:

- Family or social problems caused by drinking**
- Job or financial difficulties related to drinking**
- Loss of a consistent ability to control drinking**
- "Blackouts" or the inability to remember what happened while drinking**
- Distressing physical and/or psychological reactions if you try to stop drinking**
- A need to drink increasing amounts of alcohol to get the desired effect**
- Marked changes in behavior or personality when drinking**
- Getting drunk frequently**
- Injuring yourself - or someone else while intoxicated**
- Breaking the law while intoxicated**
- Starting the day with a drink**

D. Signs and symptoms of substance abuse - Any one or more of the following signs may indicate an abuse problem:

- Poor physical coordination/slow reactions and slurred speech**
- The odor of marijuana smoke in the area**
- Hand tremors or unsteady walking**
- Dilated or constricted pupils**
- Disorientation/unusual restlessness**
- Combative behavior, loud arguing or fighting**
- The presence of drug paraphernalia and/or observing the employee ingest, inject, smoke, or inhale (snort) a prohibited substance**
- Work performance problems, including a deterioration in quality and/or quantity of work**

- Problems with attendance such as tardiness and increasing absenteeism
- Increased accidents and injuries
- Poor judgment and difficulty in concentration
- Personality changes, including aggressiveness, mood changes, fearful or paranoid behavior
- Negligence in personal hygiene or pale or sickly complexion
- Social withdrawal, including isolation, overreaction to criticism, and lack of eye contact
- Emotional changes such as noticeable signs of anxiety or depression, paranoia, or excessive laughing

E. Available methods of evaluating and resolving problems associated with the misuse of drugs or alcohol:

1. Outpatient programs exist in a variety of settings:

- a. Community mental health centers**
- b. Full service agencies**
- c. Private physicians' and therapists' offices**
- d. Occupational settings**
- e. Specialized alcoholism treatment facilities**

2. Inpatient services, designed for those with more serious problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.

F. Where to find help for you or a co-worker:

- Employee Assistance Program (Your employee assistance program (EAP) provider)

1-800-999-1196

- Al-Anon / Al-Ateen

1-800-356-9996

- Narcotics Anonymous

1-818-773-9999

LYON COUNTY

430 Commercial St

Emporia, KS 66801 APPENDIX B

LYON COUNTY

Drug and Alcohol Testing Program

Personnel and Services

1. Designated Employer Representation (DER)

Primary Contact

Janice Huffman

430 Commercial St

Emporia, KS 66801

(620) 341-3252

Secondary Contact

Dan Williams

430 Commercial St

Emporia, KS 66801

(620) 341-3252

2. Local Collection Site

Medical Arts Clinic-Emporia

1301 W 12th St, Ste 401

Emporia, KS 66801

(620) 343-2900

In most instances the TMHC Services mobile collector can do your collections on site. However, a local collection site has been set up for use when the on site collector is unavailable.

3. Medical Review Officer (mro)

Nationwide Medical Review

7160 Graham Road

Indianapolis, IN 46250

Local: 1-317-547-8620

Toll-Free: 1-888-265-6362

4. certified laboratory

Clinical Reference Laboratory

8433 Quivira

Lenexa, Kansas 66215

Toll-Free: 1-800-445-6917

5. Employee Assistance Program (eap)

Referral for Substance Abuse professional (SAP)

Employee Assistance

Local 1-785-575-9343

Toll-Free: 1-800-999-1196

LYON COUNTY

430 Commercial St

Emporia, KS 66801

APPENDIX C

EMPLOYEE/SUPERVISORY POSITIONS

SUBJECT TO DRUG AND ALCOHOL TESTING

(JOB CLASSIFICATIONS/TITLES)

Please list your employee position descriptions that require a Commercial Drivers License (CDL) subject to alcohol and drug testing.

a.

b.

c.

d.

e.

PLEASE COMPLETE THIS FORM AND MAINTAIN THIS WITH

YOUR DRUG AND ALCOHOL POLICY

LYON COUNTY

430 Commercial St

Emporia, KS 66801

EMPLOYEE AFFIRMATION OF

DRUG AND ALCOHOL TESTING POLICY

As an employee in a safety sensitive position, I affirm that I have received, read and understand the Lyon County's Drug and Alcohol Testing Policy and educational materials. I am aware that I may be required to undergo a drug and/or alcohol screen as outlined by Lyon County's policy requirements and that I will be informed prior to the drug/alcohol screen; and, that I may be referred to an education and treatment program depending on the results of the drug/alcohol screen. I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with the company. I am aware and agree that the Policy does not create any contractual rights in my favor or in any way alter the at-will nature of my employment or imply that discharge will occur only "for

cause".

Employee Name (Please Print)

Employee Signature Date

Lyon County Representative Date

SUPPLEMENT

DILUTE NEGATIVE DRUG TEST RESULTS

Lyon County

This supplement explains what happens when an employer receives

a report from the MRO of a negative dilute specimen and employer options.

A negative dilute specimen (Creatinine 5mg/dl to <20 mg/dl, Specific gravity between 1.001 & 1.003) is a specimen that contains an unusually high level of water concentration. Some of the ways this can occur are outlined below:

1. Donor may consume large amounts of water as part of their regular routine.
2. In the case of "shy bladder" collector may offer extra fluids in order to obtain a specimen.
3. Donor may consume large amounts of water in an effort to intentionally dilute the specimen causing drug concentrations to fall below the cutoff levels.
4. Donor may conceal additional water on their person and add to the specimen in an effort to deliberately dilute the sample.

As an employer you may establish different policies regarding dilute negative specimens based on different types of tests. Under 49 CFR, Part 40 Section 40.197, you have the following options:

- a. Accept a negative dilute specimen as a valid drug test.
- b. Require one recollection of the specimen.

Please mark the different types of tests in which your company will accept a negative dilute specimen or require a repeat test to be performed.

Pre-Employment _____ Accept Test _____ Repeat Test

Post-Accident _____ Accept Test _____ Repeat Test

Reasonable Cause _____ Accept Test _____ Repeat Test

Return to Duty _____ Accept Test _____ Repeat Test

Follow-Up _____ Accept Test _____ Repeat Test

Random _____ Accept Test _____ Repeat Test

1. You must treat all employees the same for this purpose. For example, you must not retest some employees and not others for each test type. Retests should be done as soon as possible and within the same selection quarter.

2. You are required to inform your employees in advance of your decisions on these matters.
3. You must ensure that the employee is given the minimum possible advance notice that he or she must go to the collection site.
4. You must treat the result of the recollected test as the test result of record.
5. You are required to follow the provisions regarding negative dilute specimens as outlined under Section 40.197 of 49 CFR Part 40.

Signature Title Date

Revised November 2022

Position Classification

TYPES OF EMPLOYMENT

All County employees are designated as one of the following employment types:

Regular Full-Time: An employee will be considered regular full-time if they are regularly scheduled on an annual basis for not

less than 8 hours a day or averaging 40 hours in a standard work week of 7 days (not less than 2080 hours per year). Regular fulltime

employees shall be eligible for all benefits described herein.

Regular Part-Time: An employee will be considered a regular part-time employee if they are scheduled to work on an annual

basis for not less than 19¼ hours but not more than 29 hours in a standard work week of 7 days (not less than 1000 hours per year).

Regular part-time employees shall be eligible to receive all benefits described herein as negotiated with benefit carriers and/or

defined by the County.

PPACA Full-Time: An employee will be considered PPACA full-time when a regular part-time employee who averages 30 or

more hours a week, when the measurement period is assessed during the Administrative Period, and the employee will be Medical

Insurance Benefit Eligible only. All other benefits that apply to regular part-time will apply, unless the employee is authorized to

change to full-time by the department head.

Temporary and Seasonal: An employee is designated as a temporary or seasonal employee if appointed for a pre-designated

period of time which is less than 1000 hours. Temporary or seasonal employees are not eligible to receive

any benefits or accrue

service time. Salaries for temporary and seasonal employees shall be set by the department head, and must be consistent with

the grade and step requirements and position description as described in the Position Classification Pay Plan. Time spent as a

temporary or seasonal employee will not be credited to service and accrual of benefits will not be retroactive to include time in a

temporary or seasonal status.

Elected Official: County Commissioners, County Clerk, Register of Deeds, County Treasurer, Sheriff, and the County Attorney

are the elected officials of Lyon County. They are responsible to the electorate of the County, as well as having state statutory

requirements. The County Clerk, Register of Deeds, County Treasurer, Sheriff, and the County Attorney are fiscally responsible to

the Board of County Commissioners.

ELECTED OFFICIALS DO NOT EARN LEAVE OR REPORT LEAVE TIME OR ESTABLISH HOURS OF WORK, AND MATTERS OF VACATION,

SICK LEAVE, AND HOURS-WORKED ARE A MATTER OF PERSONAL CHOICE.

Elected officials are eligible for all other benefits offered to Lyon County employees.

Appointed officials: Certain officials are appointed by the County Commission to perform statutory or other duties defined by

statute, resolution or contract. Full-time appointed officials are eligible for all benefits described herein or any additional benefits

as may be approved in a contract or resolution by the Board of County Commissioners.

Longevity Increases

LONGEVITY INCREASES – Until 12/31/2023

Full-time employees will be granted a longevity raise of \$0.29 per hour upon their fifth-year anniversary, and every five years thereafter. The Department Head will be notified by the Human Resources department of the dates and longevity increases.

LONGEVITY INCREASES – Starting 01/01/2024

Longevity pay is established in recognition of continuous service by all non-exempt, full-time Lyon County employees. Regular part-time, non-regular part-time, and temporary and seasonal employees are not eligible for longevity pay.

Eligibility to begin earning each established longevity pay rate, shall occur on the non-exempt employee's start date as a full-time position. The non-exempt, full-time employee then completes the required years of employment as a non-exempt full-time employee for each level of longevity pay compensation.

Longevity Pay should be increased according to the following schedule:

- \$0.40 per hour upon every subsequent five-year step anniversary. . .

The department head will be notified by the Human Resources department of the dates and longevity increases.

For the 2023 Longevity Pay year, employees celebrating a 5-year step anniversary may recoup any salary compression created by this policy, this is up to the discretion of the department head, so long as it is extended consistently.

Chain of Command

In every department, there is a supervisory chain of command. This may include one or more levels of supervisors, managers, up to a department head or elected official. An example of the chain of command is as follows: an employee reports to a supervisor, the supervisor reports to the manager, the manager reports to the department head, and the department head reports to the County Commissioners.

Non-Harassment complaints, and general work related questions, problems, or complaints should be raised within the chain of command. If complaints or questions are not resolved with the immediate supervisor within the chain of command, please move to the next level up in the chain of command.

Occasionally general employment related questions or concerns cannot be addressed on the department level and in a timely fashion, after speaking to your department head, Human Resources and/or the Office of the County Counselor may be consulted. **Human Resources will need a formal, written complaint to begin the process.**

EXCEPTION – Complaints involving violations of the County's EEO, discrimination, or anti-harassment policies should be reported to Human Resources immediately. If you are unable or uncomfortable speaking with Human Resources, the issue should be raised to the County Counselor. Please see the Equal Employment Opportunity or Harassment Policy for more details.

If it is determined that there was a violation of the Chain of Command policy, disciplinary action may be taken up to and including termination.

Employee benefit questions shall be directed to Human Resources.

IT IS NOT APPROPRIATE FOR AN EMPLOYEE TO SPEAK ABOUT A PERSONAL EMPLOYMENT ISSUE, DIRECTLY TO THE BOARD OF COUNTY COMMISSIONERS, OR TO AN INDIVIDUAL COUNTY COMMISSIONER WITHOUT HAVING FIRST GONE THROUGH THE HUMAN RESOURCES DIRECTOR OR THE COUNTY COUNSELOR.

Giving Back - Community Social Responsibility

Lyon County is a community-minded organization; we understand the importance of philanthropy. Both our leadership and staff take part in a variety of community service programs throughout the year. It is our way of giving back to those who give so much to us. County departments may budget a departmental volunteer pool or pot of hours (maintained by the department) strictly for county- paid volunteer (or give-back) hours, that would allow for community volunteer opportunities to be supported by both the employees of Lyon County and the leadership of Lyon County, Kansas. These County supported volunteer activities need to be submitted and approved by the department head, beforehand. The department head will take into account the number of potential hours set aside for this within the budget, and departmental scheduling needs as to not create a hardship for the department.

All volunteers must sign a waiver of liability form before completing volunteer service. Lyon County assumes no liability for volunteers engaged in activities with volunteer organizations.

Wellness Committee

To assist in providing a healthful work environment that supports lifestyles and offers opportunities for employees to optimize their health and well-being, Lyon County has established a Wellness Committee. Its success depends on the alertness and personal commitment of all.

Lyon County Wellness Committee provides information to employees about workplace health issues and opportunities through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, e-blasts or other written or oral communications.

The Committee will be comprised of 3-7 members.

- Each department will be encouraged to have at least one member on the committee
- Membership on the Committee is voluntary

Members of the Wellness Committee will serve an indefinite term and are encouraged to be enthusiastic and supportive of the purpose and goal of the Committee.

The Wellness Committee will meet at least once a month during regular business hours, and will follow an agenda prepared by the Health and Wellness Coordinator. Meetings should last no longer than 1 hour.

Duties of the Wellness Committee include:

- Providing enthusiastic support of the purpose and goal of the Committee.
- Creating a sense of employee ownership by participating in the planning and promotion of wellness activities.
- Members must be willing to accept duties on assigned projects
- Performing evaluations of ongoing programs and activities.
- Providing peer support and advocacy to boost wellness program participation.
- Sharing responsibilities to lessen the workload impact on the Coordinator.
- Preparing an annual budget for presentation to the County for program support.

For more information on wellness visit www.cdc.gov/

Retirement Program

The County is a member of the Kansas Public Employees Retirement System (KPERs), which, effective July 1, 2009, will require immediate employee participation. After enrollment the County is required by law to deduct contributions from the employee's pay. The employee's contributions are fixed by statute as a percentage of gross salary. KPERs has provisions for full retirement at age 65 and early retirement based upon age and services.

Upon retirement, an employee shall be paid for credited vacation and sick leave in accordance with the provisions of this handbook. Continuation in the group's health insurance plan at the time of retirement shall be subject to the guidelines of the County's contractual insurance agreement in place at the time of the employee's retirement.

Employees of Elected Officials

Elected officials have the jurisdiction to create, maintain, and administer separate personnel policies and procedures, and at their discretion may supplement the policies set out in this handbook. In these cases, the elected officials will provide the handbook and policies for their employees. A copy of these documents is on file in the Human Resources Department.

- Elected officials offer no employment contracts, nor do they guarantee any minimum length of employment.
- Just as any employee may terminate employment at any time, so may the employee's elected official terminate an employee at any time, "at-will" with or without cause, with or without advance notice, at the discretion of the elected official.
- In the event of a new election term, when a new elected official is sworn in, all current employees of that elected official's department are subject to the possibility of immediate termination. Any such action is solely within the purview of the elected official and is not reviewable by the Board of County Commissioners of the Department of Human Resources.

Return of County Property

Any employee leaving the County service whether through resignation, layoff or dismissal shall be responsible for returning any County property which he/she may have in his/her possession. Upon termination such property shall be returned to the Department Head. All County-issued clothing may be required to be returned at the discretion of the Department Head.

Death of an Employee

Upon the death of an employee, the employee's final check, including current pay due and pay for applicable leave, will be made payable to the employee and sent to the direct deposit account on file. All other property owned by the employee will be arranged to go to their residence. County property in possession of the employee should be returned to the County.

Termination

In the event of discharge, payment for hours worked for discharged employees will be issued on the next regular pay cycle.

Leave accounts will be paid out in accordance to County policy.

Except as required by law, Lyon County does not provide notice on termination dates for various insurance plans, the option of continuation of group health insurance, and conversion options to non-group plans as provided. Employees should contact Human Resources department to determine insurance details.

- LYON COUNTY RESERVES THE RIGHT TO TERMINATE EMPLOYMENT AT ANY TIME WITH OR WITHOUT NOTICE OR CAUSE.

Required Licenses

If your job requires a certain type of license (e.g. driver's license, nursing, etc.), it is your responsibility to maintain that license in a current and valid state throughout the course of your employment. Proof of renewal will be required, and any change in status of your license must immediately be reported to your supervisor. A copy of your current license must be maintained in the Human Resources office.

County Residency

Employees are not required to be residents of Lyon County. However, employees subject to on-call services are expected to reside within a reasonable distance of the workplace. Reasonableness shall be established by the Board of County Commissioners in conjunction with the employee's department head. An employee who changes their residence so that it fails to comply with any formally adopted policy of the County may be terminated for cause.

Employment Practices

SOURCING, RECRUITMENT, SELECTION, CONDITIONAL OFFER & ORIENTATION

Lyon County is an equal opportunity employer. We hire individuals solely upon the basis of their qualifications for the job for which they have applied.

APPLICATIONS

Lyon County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

PROCESS

When a position becomes vacant, the department head shall notify Human Resources, who will assist the department in filling the vacancy. Personnel requisitions must be completed to fill Lyon County positions. Requisitions must be initiated by the department supervisor/manager, approved by the department head and then forwarded to the Human Resources department. Personnel requisitions should indicate the following:

- Position title
- Position's hours/shifts
- Exempt or nonexempt status of the position
- Reason for the opening
- Essential job functions and qualifications (or a current job description may be attached)
- Any special recruitment advertising instructions

JOB POSTINGS

All regular exempt and non-exempt job openings are posted on Lyon County websites and bulletin boards for employees to review. Jobs will remain posted until the position is filled. Job postings are updated weekly.

RECRUITMENT ADVERTISING

Positions are advertised externally based on need and budget requirements. The HR department is responsible for placing all recruitment advertising.

INTERVIEW PROCESS

The Human Resources department and the department head will screen applications and resumes prior to scheduling interviews. Initial interviews are generally conducted by the Human Resources department and/or the department head.

Team interviews may be conducted as needed for some positions. If a team interview is conducted, a structured interview process is recommended. Interview questions should be compiled by the interviewing team and reviewed by the HR department prior to the interview. After the team completes the interview process, the results of the interview should be forwarded to the department head for review. The department head or supervisor has the authority to make the hiring decision.

All applications and resumes of applicants not selected must be forwarded to the HR department for retention. The HR department will notify applicants who are not selected for positions at Lyon County.

REFERENCE CHECKS, CRIMINAL BACKGROUND CHECKS, DRUG/ALCOHOL TESTING

After a decision has been made to hire a particular candidate, an offer will be made to that individual contingent on satisfactory completion of reference checks and criminal background checks (including polygraph where required), pre-employment physical, work screen and drug/alcohol testing. The HR department or departmental designee will check references for all candidates and contact final candidates to complete a pre-employment drug and alcohol screen.

JOB OFFERS

If the HR department receives satisfactory results from the reference checks, criminal background check, and the drug and alcohol screen, it will notify the candidate to confirm the job offer.

INITIAL START DATE AND ORIENTATION

On an employee's start date, the employee will complete required paperwork and an orientation with the HR department. The new employee's manager or supervisor is responsible for providing a department orientation for the new employee.

The employee's supervisor will complete a new-hire checklist with new employees and review department policies and procedures.

FITNESS-FOR-DUTY EXAMINATIONS

For the protection of employees and citizens alike, Lyon County requires that all employees submit to physical examinations as a condition of employment. The appointing authority may request medical examinations of employees when there is a need to determine whether an employee is still able to perform the essential functions of his or her job. Physical capacity ability tests are designed to test a person's functional physical abilities as they relate to specific job tasks.

An employee will be considered for examination if they present a significant risk of substantial harm to the health or safety of themselves or others—a potential for which cannot be eliminated or reduced by reasonable accommodation. An individualized assessment of the employee's ability to safely perform the essential job functions will be conducted to determine whether an employee presents a direct threat of harm to self or others. In this assessment, the following factors are relevant:

- (1) the duration of the risk;
- (2) the nature and severity of the potential harm;
- (3) the likelihood the potential harm will occur; and
- (4) the imminence of the potential harm. Each case will be reviewed for compliance under ADA, FMLA, any other applicable laws and regulations.

MEDICAL RELEASE

Department heads may require employees to report to Human Resources in order to obtain a medical release for duty if the appointing authority has reason to believe that the employee is unable to perform any or all of the duties assigned to the position in which the employee is employed.

Human Resources may require a referred employee to report to the County medical provider for an evaluation prior to releasing the employee to return to duty, or may require the employee to provide a medical certificate from the employee's regular physician, prior to releasing the employee for duty.

The director of Human Resources will review the fitness-for-duty request for compliance with all applicable laws and regulations and will coordinate the mandatory referral examination. Upon a mandatory referral, the employee will meet with the director of Human Resources for an explanation of fitness-for-duty determinations. Subsequent treatment to return the employee to a fit-for-duty status is the responsibility of the employee. If the employee is found to be not fit for duty, they will not return to work until they have been found fit for duty. The test has to show the employee (1) cannot perform the essential functions of the job even with reasonable accommodation; and (2) would pose a direct threat of significant risk or substantial harm to themselves or others. Employees found not fit for duty shall be addressed in one or more of the following ways:

If a fitness-for-duty examination reveals that an employee will be restricted from performing part or all of his or her job due to a disability, there will be a determination whether reasonable accommodation is possible. Lyon County will work with the employee and health care provider to determine whether accommodation of identified restrictions is feasible so the employee can perform the job's essential functions safely, effectively and without causing undue hardship.

Employees who have been referred to the director of Human Resources pursuant to the provisions of the aforementioned paragraphs of this section, shall be considered to be on *Leave of Absence* status if their paid leave is not able to be utilized, until released to work or notified that they have been found unable to complete the required duties of this position.

RETURN-TO-WORK AUTHORIZATION

Employees who have had a serious health condition or injury, on or off working hours, that would require a doctor's release to return to work must report to Human Resources for a return-to-work authorization, prior to reporting to their department/ office. The employee must present the original of the doctor's release to Human Resources, so it can be compared to the physical requirements of their position to determine if they can perform all the required tasks. If there is any doubt about the employee's ability to perform the required tasks safely, Human Resources will coordinate with the appointing authority of their department/ office for a determination of the physical requirements of the position and if any medical restrictions placed on the employee would prevent them from returning to work. If required, the employee may be referred to Lyon County's occupational health professional or other medical authority to determine the employee's fitness to return to work.

SAFETY CONCERNS

If you suspect an employee is unable to perform any or all of the duties assigned to the position *and* they present a significant risk of substantial harm to the health or safety of themselves or others, you should contact Human Resources for further guidance.

You do not want to send an employee for testing based on hearsay or gossip, but you should document complaints or concerns of co-workers or citizens who bring this information forward. Take time to ask what the person observed, when it was observed and if others witnessed this or commented on the situation. You also want to know if this is something that has happened in the past or a new behavior.

OBSERVATIONS BY MANAGEMENT

DOCUMENT OBSERVATIONS

Observations should be clearly documented as it pertains to the employees assigned duties. You want a copy of the job description including the functional aspects of the job and are specific in your documentation.

You will want to meet with the employee and Human Resources to discuss concerns for their health and safety as well as co-workers and citizens.

Human Resources will contact Occupational Health Partners and schedule an appointment for the employee. Human Resources will provide Occupational Health Partners with the employee's job description.

Employee Benefit Guidelines

Lyon County Employee Benefit Guidelines

Reviewed and revised August 20, 2021

Elected Officials and department Heads are responsible for reporting to Human Resources as soon as possible if any of the following apply for their employees:

- - SICKNESS:
 - Home Stay: (Employees only)
 - Five Days: Send Card/Candy (\$15)
 - Ten + Days: Send Flowers (\$40-\$60)
 - Major Hospital Stay: (Employees only)
 - Two days or more: Flowers (\$40-\$60)
- NEW CHILD:
 - Birth: (Employee only) Gift from employee gift registry (\$40 no gift certificates or cards)
 - Adoption: (Employee only) Gift from employee gift registry (\$40 no gift certificates or cards)
 - Baby Shower:
- DEATH:
 - County Employee: Flowers of Memorial (\$60)
 - Family Member: Defined as an employee's spouse, child, sibling, parent, marriage, adoption or foster care child. Flowers or Memorial (\$40)
 - Other: Family members not mentioned above, send Card/Candy (\$25)
- EMPLOYEES RETIRING/LEAVING ON GOOD TERMS:
 - 5-10 Years of Service: Gift (\$50)
 - 11-15 Years of Service: Gift (\$75)
 - 16-20 Years of Service: Gift (\$100)
 - 21 + Years of Service: Gift (\$150)
 - SPECIAL NOTE: ***In addition to number 4 letters a-d, an additional \$50 will be provided toward expenses for the retirement reception.***
- HARDSHIP CASES:
 - ***To be determined by Board of County Commissioners on a case-by-case basis.***
- OFFICE PARTIES:
 - Sheriff Office: Christmas Party (\$50)
 - Detention Center: Christmas Party (\$50)
 - LCECC 911: Christmas Party (\$50)
 - Highway Department & Noxious Weeds: Christmas Party (\$100)
 - Courthouse Annex: Christmas Party (\$50)
 - Courthouse: Christmas Party (\$100)
 - SPECIAL NOTE: ***There may be exceptions due to pandemics (i.e. covid19) that department heads will need to bring their party ideas and estimated expenses to the Director of Finance (Dan Williams) for approval on a case-by-case-basis before purchases can be authorized/approved.***

The guidelines and the amounts spent on each are subject to change and will be reviewed annually and

PRN by the Board of County Commissioners.

Elected Officials and Department Heads will provide detailed receipts for all purchases of the above mentioned, as well as any credit card bill outlining expenses and charge it to the Employee Benefit Account. The County Finance Director will provide the account number after approval.

Kansas Public Employee Retirement System (KPERS)

Membership in KPERS is mandatory for all employees in covered positions. Each employee working in a KPERS covered position will contribute a percentage of their gross wages from each paycheck on a Federal pre-tax basis. KPERS will determine whether an employee is a Tier 1, Tier 2 or Tier 3 member.

Kansas law required that all eligible employees must become members. As an active member you contribute a percentage of your gross earnings and your contributions earn interest annually. You automatically start earning service credit for the years you work in a covered position.

Lyon County KPERS covered positions include all of the following requirements:

- The position is not temporary (less than 6 months)
- The position is not seasonal
- The position requires at least 1,000 hours of work per year
- The position is covered by Social Security

A KPERS enrollment form and a KPERS Designation of Beneficiary will be completed.

Basic Life Insurance and Death Benefits for Active Members:

You have basic group life insurance equal to 150 percent of your annual salary. Your employer pays for the cost of this benefit.

For information about member benefits, please refer to the KPERS Membership Guide or visit the web site at www.kpers.org.

Sick Leave Pool

Lyon County maintains a sick leave pool as a means to transfer vacation and sick leave to an employee experiencing, either personally or by immediate family member (spouse, parent, child, grand, sibling, in-law, step, half or individuals related to one another in the first degree), a catastrophic, extreme, or life-threatening illness, injury, impairment, physical, or mental condition which has caused, or is likely to cause, the employee to take leave without pay.

Sick leave pool time may be granted to an employee if the employee qualifies as follows:

- Must be a full-time employee having at least one year of employment with Lyon County, Kansas
- Must have donated at least one 8-hour day to the pool, during the pool donation call at the last quarter of the year. Or within two weeks following new employee's first year anniversary date of full-time employment.
- Must have exhausted all paid leave, including sick and vacation leave
- Maximum leave granted is 40 working days per catastrophic illness.
- Must apply to their department head and receive approval from the review committee.

Sick leave pool time does not accumulate to the employee's benefit. Un-used time reverts back into the pool.

EXCLUSIONS

Common or minor illnesses, injuries, impairments or physical or mental conditions that are not serious, extreme, or life-threatening, or illnesses, injuries, impairments or conditions that will not cause the employee to take leave without pay or terminate employment are excluded.

Pregnancy is excluded from the sick leave pool unless extreme circumstances occur.

Broken bones are also excluded except in extreme circumstances.

Childcare is excluded.

Unsatisfactory attendance may adversely affect eligibility for the sick leave pool. When the employee retires they are not eligible from the date of retirement.

All sick leave pool time is considered *Family Medical Leave* (FML) time and accrues to the total of 12 weeks. If the employee is not on FML when they apply, they must apply for FML prior to receiving sick leave pool time. The use of sick leave pool cannot extend leave past the 12-week FML.

REQUESTING PROCEDURES

Qualified employees (or their designee) may request sick leave pool time from their Department Head (elected or appointed). With the department head's approval, the employee should complete the sick leave pool form and return the same to Human Resources. Approved forms are then sent, along with the department head recommendation, to the sick leave pool committee for review and determination.

Employees should request sick leave pool time before their last 10 days of leave is exhausted. Leave may be applied retroactively back 5 working days.

It is the employee's responsibility to furnish a physician's statement of the illness. Additional physician's statements may be requested during a long illness.

All of the above applies, also, when an employee is asking for the Pool leave to take care of a family member.

DONATING LEAVE TO SICK LEAVE POOL

Leave (sick or vacation) is donated by form, in one 8-hour increment. As leave is donated, it will be charged to the department's salary account of the donating employee. The donated time will be converted to dollars and placed in a sick leave pool account.

Employee must have 40 hours of accumulative leave left after their donation.

Leave is donated by form, on a new employee's first year Anniversary (having two calendar weeks following the date of anniversary to get the form to HR) and for every other employee, at the beginning of a new pool call.

SICK LEAVE POOL COMMITTEE

The Sick Leave Pool committee operates as follows:

The committee is made up of 2 department heads and 1 employee on a rotation at the beginning of each year.

The rotation is voluntary, unless there are no volunteers. In the case where there are no volunteers, members are selected in alphabetical order which always includes a person from one of the departments.

The departments are:

Aging, Appraiser, Attorney, Clerk, Commission/Counselor, Court Trustee, Facilities, Fairgrounds Director, Finance, Flood Plain & Zoning Director, IT, Law Enforcement, Noxious Weeds & Hazardous Waste, Register of Deeds, Highway, and Treasurer.

All decisions by the committee are final and will not be appealed.

The committee must meet within 3 working days of the request, unless unforeseeable events occur that prevent them from meeting within 3 working days from the date of the request.

The committee is responsible to notify the Human Resources department of all decisions.

Someone from the Human Resources department may be requested to sit in on the meeting and furnish

information they have that is open record, or if allowed, HIPPA released information.

If a member of the Committee is from the same department as the employee making the request they may excuse themselves out of conflict of interest. The other 2 members of the Committee may choose someone from a different department to be the 3rd person for the decision of that request.

If at the end of a calendar year the Sick Leave Pool committee determines that the pool needs to be replenished (i.e. if below \$5,000.00) then they may elect to start a completely new pool cycle in which all employees would need to donate in order to requalify for Sick Leave Pool.

Employee Assistance Program (EAP)

EMPLOYEE ASSISTANCE PROGRAM

Lyon County provides an employee assistance program for employees. The employee assistance program (EAP) is an agreement between Lyon County and TMHC Services, Inc. to provide assessment and referral in order to help employees and their families deal with problems that affect their personal lives and/or job performance, including stress, marital or family issues, addiction, financial problems, or emotional or psychological issue.

Any employee or immediate family member can take advantage of this job benefit. The request for help can be initiated by calling the EAP Hotline (See below) and your call is confidential. No one will be informed of your request for help. The EAP is free to you and to your immediate family members. Each individual may make up to one assessment/referral visits per problem per year. If more help is needed, referrals are made with consideration for the employee's regular health insurance and/or other benefits and, when possible, to services which base fees on ability to pay.

EAP appointments during work time must be reported as sick leave or annual leave time as appropriate to the nature of the appointment. Employees need to use normal leave request/scheduling procedures.

THE EMPLOYEE ASSISTANCE PROGRAM IS AVAILABLE 24/7 AT 1-800-999-1196.

Quarterly and annual reports are sent to Human Resources department on the number of individuals who have used the program and the number of referrals that have been made. No names or other identifying information are included.

MANDATORY EAP REFERRAL

A mandatory referral may be made to EAP by a department head in conjunction with the Human Resources director. This mandatory referral may be made if documented work performance problems or interactions with co-workers or the public deem it advisable. The referral and assessment visit(s) will be conducted during paid work time with no leave time necessary. Further counseling activities beyond referral and assessment will be the responsibility of the employee.

Inclement Weather

Inclement weather may result in the closing non-essential County services to provide for the safety of Lyon County employees and to enhance the safety of highway travel by allowing for the efficient and effective clearing of roads, and to facilitate law enforcement and emergency vehicle responsiveness to accidents.

Employees are designated as either "essential" or "non-essential" personnel. Essential County personnel include emergency communications, law enforcement and the highway department, but depending on the circumstances, other County employees may also be considered essential. Essential staff will be required to work during inclement weather. Non-essential personnel will be sent home or advised not to come to work, or if approved to telecommute by their department head, may be on-call, or work from home. **They will receive administrative pay for the official hours the facility is closed and were unable to work, if they have not already scheduled sick or vacation time before the closing.**

Those employees who work during a declaration of Inclement Weather closing will receive compensation at

the same rate of pay the employee would have received had there not been a closing due to inclement weather.

Lyon County Commission may close some or all offices/departments at their discretion. Administrative leave will be paid only to employees that are affected by the closing and have not already scheduled sick or vacation leave before the closing.

Oath of Office

Employees of Lyon County must subscribe to an oath when hired as required by K.S.A. § 75-4308.

Health Insurance Portability And Accounting (HIPAA)

The Health Insurance Portability and Accountability Act is a federal law designed to provide privacy standards to protect patients' medical records and other health information provided to health plans, doctors, hospitals and other health care providers. Lyon County has adopted a policy that protects the privacy and confidentiality of Protected Health Information (PHI) whenever it is used by County representatives. The private and confidential use of such information will be the responsibility of all individual's with job duties requiring access to PHI in the course of their jobs.

PHI refers to individually identifiable health information received by the County's group health plans and/or received by a health care provider, health plan, or health care clearinghouse that relates to past or present health of an individual or for payment of health care claims. PHI information includes medical conditions, health status, claims experience, medical histories, physical examinations, genetic information, and evidence of disability.

Lyon County has designated the Human Resources director as the HIPPA Compliance Officer (HCO) and any questions or issues regarding PHI (Personal Health Information) should be presented to the HCO for resolution.

Annually or as necessary, the County performs enrollment, changes in enrollment and payroll deductions, provides assistance in claims problem resolution and explanation of benefits issues and assists in coordination of benefits with other providers. Some or all of these activities may require the use or transmission of PHI. Thus, all information related to these processes will be maintained in confidence and employees will not disclose PHI from these processes for employment-related actions, except as provided by administrative procedures approved by the HCO. General rules follow:

Disclosures that do not qualify as PHI protected disclosures include: disclosures of PHI to the individual to whom the PHI belongs, requests by providers for treatment and/or payment, disclosures requested to be made to authorized parties by the individual PHI holder, disclosures to government agencies for reporting or enforcement purposes, disclosures to workers' compensation providers and those authorized by the workers' compensation providers.

Information regarding whether an individual is covered by a plan for claims processing purposes may be disclosed.

Information external to the health plan is not considered PHI if the information is being furnished for claims processing purposes involving workers' compensation and/or medical information received to verify ADA or FMLA status.

Personnel records and disclosures of PHI will be maintained for a period of six years as required by federal law, unless a state law requires a longer retention period. Records that have been maintained for the maximum interval will be destroyed in a manner to ensure that such data is not compromised in the future.

Genetic Information Nondiscrimination Act (GINA)

Title II of the *Genetic Information Nondiscrimination Act of 2008* (GINA) protects applicants and employees from discrimination related to fringe benefits based on genetic information. GINA restricts employer's

acquisition of genetic information and limits the disclosure of genetic information. This includes information about genetic tests of applicants, employees or their family members, the manifestation of diseases or disorders in family members and request for receipt of genetic services by applicants, employees or their family members.

The exception to the above GINA prohibition applies when the information is sought as part of a wellness program with the plan participant's authorization. This exception includes a requirement that the genetic information be provided only to the plan participant and the licensed health care professional or board-certified genetic counselor involved in providing the services.

Closing Statement

Thank you for reading our handbook. We hope it has provided you with an understanding of our mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful county and a safe, productive, and pleasant workplace.

Board of County Commissioners, Board of County Commissioners

Lyon County, Kansas

Acknowledgment of Receipt and Review

EMPLOYEE DECLARATION

LYON COUNTY INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY AND PROCEDURES TECHNOLOGY/MOBILE DEVICES/SOCIAL MEDIA

I, _____, an employee of Lyon County, Kansas, have read the above Lyon County Information Technology Acceptable Use Policy and Procedures Technology/Mobile Devices/Social Media. I have had the opportunity to ask any questions I might have about this policy and I hereby declare that I understand this policy and consent to adhere to the rules outlined therein.

Dated This ____ day of ____, 20__.

Employee's Signature

Department Head

Date

IT Administrator

Date

Signature

Date

Print Name