



**Board of Riley County
Commissioners
Regular Meeting
Agenda
April 29, 2024**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Community Center, 220 Willow Street, Ogden

6:00 PM

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

6:00 PM

Call to Order

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Business Meeting

3. Sign Riley County Employee Action Form(s)

Review Minutes

4. Board of Riley County Commissioners - Regular Meeting - Apr 25, 2024 8:30 AM

Review Tentative Agenda

5. Tentative Agenda

Press Conference Topics

6. Discuss Press Conference

6:30 PM

Clancy Holeman, Counselor/Director of Administrative Services

7. Administrative Work Session
8. Pending County Projects County Counselor
9. Resolution Adopting “Riley County Employee Policy Manual,” Effective March 25, 2024

6:50 PM

Brian Peete, RCPD Director

10. RCPD update

7:05 PM

Ogden City Mayor Bob Pence, Jr.

11. Riley Avenue Project

Adjournment

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



COUNTY CLERK & ELECTIONS
Personnel

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COMMISSION AGENDA REPORT

FROM: Elizabeth Ward, Human Resources Director

MEETING: April 29, 2024

SUBJECT: Sign Riley County Employee Action Form(s)

PRESENTER: Elizabeth Ward, Human Resources Director

Enclosures:

- 2024-04 Counselor BParker EAF (DOCX)
- 2024-04 Fire TClark EAF (DOCX)

RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

Full Legal Name: Bryant Parker**Status Change Date:** 05/13/2024**Status Change:** New Hire**Date of Hire:** 05/13/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** Deputy Riley County Counselor**Position Type:** Full Time**Pay Range:** FF**Pay Type:** Salary**Salary Rate:** \$5,384.62**Annualized Pay:** \$140,000.12**Funds Codes:** 1 – County General, 4 – Counselor**Supervisor:** Clancy Holeman**Department Head:** Clancy Holeman

BoCC Chair _____

Date: _____

BoCC Member _____

Date: _____

BoCC Member _____

Date: _____

Attachment: 2024-04 Counselor BParker EAF (14704 : Employee Action Form (Green Sheet))

RILEY COUNTY EMPLOYEE ACTION FORM

Company Code: 166733

Full Legal Name: Trevor Clark**Status Change Date:** 05/02/2024**Status Change:** New Hire**Date of Hire:** 05/02/2024**Seniority:** 0 Year(s), 0 Month(s)**Position:** Volunteer Fire Fighter Stipend**Position Type:** As Needed**Pay Range:** TASND**Pay Type:** Stipend**Base Rate:** \$0.00**Annualized Pay:** \$0.00**Funds Codes:** 183 – Riley County Fire District #1, 183 – Fire District #1**Supervisor:** Douglass Russell**Department Head:** Russel Stukey

BoCC Chair _____

Date: _____

BoCC Member _____

Date: _____

BoCC Member _____

Date: _____

Attachment: 2024-04 Fire TClark EAF (14704 : Employee Action Form (Green Sheet))



**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
May 02, 2024**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

8:30 AM

Call to Order

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

1. Approve payroll/accounts payables (when completed)

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:30 AM

Anna Burson, Appraiser

2. Staff update

9:45 AM

Bob Isaac, Planner

3. Public Hearing for Fajen Farmhouse Subdivision plat and rezone

10:00 AM

Amanda Webb, Planning/Special Projects Director

4. Staff update

10:15 AM

Clancy Holeman, Counselor/Director of Administrative Services

5. Administrative Work Session

10:30 AM

Jason Hilgers, Interim Manhattan City Manager

6. General update City of Manhattan

11:00 AM

Michael Ude, T-Mobile for Government Account Executive

7. Community Outreach Program - CPR3 (assisting with low income/homeless population)
8. Network Updates - Infrastructure Investment (Supporting all

Attachment: 05-02-24 tentative agenda (14198 : Tentative Agenda)

- departments)
9. Emergency Management Team - Deployable in event of natural disaster or emergency

Adjournment

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**Board of Riley County
Commissioners
Regular Meeting
TENTATIVE Agenda
May 06, 2024**

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers

8:30 AM

[District 1 – John Ford, Chair](#)

[District 2 – Greg McKinley, Vice Chair](#)

[District 3 – Kathryn Focke, Member](#)

8:30 AM

Call to Order

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

1. Discuss Good Morning Manhattan
2. National Historic Preservation Month Proclamation

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM

Clancy Holeman, Counselor/Director of Administrative Services

3. Administrative Work Session

9:20 AM

Break

9:30 AM

Press Conference

4. Presentation of retirement plaque to David Hughes - John Ford (3-5 minutes)
5. Presentation of a National Historic Preservation Month Proclamation - John Ford and Katharine Hensler (3-5 minutes)
6. RCPD Update - Greg Steere (3-5 minutes)

10:00 AM

Russel Stukey, Emergency Management Director

7. Staff update

10:15 AM

Elizabeth Ward, Human Resources Director

8. Employee Procedures Manual

Attachment: 05-06-24 tentative agenda (14198 : Tentative Agenda)

- 11:00 AM** **Gina Snyder, Downtown Manhattan Director**
9. 2025 Downtown Manhattan Inc. Appropriation Request
- 11:15 AM** **Jared Tremblay, Flint Hills MPO Planning Manager**
10. 2025 MPO Appropriation Request
- 11:30 AM** **Katharine Hensler, Museum Director**
11. 2025 Riley County Historical Museum Budget Request
- 1:15 PM** **Anna Burson, Appraiser**
12. 2025 Appraiser's Budget Request
- 1:30 PM** **Ginny Petersen, Riley County Genealogical Society**
13. 2025 Riley County Genealogical Society Appropriation Request
- 1:45 PM** **Shilo Heger, Treasurer**
14. 2025 Treasurer, Motor Vehicle, & Treasurer Tech Fund Budget Requests
- 2:00 PM** **Michael Rezkalla, Pawnee Mental Health Services Director**
15. 2025 Pawnee Mental Health Services Appropriation Request
- 2:15 PM** **Barry Wilkerson, County Attorney**
16. 2025 Riley County Attorney Budget Request
- 2:30 PM** **Jason Smith, Manhattan Area Chamber of Commerce Director**
17. 2025 Chamber of Commerce Appropriation Request
- Adjournment**

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.



**COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES**
Staff Update

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

STAFF REPORT

FROM: Clancy Holeman, Riley County Counselor

MEETING: April 29, 2024

SUBJECT: Pending County Projects County Counselor

PRESENTER: Clancy Holeman, Riley County Counselor

Enclosures:

- FINAL_Commission List 04.29.2024 (DOCX)

PENDING COUNTY PROJECTS ▪ November 2023 and through April 24, 2024, Submitted by Clancy Holeman, Riley County Counselor

NOTE: The below lists are not intended to be a comprehensive list of all “pending” Commission or other County Department/Division projects underway. Instead, the below lists represent an ongoing “snapshot” of the current status of selected pending projects which have either consumed significant staff time or involve county issues of widespread significance. Additional entries show selected project work for individual county departments. The sequence of entries below is not intended to reflect the priority assigned to any work described. All entries more than 6 months old have been removed (with the exception of some entries when historical information may be useful). ***Bold type entries are the most recent.***

COMMISSION LIST

I. Projects By Category:

American Rescue Plan: Discussion with staff about possibly engaging consultant to assist County with federal/state requirements in future use of County’s \$14M allocation of ARPA funds. Similar concept to staff’s use of consultant with prior CARES funding. Unlike CARES funding, a primary focus of ARPA funding is infrastructure. (8-31-21)

Board of Riley County Commissioners: Prepare letter of support for City of Ogden grant application. (9-13-23) Attend and participate in BOCC meetings. (9-7-23; 9-11-23) Assist in finalization of annual County financial audit. (9-14-23) Attend and participate in BOCC meeting. (10-12-23.) Work on pending litigation “I”. (10-13-23) Attend and participate in BOCC meeting (10-16-23.) Attend and participate in BOCC meetings. (10-19-23;10-23-23) Work on communication project. (10-24-23; 10-25-23.) Review contractual provisions for subsequent use.(10-25-23.) Attend and participate in BOCC meeting. (10-26-23.) Attend and participate in County/City/USD 383 meeting. (10-26-23.) Attend and participate in BOCC public meeting in City of Ogden. (10-30-23.) Attend and participate in BOCC meeting. (11-2-23.) Prepare for late arrival to BOCC meeting on November 6, 2023. (11-5-23.) Work on Fire District project. (11-7-23) Attend and participate in BOCC meetings. (11-9-23; 11-13-23) Attend and participate in BOCC meeting. (12-28-23) (Work on fence view issue. (1-2-24) Review agenda and prepare for 1-4-24 BOCC meeting. (1-3-24) Attend and participate in BOCC meeting. (1-4-24) Prepare for 1-8-24 BOCC meeting. (1-5-24) Work on fence view issue. (1-5-24) Attend and participate in BOCC public meetings. (1-8-24; 1-11-24) Review project contract. (1-11-24) Work on fence view. (1-14-24; 1-15-24; 1-16-24; 1-17-24) Work on Fence view. (1-18-24; 1-19-24; 1-20-24;1-21-24;1-22-24) Work on letter of support for WTC. (1-19-24; 1-20-24) Attend and participate in BOCC meeting. (1-18-24; 1-22-24) Obtain BOCC approval of letter of support for WTC. Attend and participate in BOCC meetings. (1-25-24; 1-29-24) Draft and place on BOCC agenda support letter for City of Ogden’s grant application. (1-25-24) Work on fence view. (1-25-24; 1-26-24;1-28-24; 1-29-24; 1-30-24; 1-31-24)) Attend and participate in BOCC meetings. (2-1-24;2-5-24) Obtain BOCC signature on fence view order; file with ROD; email copies of signed order to both parties (or their counsel). (2-1-24) Regular mail and email to both parties of file-stamped originals of fence view order. (2-2-24) Attend and participate in BOCC meetings. (2-12-24; 2-15-24;2-19-24) Meet with counsel for party in pending matter. (2-16-24) Attend and participate in public BOCC meetings. (2-22-24; 2-26-24) Attend and participate in BOCC meeting.(2-29-24) Attend and participate in BOCC meeting (3-7-24) Attend and participate in BOCC meetings. (3-11-24;3-14-24; 3-18-24) Attend and participate in BOCC public meetings. (3-21-24;3-25-24) Work to schedule executive session. (3-21-24) Attend and participate in BOCC Meetings. (4-4-24; 4-8-24) Attend and participate in BOCC meetings. (4-11-24; 4-15-24) Enter appearance as counsel of record in multiple pending mortgage foreclosure and probate cases to process claims for unpaid real and/or personal property taxes. (4-9-24; 4-10-24; 4-11-24; 4-12-24) Review mtg. foreclosure file and answer filed. 4-16-24) ***Attend and participate in BOCC public meeting. (4-22-24)***

“Constitutional Protection of County Home Rule”:

County Counselors Association of Kansas:

County Jail Inmate Medical Care: Schedule staff discussion of contract development. (5-21-23)

Countywide Emergency Radio Communications System Upgrade: The upgrade is complete. But now the “program” phase has been completed, additional work from this department will be provided, as necessary, during the “maintenance” and “warranty” periods now underway. Discussion with contract administrator for vendor (L3Harris) scheduled for August 27, 2021. Discussion held with vendor contract administrator. Discussion with EM Director (8-30-21). Working toward final documents of “program” phase. Conversation with EM Director. (9-24-21) Conversation with L3Harris contract administrator, moving this matter toward likely resolution by the BOCC on 9-30-21. (9-24-21) Review appropriately continues among EM, KSU and Emergency Dispatch personnel regarding close out of this phase of the project. (9-24-21) Draw Commission Agenda Report and place on 9-30-21 agenda for BOCC review and approval of contract documents. (9-28-21) Discuss final contract documents for agenda separately with EM Director and L3Harris Contract Administrator. (9-29-21) Obtain BOCC approval of Amendment 1 to Master Service Agreement. (9-30-21) **Delinquent Real Property Tax Sale:** Legal research. Prepare documents for next stage in process. (4-12-24)

“Dark Store”:

District Court:

Federal Rules on Vaccination Mandate:

First Christian Church: Now this property is “listed” as a “historic site,” there are state law restrictions applicable whenever a “project” is undertaken involving potential repair, damage or destruction of the site or its structure (9-11-23;9-12-23;9-13-23) Work on Appeal. (9-14-23;9-15-23;9-16-23;9-17-23;9-18-23;9-19-23; 9-20-23; 10-4-23;10-5-23-10-6-23;10-7-23;10-8-23;10-10-23; 10-11-23.) Work on appeal. (10-12-23; 10-17-23; 10-18-23.) Conversation with opposing counsel and agree to extend her time to file brief. (11-3-23) Receive emailed brief from opposing counsel on appeal; following two extensions of time which opposing counsel had requested—which extensions were granted by the Court of Appeals . (1-19-24)

Indigent Legal Services: Attorney contracts for 2022 were created and emailed to current attorneys under contract. (11-3-21) Notice to Riley County Bar Association of at least one attorney vacancy effective January 1, 2022. (11-4-21) Proposed 2022 contracts have been provided to all current lawyers under contracts. None returned as of 11-23-21. No indigent legal service contracts are in place for calendar year 2022. Work on various issues related to this service. (2-10-23; 2-13-23; 2-14-23; 2-15-23; 2-16-23; 2-19-23; 2-20-23; 2-21-23; 2-22-23; 2-24-23; 2-26-23; 2-27-23; 2-28-23; 3-1-23; 3-2-23; 3-3-23; 3-4-23; 3-6-23; 3-7-23; 3-8-23) Work on various issues related to this service. (3-19-23) Work at staff level on compensation for this service. (3-28-23) schedule next staff level discussion of compensation for this service. Discuss with Deputy Counselor compensation for this service. (3-29-23) Work on project. (6-1-23) Work on project. (6-8-23) Draw up final version of CAR; RFP; and Contract. (6-19-23; 6-20-23) Obtain BOCC approval of form RFP and Contract. (6-22-23) Finalize RFP and contract and distribute to local Bar Association membership with encouragement to apply well before August 4, 2023 deadline for proposals because they will be considered as they are submitted. (6-29-23; 6-30-23) Create documents for publication in newspaper and placement on county website for this service. (7-7-23; 7-10-23; 7-11-23; 7-12-23) Deadline for proposals to arrive in Clerk’s office 5 p.m. August 4. Work on issue related to service. (10-25-23.)

Legislation: Discuss with BOCC potential annual legislative conference dates in December, 2023.(10-16-23) Notify delegation members conference scheduled on the following date which worked for a majority of

responding legislators: December 14, 2023, noon to 2 pm. (10-26-23) Work on agenda for legislative conference (10-27-23; 10-30-23) Work on agenda for legislative conference. (11-13-23;11-14-23;11-15-23) Work on letter of BOCC support for SB 196. Obtain BOCC signatures and email to Senate Assessment and Taxation Committee. (1-4-24;1-5-24;1-7-24;1-8-24) Prepare and submit timely lobbyist compensation report for 2023 legislative session. (1-10-24) Prepare BOCC opposition letter for HB 2036. (1-10-24) Present draft of HB 2036 opposition testimony. Re-draft to insert BOCC changes. Obtain BOCC final approval of letter. Timely submit to senate committee secretary final version of HB 2036 BOCC opposition testimony. (1-11-24) Communicate with House delegation on BOCC testimony submitted previously to Senate Tax on SB 196 and HB 2036. (1-15-24) Communicate with contract lobbyist on HB 2468 (a bill of concern to Emergency management) (1-16-24) Communicate with member of state delegation on SB 196; HB 2036. Work on HB 2026 opposition testimony. (1-16-24) Work on HB 2036. (1-17-24) Work on SB 162. Communicate with lobbyist. (1-18-24) Work on SB 162 (1-19-24) Appear before Senate Committee on Local Government on SB 162. (1-22-24) Review SB346(upzoning/downzoning—removal of county authority). (1-25-24) Work on SB 162. (1-25-24; 1-31-24)) Discuss various bills with lobbyist. (2-2-24) Discussion with another county counselor on a bill Riley County is interested in. (2-2-24) Work on SB 162. (2-2-24) Discuss SB 162 with lobbyist. (2-21-24) Communicate with contract lobbyist on HB 2599 (KORA request fees) (2-27-24) Review legislative issues remaining in session of interest to Riley County. (2-28-24) Work on SB 162 set for hearing in House Local Government committee on Monday, March 11, 2024. (3-5-24;3-6-24) Work with Deputy Counselor on contract issue. (3-6-24) Work on SB 162 hearing scheduled for March 11, 2024. (3-7-24;3-8-24) Attend and participate with Commissioner McKinley in hearing before House Committee on Local Government in support of SB 162. (3-11-24) Communicate with contract lobbyist on SB 162. (3-12-24) Communicate with delegation member on SB 311; Discuss with County Appraiser. (3-12-24) Review House calendar status of SB 162. It is on General Orders. (3-20-24)

Leonardville North County EMS Station: Follow up call to City of Leonardville attorney. (4-11-23) Set up phone appointment with City of Leonardville Attorney—to discuss having city begin process of opening the easement as an alley for access to the site. (5-3-23) Phone discussion with City of Leonardville attorney and arrange for teams meeting next Tuesday (5-9-23) with him, Craig and me to discuss details of City legally “opening” alley to site of ambulance and performing tree trimming along that alley. (5-3-23)

National Opioid Litigation Settlement: Notice of Deadline to “opt in” to latest round of national opioid class action litigation settlements is April 18, 2023. (3-27-23) Prepare and submit CAR for BOCC 4-10-23 public meeting; with my recommendation to BOCC regarding “opt in” to latest round of national opioid class action litigation settlements—5 new defendants settling. Discuss with Assistant Attorney General managing this matter state-wide. (4-6-23) Submit electronically our “opt in” to latest round of national opioid class action settlements, as previously authorized by BOCC. Confirmation from settlement administrator that “opt in” accomplished. (4-14-23)

NG-911 Committee (Road naming): Attend and participate in committee meeting. (2-14-23)

Proposed Construction of EMS/EM/RCFD Emergency Services Headquarters: Schedule work session for discussion of design issue related to facility. (1-27-23)

Riley County Annual Legislative Conference: Discussion with County Register of Deeds to schedule meeting week of December 5th to review documentation of long-term revenue loss to Riley County caused by legislature’s past elimination of the mortgage registration fee. (12-1-22) Work preparing for 12-12-22 legislative conference. (12-8-22; 12-11-22) Discuss legislative conference information with County Appraiser. (12-8-22) Discuss legislative conference information in meeting with County Register of Deeds. (12-9-22) Work with members of delegation; 2023 Annual Legislative Conference scheduled for Thursday, December 14th, from noon to 2 p.m., BOCC chambers. (10-23-23) Conversation with member of delegation—confirming member will attend. (10-24-23.)

Riley County District Court: Discussion regarding BOCC consideration of funding potential “resolution docket” to assist with case backlog. (4-27-23)

Rural Economic Development Advisory Board:
Staff Budget and Planning Committee:

White Canyon Benefit District: White Canyon benefit district’s residents’ request, made during this date’s public commission meeting, asking whether Riley County willing to supplement the cost of the benefit district’s proposed private road improvement project. No dollar figure provided by benefit district residents. County staff instructed to provide BOCC at upcoming meeting most recent Riley County Public Works’ “estimate” of “northern route” as an option to current benefit district project proposed. (8-30-21)

II. Projects by Department or Division:

Administrative Services/County Counselor: Work on matters related to departmental transition. (1-25-2023; 1-26-2023; 1-27-2023) Interviews of applicants for Deputy County Counselor position in transition scheduled to take place 9-29-23.-23. (3-2-23; 3-3-23)

Riley County Appraiser’s Office: Communicate with department Head on costs associated with BOTA appeal. (12-29-23) Communicate with staff on immediately preceding issue. (1-1-24) Communicate with Appraiser on exemption application. (1-11-24) Advise Department Head on legal issues. (1-24-24) Advise Department Head on process issue. (2-29-24;3-1-24) Communicate with department head. And Deputy Counselor. (3-4-24; 3-8-24)

Riley County Attorney: *Discuss legal issue. (2-1-24)*

Riley County Clerk: Advise and assist on open record act issue. (9-12-23;9-13-23) Schedule meeting with staff of two departments to plan means of addressing particular type of KORA request in most fair and efficient manner to reduce, potentially, two departmental workloads. (9-13-23;9-14-23) Reschedule forgoing meeting to 10-27-23. (10-19-23) Work on contract law issue. (10-24-23) Assist with legal issue. (11-3-23;11-5-23; 11-6-23.) Approve on minute track as to form revised parking lot resolution developed by Deputy Counselor. (1-2-24) Work on autopsy record storage issue. (2-2-24) Prepare resolution regarding Plaza reservations; present to BOCC and obtain approval. (2-27-24; 2-28-24;2-29-24) Communicate with staff on a request for a mailing address change. Communicate with counsel on client name change. Communicate with staff on records name change issue. (3-4-24;3-5-24) Work on notice of upcoming special meeting of BOCC. (3-12-24) Work with Clerk staff member on preparing for RNR compliance during 2025 budget. (3-20-24)

Riley County Community Corrections: Discuss with PIO and department Head proposed correction of recent published newspaper article on grant award to Department. (1-2-24) Further conversation with Department Head and PIO about immediately preceding newspaper article. (1-2-24) Communicate with Director on potential policy. (2-27-24)

Riley County Emergency Management: Work on project issue. (11-7-23; 11-8-23) Conversation with stakeholders on a radio tower lease amendment. (1-2-24) Communicate with Director on state winter weather disaster declaration just released. (1-24-24) ***Assist with written response to vendor. (4-22-24)***

Riley County Emergency Medical Services

Riley County Extension:

Riley County Fire District No. 1: Work on contract law issue. (11-7-23; 11-8-23.) Work on separate contract law issue. (11-7-23) Prepare for January 9, 2024 training presentation to District leadership. (12-27-23; 12-

28-23; 12-29-23; 12-30-23; 12-31-23; 1-1-24) Conversation with HR Director regarding upcoming training to District leadership. (1-2-24) Conversation with Department Head on pending litigation. (1-2-24) Additional conversation with HR Director regarding upcoming training to District leadership. (1-2-24) Preparation for January 9, 2024 training presentation to District Leadership. (1-3-24) Check out technology at Public Works for tonight's training presentation to District Leadership. (1-16-24) Present training, along with HR Director, to District Leadership. (1-16-24) Work on Fire District/University Park fire station project. (2-23-24) Communicate with lobbyist on HB of concern to department. (2-28-24) Communicate with department on KORA issue. Communicate with outside counsel. And Deputy County Counselor. (3-4-24) Communicate with Fire Chief. (3-21-24) Work on contract issue. (3-26-24) Prepare and obtain Chairman's signature on Local Disaster Emergency Declaration regarding cybersecurity incident. Attend and participate in special BOCC public meeting. (4-1-24) Draft extension of Local Disaster Emergency Declaration on cybersecurity incident. Then obtain BOCC approval of extension of local disaster emergency declaration. (4-2-24; 4-3-24; 4-4-24) Draft local emergency declaration on Axelton Hill Road wildfire and obtain BOCC chairman signature. (4-6-24) Prepare extensions of both local disaster emergency declarations. (4-10-24) Present and obtain BOCC approval of both immediately preceding local disaster emergency declarations. (4-11-24)

Riley County GIS: Assist with provision of "shapefile" requested by company. Communicate with company representative and GIS staff. (6-5-23; 6-6-23)

Riley County Health Department: Work on contract law issue. (10-12-23; 10-13-23.) Work on contract law issue. (10-19-23; 10-23-23; 10-24-23.) Advise Department on personnel policy manual upcoming revision. (3-19-24) Communicate with county staff on parking issue. (3-26-24)

Riley County Historical Museum:

Riley County Human Resources. Finalize Green Dot Contract. (9-12-23) Conversation with HR. (10-12-23.) Review example of proposed Performance Review new form to be completed by 10-16-23. (10-12-23) Work with a department on HR issue "IV." (10-13-23.) Work with Department on unrelated HR issue ("V"). (10-16-23.) Work with Department on unrelated HR issue "VI". (10-16-23.) Work with department on Personnel issue I. (10-19-23; 10-23-23; 10-25-23.) Work with division on personnel law issue II. (10-24-23.) Work with Division and Department Head on personnel law issue II. (10-25-23; 10-26-23; 10-27-23; 10-28-23; 10-29-23; 10-30-23) Work with Division and Department Head on personnel law issue. (11-1-23.) Work with Division and Department on personnel law issues. (11-2-23; 11-3-23; 11-5-23; 11-6-23.) Work on personnel law issue for Division and Department. (11-10-23.) Work with Division and Department on personnel law issues. (11-9-23; 11-13-23; 11-14-23). Prepare for disciplinary action appeal scheduled for January 4, 2024. (12-28-23) Communicate with team members on working group considering revision of personnel manual. Working group to reconvene 1-9-24. (1-2-24) Work on personnel issue. (1-4-24; 1-5-24) Communicate with Department head and Division head on upcoming potential meeting regarding process. (1-12-24) Communication from Division head on upcoming work group work for discussions on personnel policies. (1-12-24) Working group discussion of personnel policy issues. (1-12-23) Working group discussion of personnel policy manual. (1-18-24) Working group discussion of personnel policy practice. (1-22-24) Analyze and comment upon potential policy. (1-24-24) Analyze potential changes to personnel policy. (1-29-24; 1-30-24; 1-31-24) Advise on legal issue. (2-1-24) Work on personnel policy manual issues. (2-22-23; 2-23-24) Communicate with Division director given federal law changes in identified policies. (2-27-24) Review material provided. (2-27-24) Work with Division Director on scheduling upcoming presentations to BOCC in public meetings. (3-12-24) Work on Personnel Policy issue. (3-13-24) Work on upcoming executive session. (3-12-24; 3-13-24) Work on personnel policy issue. (3-14-24; 3-15-24; 3-17-24; 3-18-24) Work on different personnel policy issue than immediately preceding entry. (3-18-24) Work on both of immediately preceding entry matters. (3-19-24) Work on dress code issues. (4-9-24) Review KORA request. (4-9-24)

Riley County Information Technology/GIS *Work with department on contract law issue. (10-24-23.)* Conversation with GIS staff member regarding City GIS “layer” issue. (1-2-24) Discuss legal issues involving federal act(s) and communication technology. (2-1-24)

Riley County Museum: Advise Director on question raised on behalf of Historical Society. (5-3-23)

Riley County Noxious Weeds/Hazardous Household Waste: Discuss with department head upcoming potential property leases of county ground. (5-3-23) Request Department Head provide copy of deed on one of leased properties—to review restrictions on all the leased properties. (5-4-23) Schedule discussion with Department Head on real property issue. (5-22-23) Review and approve as to form weed control contract proposed by KDOT. Inform Department head I’ve done so. (1-2-24) Conversation with Department Head on immediately preceding contract. (1-2-24)

RILEY COUNTY POLICE DEPARTMENT—Administered by Law Enforcement Agency (“Law Board”): Communication from City Manager, County Clerk and County Attorney regarding RCPD question about potential ordinance or resolution. I contact Barry Wilkerson for discussion. (1-12-24) Work on project. (4-15-24; 4-16-24; 4-17-24)

Riley County Public Information Officer: Conversation on lawful options for final version of BOCC minutes. (10-24-23.) Schedule upcoming meeting on possible documentary. (3-12-24) Communicate with regarding Facebook change of services offered. (3-12-24)

Riley County Planning & Development: Represent County in District Court hearing on Prairiewood appeal. (8-29-23) Conversation with landowner. (10-12-23.) Review and approve Comprehensive Plan resolution “as to form” for 10-16-23 BOCC meeting. (10-12-23.) Work on pending litigation. (10-13-23) Work on pending litigation “III”. (10-13-23.) Work on pending project “I”. (10-13-23.) Conversation with opposing counsel in pending appeal “II.” (10-13-23) Work on benefit district project. (11-6-23; 11-7-23.) Work to schedule meeting with business and staff on different pending legal issue. (11-7-23; 11-8-23) Work on benefit district contract for environmental assessment. (1-26-24; 1-31-24) Complete work on benefit district contract for environmental assessment; route vendor—approved contract to this department’s Office Manager for placement on next Monday’s business meeting agenda, following conversation with Department Head. (2-1-24) Work with Department Head on contractual issue. (2-14-24) Work with Department Planner and Deputy on upcoming agenda item. (3-19-24) Work on immediately preceding entry again. (3-20-24) Work on benefit district issue. Discuss with Deputy County Counselor. (3-20-24) Review and approve as to form plat. (3-21-24) Discuss upcoming public hearing with staff member. (3-21-24) Work on upcoming land use issue. (3-26-24) Discuss with staff special use hearing before Planning Board evening of 4-8-24. (4-9-24) Conversation with opposing counsel in pending appeal. Draft motion to extend time to file our brief. I will file such agreed motion this week. Motion filed. (4-15-24) **Review sanitary code issue. (4-18-24) Schedule meeting with department staff member on separate code violation enforcement matter. (4-18-24) Review correspondence on separate possible code violation matter. (4-18-24) Status report back on separate code enforcement matter. (4-18-24) Status report back on separate code enforcement matter. (4-18-24) Work on SB 384. (SB 162) Signed by Governor.**

Riley County Public Information Officer: (5-8-23) Further communication with PIO and working group about same informational program. (5-8-23) Communication from PIO requesting legal advice. (7-24-23)

Riley County Public Works: Discuss land use issue with Department Head. (10-12-23.) Communicate with potential vendor on project. (10-13-23.) Communicate with county insurer on project. (10-13-23.) Contract law issue. (11-6-23.) Work on bid packet issue. (1-2-24) Contacted by KDHE requesting permission for project. Relay request to Public Works Director and invite conversation. (1-3-24) Discuss with Director Township Officers’ March 6, 2024 meeting agenda. Contact outside party as possible participant to assist

with program. (2-2-24) Attend and participate in Township Officials annual meeting. (3-6-24) Review and approve contract “as to form.” (3-8-24) Review contract proposed. (3-11-24) Discuss with staff contract proposed. (3-12-24) Work with Assistant County Engineer on assembly of contract for agenda. (3-19-24) Review and approve as to form immediately preceding contract. Conversation with Cindy K on delivery of contract to County Clerk’s office for this Thursday’s agenda. Place contract in delivery bin from Public Works to County Clerk’s office. (3-20-24) Work on elevator contracts and discuss with Department Head. (4-5-24; 4-6-24; 4-8-24) Conversation with Dept. Head regarding KDHE request to do well test on county site. (4-15-24) Conversation with Dept. Head regarding drainage easement. (4-16-24) ***Review update on pending resolution. (4-18-24). Review and approve as to form covenant and easement documents for EMS HQ project. (4-23-24) Respond to email from KDHE on agency’s planned sampling in Fairmont park, after discussion with Department Head. (4-23-24) Conversation with Assistant County Engineer. Approve as to form transfer station truck scale Contract. (4-23-24)***

Riley County Register of Deeds: Communicate with three offices, their staff and department heads on common legal issue. (11-7-23) Communicate with department head on same issue. (11-8-23) Work on legal issue regarding filing. (2-29-24; 3-1-24; 3-4-24) Work with department head and staff of County Clerk and County Appraiser to resolve filing issue. (3-4-24)

Riley County Treasurer: Discuss with Department Head process for Opioid Settlement Fund payments routed from Attorney General’s Office. Discuss with Assistant Attorney General supervising such distributions. (12-21-22) Work on Delinquent Real Property Tax Foreclosure case for 2024. (4-12-24) Review claim for delinquent real property taxes in mtg foreclosure case. (4-16-24) Review claim for delinquent real property taxes in mtg foreclosure case. (4-16-24) Review probate case order directing payment of real property tax. (4-16-24) Review mtg foreclosure case and demand for payment of real property tax. (4-16-24) Review of probate case and real property tax. (4-16-24) ***Review delinquent real property tax efilings. (4-19-24) Work with legal staff on upcoming delinquent real property tax sale. (4-23-24)***

III. Projects by Professional Association, Internal and External Committees/working groups, CLE, & Other Administrative Matters:

Ad Hoc Staff Committees/Work Groups on Multiple Subjects: Staff committee discussion of issue in recent tax sale. Clerk and staff, Treasurer, Appraiser and staff. (3-6-23)

Administrative Matters: Discuss with HR CAR I’ll prepare for transition of Counselor position based upon my scheduled 2025 retirement. (5-19-23) Work on transition of Deputy position given incumbent’s scheduled retirement. (5-22-23; 5-23-23) Discuss and decide with staff on renewal of “Hawver” subscription. (5-30-23) Register for June 20 webinar on Title VI requirements under ARPA; to be conducted by Officer of Recovery. (6-5-23) Information to Office Manager on invoice for Westlaw. (7-5-23) Partners’ Meeting. (7-21-23) Review and approve proposed CAR drafted by H.R. for upcoming position vacancy due to retirement. (7-27-23) Work with HR and staff working group preparing for candidate interviews for 2 positions. (7-27-23; 7-28-23) Staff meeting to discuss departmental input, as requested by PIO, on survey regarding retention and recruitment and retention. Provide info to PIO. (8-2-23) Review, approve Department timecards. (8-6-23) Work on transition of department for upcoming vacancy in Office Manager position. Review all internal applications. Communicate with both Riley County Deputy County Counselors and H.R. Director. (8-6-23) Work on transition of department to fill vacancy in Legal Assistant position. (8-10-23; 8-11-23; 8-13-23) Review City/County/County agenda for 8-17-23 meeting. (8-13-23) Work on upcoming retirement receptions for department. (8-11-23; 8-14-23; 8-15-23; 8-16-23; 8-17-23) Continued work on transition of department to fill vacancy in Legal Assistant position. (8-15-23) Participate in panel interview of candidate for Legal Assistant I position.⁹ (8-18-23) Attend retirement reception in BOCC chambers for Jill Seaton. (8-31-23) Relay eflex latest to staff—No access to court of appeals or supreme court yet as of noon today. (1-26-24) Participate as donor in County/Red Cross blood donation drive. (2-14-24) Work on closing issue involving

sale of a portion of a larger parcel—the sale of which does not involve a pending code enforcement proceeding. (2-15-24) Work at PW successfully confirming, with IT assistance, our desktops there appropriately “sync” with our desktops in our CPE office. (2-26-24) Work with Public Works on key card/key fob access to that portion of Public Works building where our office will temporarily relocate. (2-27-24) Work on temporary relocation of office during 4th floor renovation project. (2-28-24) Work with I.T. to synchronize desktops at departmental CPE office and temporary space at Public Works. (3-1-24) Catch up on emails. Respond when appropriate. (4-9-24) Work on transition of Deputy County Counselor caseload to County Counselor. (4-10-24; 4-11-24; 4-12-24) Work on applicant interview scheduling for Deputy County Counselor position. (4-15-24) Work with our Office Manager on 2025 departmental budget request. (4-16-24) Continuing Legal Education: Attend online CLE program. (6-11-23) Attend CCAK CLE program. (6-16-23) **Discuss department budget preparation for 2025. (4-18-24) Attend an open.gov zoom on “roll out” of budget creation. (4-18-24) Work on department budget request. (4-22-24; 4-23-24)**

County Counselor Association of Kansas: Attend and participate virtually in Board of Governors meeting of CCAK. Summer CLE planning.(2-21-24)

Department Head Committee: Attend and participate in committee meeting. (7-5-23) Attend and participate in meeting. (7-19-23) Attend and participate in committee meeting. (8-2-23) Attend and participate in Committee Meeting. (10-18-23) Attend and participate in committee meeting. (11-1-23.) Prepare for meeting scheduled for 1-3-24 (1-2-24) Attend and participate in Committee meeting. (1-3-24) Prepare for, attend and participate in committee meeting. (3-20-24) Prepare for 4-17-24 committee meeting.(4-16-24)

Intergovernmental Luncheon: Attend and participate in 2 pm. meeting of committee. (3-11-24)

Joint Task Force on Possible Fair and Rodeo Relocation: Attend 2nd meeting of group at Chamber offices. (7-14-23) Attend first ½ hour of task force meeting at KSU foundation. (8-16-23)

Kansas Association of Counties: Review communication on Kansas Supreme Court case considering self-insured entities. (3-8-24)

Staff Budget and Planning Committee: Work with B & P on development of contracts for transfers to small cities for loss of funds as countywide ½ cent sales tax sunsets 12/31/22. (11-15-22) Review material for BOCC presentation to be made by Budget and Planning during the next BOCC public meeting. (11-28-22) Attend and participate in Committee meeting. (11-29-22) Ask Shilo for her opinion on draft of agreement. (2-7-23) Prepare for scheduled 1-3-24 committee meeting. (1-2-24) Attend and participate in Committee meeting. (1-3-24) Review upcoming agenda for scheduled 1-30-24 committee meeting. Communicate with committee. (1-26-24) Attend and participate in committee meeting. (2-20-24) Work with IT/GIS staff on temporary move of department to Public Works during 4th floor CPE construction project. (2-21-24) Attend and participate in meeting of committee. (3-11-24; 3-12-24;3-13-24)

Staff Riley County Employee Recognition Day Planning Committee: Attend and participate in committee work planning Employee Recognition Day. (6-20-23) Analyze proposed venue contract. Conversation with County’s insurer. Voicemail left with PIO. (7-5-23) Attend and participate in Committee meeting (7-18-23) Communicate with sales representative for AMC Theatre. (8-2-23; 8-3-23) Communicate with AMC representative and our insurer regarding event. (8-13-23) Attend and participate in committee meeting. (8-15-23) Communicate with our insurer and attorney for venue regarding Recognition Day. (8-15-23) Communicate with attorney for venue regarding Recognition Day. (8-16-23; 8-17-23) Attend and participate in Employee Day. (10-9-23.) Work on future Employee Recognition Day issue. (10-18-23) Contact insurer to evaluate coverage for potential site for 2024 Employee Recognition Day. (1-2-24) Attend and participate committee meeting. (2-20-24) Communicate in response to questions about recognition for years of service by employees in attendance. (3-15-24) Attend and participate in committee meeting. (3-19-24) Check on potential keynote or breakout session speaker. Contact agent for venue to confirm paperwork necessary to

finally reserve venue, obtain copy of complete contract required and obtain liability insurance coverage requirements. Contact county's insurer to confirm the required liability coverage will be in place for county on October 14th. Attend and participate in committee meeting. (4-16-24)

Staff Road Renaming Committee:



**COUNTY
COUNSELOR/ADMINISTRATIVE
SERVICES**
Policy

Clancy Holeman
Counselor/Director of
Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: Clancy Holeman, Riley County Counselor

MEETING: April 29, 2024

SUBJECT: Resolution Adopting “Riley County Employee Policy Manual,” Effective March 25, 2024

PRESENTER: Clancy Holeman, Riley County Counselor

BACKGROUND

This Board unanimously adopted the attached “Riley County Employee Policy Manual” during your open public meeting March 25, 2024.

That “Manual” has been effective on and since that date. The attached resolution simply formalizes this Board’s action and creates a clear record of the effective date for the “Riley County Employee Policy Manual.”

FISCAL IMPACT

N/A.

RECOMMENDATIONS

I recommend the Board approve the attached resolution.

POSSIBLE MOTION(S)

A. “I move the Board approve the resolution as presented.”

B. “I move the Board approve the resolution presented, after the following changes in text are made... .”

C. “I move the Board not approve the resolution as presented.”

Enclosures:

- Resolution No. 042924-__ (DOC)
- Riley County - Employee Policy Manual 04.29.2024 (PDF)

RESOLUTION NO. 042924-

**A RESOLUTION ADOPTING THE “RILEY COUNTY
EMPLOYEE POLICY MANUAL” (A/K/A “RILEY COUNTY
POLICY MANUAL,” A/K/A “EMPLOYEE POLICY MANUAL,”
A/K/A “RILEY COUNTY EMPLOYEE MANUAL”)**

WHEREAS, K.S.A. 19-101 fourth authorizes the Board of Commissioners of Riley County, Kansas to make all contracts and do all other acts in relation to the property and concerns of the County. K.S.A. 19-101a authorizes the Board of Commissioners of Riley County, Kansas, to transact all county business and perform all powers of local legislation and administration it deems appropriate, K.S.A. 19-212 sixth authorizes the Board of Commissioners of Riley County, Kansas to represent the County and have the care of the County property, and the management of the business and concerns of the County, in all cases where no other provision is made by law; and

WHEREAS, Attached hereto and incorporated herein by reference is a copy of the “Riley County Employee Policy Manual” (a/k/a “Riley County Policy Manual,” a/k/a “Employee Policy Manual,” a/k/a “Riley County Employee Manual”) intended to replace the existing “Riley County Personnel Policies and Guidelines, Adopted October, 2012,” and all its subsequent amendments, employee handbooks and memos; and

WHEREAS, the attached “Riley County Employee Policy Manual” was approved unanimously in an open meeting of the full Board of Commissioners of Riley County, Kansas on April 25, 2024.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSONERS OF
RILEY COUNTY, KANSAS,**

Section 1. The attached “Riley County Employee Policy Manual” is adopted April 25, 2024 and thereby replaces in its entirety the “Riley County Personnel Policies and Guidelines, Adopted October, 2012,” and all its subsequent amendments, employee handbooks and memos.

Section 2. The “Riley County Personnel Policies and Guidelines, Adopted October, 2012,” and all its subsequent amendments, employee handbooks and memos are hereby repealed.

Section 3. The attached “Riley County Employee Policy Manual” is effective in its entirety on April 25, 2024.

ADOPTED this 29th day of April, 2024.

**BOARD OF COUNTY COMMISSIONERS
OF RILEY COUNTY, KANSAS**

John Ford, Chairman

Greg McKinley, Vice Chairman

Kathryn Focke, Member

ATTEST:

Rich Vargo, Riley County Clerk

(seal)



EMPLOYEE POLICY MANUAL

MISSION & PURPOSE OF RILEY COUNTY

“To provide quality public services that preserve the past, protect the present, and enhance the health, safety, and general well-being of the citizens of Riley County, KS.”

Riley County, KS Human Resources
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6303
Fax: 785-537-6394

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1 INTRODUCTION

This handbook has been developed by Riley County, KS (“the County”) to inform employees of the County’s key policies and procedures, and many of the benefits of employment.

1.1 About this Handbook and Employment

This handbook contains information about Riley County's employment policies and procedures. For information about benefits, refer to the plan documents. These policies and procedures are guidelines only. Riley County reserves the right to interpret and administer the provisions of this handbook as needed. Except for the policy of at-will employment, which can only be changed in writing by the Board of County Commissioners, Riley County has the maximum discretion permitted by law to change, modify, or delete any provision in this handbook at any time with or without notice. However, oral statements or representations cannot supplement, change, or modify the provisions in this handbook.

This handbook is not intended to create any contractual obligations with respect to employment. Unless an employment agreement has been created, employment is at-will and either the employee or Riley County has the right to terminate employment at any time with or without notice. Department heads or elected officials cannot enter any type of contract, express or implied, related to employment without the express, written consent of the Board of County Commissioners.

Each employee should read and become familiar with the information contained in this handbook. Questions should be addressed to the supervisor. Failure to comply with Riley County's policies or procedures may result in discipline, up to and including termination. This handbook supersedes all prior versions published or distributed by Riley County.

1.2 Diversity Equity and Inclusion Policy

Riley County fosters a workplace culture that promotes diversity, equity, and inclusion (DEI) for all employees. This policy outlines our commitment to creating an environment where every employee feels valued, respected, and has equal opportunities for professional growth and success.

Definitions:

Diversity - the range of human differences making each person unique, including but not limited to race, gender, and socioeconomic background. With DEI, diversity refers not to individuals (i.e., “a diverse person”), but to the composition of teams and organizations (i.e., “a diverse company”).

Equity - the process of recognizing advantages and barriers exist which create inequities, then taking steps to mitigate those imbalances. An equitable system acknowledges everyone has different needs, experiences, and opportunities, and treats people as individuals.

Inclusion - the act of making a person part of a group, each member feels valued and afforded the same rights and opportunities. In a diverse workplace, differences exist – inclusion takes it further to ask how everyone, from team members to end-users, can feel valued and included in policies, processes, physical spaces, products, and more.

Belonging - the feeling of security and support one gets when there is a sense of acceptance, inclusion, and identity within our organization.

Riley County is committed to:

- a. Fostering a diverse and inclusive workforce, reflective of our community's varied demographics.
- b. Providing equal employment opportunities, regardless of candidate background.
- c. Eliminating discriminatory practices and behaviors within the workplace.
- d. Implementing equitable policies and practices that address systemic disparities.
- e. Promoting an inclusive culture encouraging collaboration, respect, and open communication.

Implementation:

Workforce Diversity: Riley County will actively recruit, develop, and retain a diverse workforce through outreach, training, and mentoring programs.

Equitable Policies: Riley County will regularly review and update internal policies to identify and eliminate biases and ensure equity in all aspects of employment.

Inclusive Programs: Riley County will implement and support programs that promote diversity, equity, and inclusion within the workplace.

Training and Education: Riley County will provide ongoing training and education for employees to raise awareness and build cultural competence.

Accountability: Riley County will establish mechanisms to monitor, evaluate, and report progress on diversity, equity, and inclusion initiatives within the employee community.

Riley County is dedicated to creating a workplace that embraces diversity, ensures equity, and fosters inclusion for all employees. Through this policy, we affirm our commitment to building a workplace culture where every employee can thrive and contribute to the success of our organization.

1.3 Equal Employment Opportunity and Anti-Harassment Policy

Riley County provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, national origin, age, sex (including pregnancy, sexual orientation and gender identity or expression), genetic information, disability status, past, current, or prospective membership in the uniformed services or any other characteristic protected under applicable federal, state, or local law. This policy applies to all aspects of employment, including, but not limited to hiring, promotion, termination, layoff, recall, transfer, compensation, benefits, and training.

Riley County prohibits discrimination and harassment on protected characteristics. We foster an environment free from discrimination and harassment; employees are treated with respect and dignity.

Anti-Harassment Policy: Riley County has a Zero-Tolerance policy for harassment and retaliation. No such acts will be permitted. Harassment of employees or any other legally covered persons on the basis of race, color, religion, national origin, age, sex (including pregnancy, sexual orientation and gender identity or expression), disability status, past, current, or prospective membership in the uniformed services or any other legally protected group is unacceptable and will not be tolerated.

This policy applies to all employees. It covers harassment by employees of Riley County (including supervisors and management), elected officials of the County, customers, vendors or other third parties with whom Riley County has business dealings. Riley County will not tolerate any form of unlawful harassment including but not limited to offensive spoken, written, or electronic jokes or words, cartoons, pictures, or posters; pranks; intimidation; physical assaults or contact; or violence.

Sexual Harassment: Sexual harassment is any unwelcome sexual advances or requests for sexual favors, or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to, or rejection of the advance, request or conduct is used for employment decisions.
- Such advances, requests or conduct have the purpose or effect of interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

No employee should be subjected to offensive or unwelcome sexual overtures. Nor should any employee be led to believe an employment opportunity or benefit would in any way depend upon “cooperation” of a sexual nature. Other prohibited forms of harassment include jokes, verbal abuse, degrading comments, the display of objects and pictures, and other offensive conduct.

Supervisor Responsibilities: Supervisors have an obligation to report sexual or other harassment, discrimination, or retaliation of which they become aware. Supervisors and managers who observe such conduct or who receive any complaints of misconduct must report the conduct or complaint to Human Resources so that an investigation can be made, and corrective action taken, if appropriate.

Reporting Harassment of Any Kind: If an employee experiences harassment (or believes someone else has been the subject of harassment), including sexual harassment, the employee must notify the supervisor, department head, Human Resources Director, or County Counselor in oral or written form.

When making a complaint, the following information should be provided:

- Employee name, department, and title.
- Name of the person or persons committing the harassment.
- Details of the harassment, how long it has occurred, employment action perceived to be taken as a result (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) or other threats made because of the harassment.
- witness(es) to the harassment, if any; and
- whether such harassment has been previously reported and, if so, when and to whom.

A prompt investigation will be made. All employees –complainant, witness or accused – are required to be truthful, accurate and cooperative during Riley County investigations. Information obtained during the investigation will only be told to another on a need-to-know basis.

Anyone found to have engaged in prohibited harassment will be subject to appropriate sanctions, which may include termination of employment, depending on the circumstances. No one should be presumed to be in violation because an investigation is being conducted.

No Retaliation: No one will be subject to, and Riley County prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim or cooperating in related investigations.

1.4 Accommodations for Disabilities

Riley County complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA), and all applicable state and local fair employment practices laws and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the County provides reasonable accommodations to disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

Requesting Reasonable Accommodation: If a need accommodation because of a disability arises, the employee is responsible for requesting reasonable accommodation from the supervisor or department head, either orally or in writing. The County encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation being requested.
- The reason the accommodation is needed.
- How the accommodation will help performing the essential functions of the job.

After receiving the oral or written request, the County will engage in interactive dialogue with the employee to determine the precise limitations of the disability and explore potential reasonable accommodations to overcome them. the County encourages employees to suggest specific reasonable accommodation they believe would allow this. However, Riley County is not required to provide the specific accommodation requested and may provide alternative effective accommodation, to the extent a reasonable accommodation can be made without imposing an undue hardship on Riley County.

Medical Information: If a disability or need for accommodation is not obvious, the County may ask for supporting documents showing such disability within the meaning of the ADA and applicable laws, and that the disability necessitates a reasonable accommodation. If the information provided is insufficient, the County may require review by a healthcare professional of Riley County's choosing, at the County's expense. If the requested information is not provided or the employee does not see the designated health care professional, the request for reasonable accommodation may be denied.

The County will keep confidential any medical information obtained in connection with the request for reasonable accommodation.

Determinations: Riley County makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. The County strives to make determinations on reasonable accommodation requests expeditiously and will inform the individual once a determination has been made. For questions regarding reasonable accommodation requests, please contact Human Resources.

No Retaliation: Riley County expressly prohibits discipline, reprisal, intimidation, or retaliation against any individual for requesting accommodation in good faith. However, the effectiveness of our efforts depends on individuals reporting inappropriate workplace conduct. If employees or applicants feel they or someone else may have been subject to conduct violating this policy, they should report it immediately to Human Resources. If employees do not report retaliatory conduct, the County may not become aware of a possible violation and may not be able to take appropriate corrective action.

1.5 Accommodations for Pregnancy-Related Limitations

As required by the Pregnant Workers Fairness Act (PWFA), Riley County will provide reasonable accommodation to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause undue hardship to Riley County's operations.

An employee or applicant may request accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to their supervisor or department head. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation,

the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the County will contact the employee or applicant to discuss the request and determine if accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities involving exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the County will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

Riley County prohibits any retaliation, harassment, or adverse action due to an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

1.6 Religious Accommodations

Riley County encourages a diverse workforce and will make reasonable accommodations for an applicant's or an employee's sincerely held religious beliefs if the accommodation would resolve a conflict between the individual's sincerely held belief and a work practice or requirement unless doing so would create an undue hardship for Riley County. Safety and the impact on customer service are paramount and will therefore receive significant consideration when evaluating an accommodation request and identifying opportunities to meet the request. A determination as to whether a request for religious accommodation will impose an undue hardship will be made on a case-by-case basis.

Individuals who wish to request accommodation should contact Human Resources directly. The request may be made orally or in writing. The County encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation being requested.
- The reason the accommodation is needed.
- How the accommodation will help perform the essential functions of the job

1.7 Pay Transparency

Riley County will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a

part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with Riley County's legal duty to furnish information.

1.8 Whistleblower Policy

Riley County will not discharge, threaten, or otherwise discriminate or retaliate against an employee regarding employment because the employee, or a person acting on behalf of the employee, makes a good faith report, or is about to report, either verbally or in writing, to the employer or appropriate authority an instance of wrongdoing or waste as defined by Kansas Whistleblower Act. In addition, Riley County will not discharge, threaten, or otherwise discriminate or retaliate against an employee regarding the terms, conditions, or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the human resources (HR) department.

1.9 Nepotism Policy

To avoid favoritism or the appearance of favoritism based on family relationships, no department head or supervisor shall supervise an immediate family member. For this policy, immediate family shall include parent, spouse, child, sibling, grandparent, parent-in-law, brother- or sister-in-law, son- or daughter-in-law, uncle, aunt, nephew, niece, legal guardian, including all "half" and "step" relationships.

1.10 Open Communications

Elected officials, appointed department heads, supervisors, and employees are encouraged to meet often to develop, modify, and discuss progress on department goals and objectives. Each department will conduct meetings to discuss ways to improve the service provided to the public. Interdepartmental meetings and employee involvement at service improvement meetings are encouraged.

Riley County encourages employees to discuss problems with a co-worker directly with that person respectfully and professionally. If a resolution cannot be reached, or if other concerns exist related to employment, arrange a meeting with the supervisor. If the concern, problem, or issue is not properly addressed, contact the Department Head. If assistance is still needed following that meeting, contact Human Resources. Any information discussed in an Open Communication meeting is considered confidential, to the extent possible while still allowing management to respond to the problem.

2 GETTING STARTED

This section outlines what to expect as a new employee.

2.1 Proof of Work Authorization

Employment offers are contingent on verification of the candidate's legal right to work in the United States. U.S. Citizenship and Immigration Services require employees to provide specific information for completion of the Form I-9, Employment Eligibility Verification within 3 days of commencing employment. Each employee must complete Section 1 of Form I-9 no later than the end of the first day of work. Failure to provide the appropriate documentation for completion of the Form I-9 will result in suspension and/or termination.

2.2 Employee Background and Reference Checks

Riley County employment offers are contingent upon a thorough background check conducted on all candidates who accept a conditional offer of employment and on existing employees as necessary.

Background checks could include:

- **Social Security Verification:** validates Social Security number, date of birth and addresses.
- **Employment Verification:** confirms employment with listed companies, including dates, position and information pertaining to performance rating, reason for departure and eligibility for rehire.
- **Professional References:** calls will be placed to individuals listed as references by the applicant.
- **Criminal History:** includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
 - The nature of the crime and its relationship to the position.
 - The time since the conviction.
 - The number (if more than one) of convictions.
 - Whether hiring, transferring, or promoting the applicant would pose an unreasonable risk to County operations, its employees or its customers and vendors.
- **Motor Vehicle Records:** provides a report on driving history and status of driver's license.

2.3 Riley County Health Department Required Immunizations

The following immunizations are also to be kept current on RCHD employees and recorded in their personnel files unless otherwise noted by administration:

- Current TD or Tdap every ten (10) years
- If born after 1958, proof of MMR is sufficient, unless exposure deems it necessary for repeat.
- Hepatitis B for those exposed
- Polio booster is not necessary unless travelling overseas. Failure to comply with this requirement could result in rescinding the offered position.

The cost of these required tests and immunizations should be submitted to the employee's health insurance. If the health insurance does not cover these tests, Riley County Health Department will pay the cost of the tests/immunizations.

TOTAL COMPENSATION

The total compensation received for the work done goes beyond the paycheck. Riley County also offers employees paid time off and health benefits as outlined in this section.

2.4 Employment Classification

Employees are classified either non-exempt or exempt in accordance with criteria of federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under federal and state laws, while exempt employees are not. Non-exempt employees are paid 1.5 times their regular rate for hours worked more than 40 in each workweek. Employees are not allowed PTO or Critical Leave during a week when overtime hours are accrued, see Section 3.3. (RCEMS employees should refer to section 2.7 for details regarding their overtime pay.)

In addition to non-exempt or exempt classification, employees are divided into the following:

- a) *Regular Employee:* An employee hired for a full or part-time schedule on a regular, continuing basis.
- b) *Full-time Employee:* A regular employee who works at least 40 hours per week.
- c) *Part-time Employee:* A regular employee hired to work a schedule of less than 40 hours per week.

- d) *Part-time EMS (PRN)*: As-Needed employees, who do not have routine schedules but are available to fill staffing needs as-needed. PRN staff are expected to work approximately 12 hours/month.
- e) *Temporary Employee*: An employee hired for a fixed amount of time, not to exceed 1000 hours or one year, or for the completion of a specific project.
- f) *Intern*: An individual in a training/learning or degree fulfillment position. Maximum employment time as an intern will not exceed 36 months or until graduation (if applicable), whichever is less.
- g) *As-Needed Employee*: May be scheduled to work when a need arises. As-needed employees may work up to a maximum of 1000 hours in a calendar year.

2.5 RCFD#1 Volunteer Firefighter and Volunteer Fire Support

Riley County Fire District #1 Volunteers are not employees of Riley County, however they do receive a nominal fee stipend, as well as issued clothing, and participation in a retirement program. Further they are covered by Riley County's Workers Compensation and EAP programs.

Volunteer Firefighters are also expected to know and follow the County's employee policies within this manual as applicable. Volunteer firefighters apply for their position and are subject to the same pre-hire requirements as regular employees. Riley County policies govern RCFD#1 processes and operational guidelines. Specific RCFD#1 operating guideline are found in the RCFD#1 SOG.

2.6 Overtime Pay

Overtime compensation is paid to non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime work performed must have prior authorization by the department head or designee. Failure to receive approval prior to working overtime hours will result in discipline.

Riley County may require overtime work. Every attempt is made to give as much notice as possible; however, advance notice may not always be possible. However, no non-exempt employee shall work more than 100 total hours per pay period unless authorized by the Department Head. Exceptions may be permitted by Department Heads in instances of prolonged severe weather or other emergencies. *RCEMS employees refer to the "RCEMS Non-Routine Pay Practices" section in this Handbook.

Overtime pay is based on the actual hours worked. For this reason, PTO days and other paid or unpaid leaves of absence are not included as hours worked when calculating overtime pay. Employees are not allowed PTO or Critical Leave during a week when overtime hours are accrued; leave during weeks with overtime hours will be converted to flex time and returned to the employee's leave accrual.

2.7 Call Out Pay Provisions

If a non-exempt employee is asked by a department head to report back to work outside of normal hours for emergency snow and ice removal, storm damage maintenance, emergency vehicle repair, facility security problems, computer system failures, emergency traffic sign maintenance, or other critical emergencies as determined by the department head, he or she will receive one hour of call out pay in addition to pay for the time actually worked. Call out pay will only be granted if an employee is notified by a supervisor and reports to work for an emergency at least one hour after their regularly scheduled quitting time or one hour before their regularly scheduled starting time.

2.8 EMS Overtime Management

Riley County EMS (RCEMS) will solicit offers for voluntary overtime, and/or assign overtime, according to the following guidelines:

- RCEMS employees are scheduled an average of 63 hours/week (to include events). Including a minimum of 8 hours scheduled overtime, following the Berkley schedule. PTO hours requested, up to the scheduled average expectation of 63 hours per week, will be included in the overtime calculation. Beyond the expected minimum of 63 hours, PTO will not be included in the overtime pay calculation. Volunteer, or assigned, shifts worked above the minimum expectation will be included in the overtime calculation.
- Trade Time will be required, or may be requested and approved, only if:
 - Both shifts to be traded are equal in hours, not pay.
 - Minimum staffing guidelines are maintained.
 - Does not put the department in an unfavorable operational posture or create further difficulty in shift coverage as judged by an RCEMS Officer
 - Trades will be completed within 2-weeks, unless approved by the Director, or his designee.
- When there exists an open shift requiring coverage, the following options must be considered in preferential order as listed: All reasonable efforts must be made to exhaust each option prior to moving down the list to the next option.
 1. Same Shift Utility Position with same certification as vacant seat
 2. Same Shift Utility Position with higher certification than vacant seat
 3. Same Shift Utility Position with lower certification than vacant seat utilizing Minimum Staffing Guidelines
 4. PRN with same certification as vacant seat
 5. PRN with higher certification than vacant seat
 6. PRN with lower certification than vacant seat utilizing Minimum Staffing Guidelines
 7. Admin coverage of Supervisor if available

If there is a situation in which both utility positions are being utilized and the options listed above have been exhausted, a full-time employee can be considered for filling the open time but will be asked to flex off for an equal amount of time to that being covered in the same pay period if possible.

Employees should expect an additional 832 hours of overtime annually. Employees who are at or near 350 hours may have their overtime assignments restricted.

2.9 Payroll & Payday

Employees are paid bi-weekly by direct deposit and/or debit pay card only, and must opt for one, or both options in the HRIS. If a payday falls on a federal holiday, pay will be the preceding workday.

All time measurement units shall be rounded to the nearest one-quarter (1/4) hour increments.

Every effort is made to avoid errors in paychecks. If an error has been made, notify Human Resources immediately so the problem can be addressed, and any necessary correction can be made promptly.

To ensure proper administration of payroll and benefits, employees are required to provide and maintain current and accurate personal information, including name, address or phone number, bank information for direct deposits, beneficiary, marital status, dependents, emergency contact information, training certificates, etc. Information should be updated by each employee on the HR software system.

2.10 RCEMS Non-Routine Pay Practices

By virtue of the EMS Berkeley schedule, some pay practices at RCEMS may be unique from those of other Riley County departments. At RCEMS, compensation for scheduled and non-scheduled overtime, event standbys, emergency callbacks, and holidays will follow these guidelines:

- “Specialty event standbys” are events hosted by KSU, any high school athletic events, and others. Standbys are paid at base or overtime rate depending on the employee’s schedule. The employee is paid an additional \$8.00 per hour on top of the scheduled rate.
- “Emergency callbacks” are non-scheduled shifts, assigned in an emergency or time critical situation.

2.11 Health Benefits

Riley County offers several benefits plans, with separate eligibility conditions. All benefits for the plans are described in detail in the Summary Plan Descriptions available from Human Resources.

2.12 Flexible Spending Accounts

Riley County offers a Section 125 Cafeteria Plan Flexible Spending Account to regular, full-time, and part-time employees. This is an employer-sponsored program that allows employees to use pre-tax dollars to pay for certain eligible benefits. The County offers a plan whereby employees may elect to have a specified amount of dollars deducted from their salary to cover out of pocket medical expenses, and dependent care expenses they anticipate incurring over the year.

2.13 Employee Assistance Program (EAP)

The County offers an Employee Assistance Program (EAP) for employees and immediate family members. This is a confidential service providing guidance and treatment referral for personal problems or problems affecting job performance. The EAP offers help for a wide range of problems such as financial, legal, emotional, work-related, alcohol or other drug abuse, emotional and behavior disorders, family or marital issues, and various other personal problems. The program provides referral to professional resources.

A supervisor may advise an employee of the EAP for personal or job-related problems. A voluntary decision by an employee to utilize the EAP will not be used as a basis for disciplinary action. However, if an employee is mandated to go through the EAP for a violation of the Riley County Policy, failure to comply with the program requirements will result in disciplinary action.

2.14 Paramedic Program Scholarship

The Riley County EMS Paramedic Program Tuition Reimbursement provides tuition reimbursement at an approved for approved classes in which a 3.0 or higher GPA is earned. Actual reimbursement amounts will be determined based on budget impact and availability and will be agreed on prior to approval. The intent will be to cover most if not all program tuition costs. The Paramedic Scholarship Program will not provide payment for hours spent in class, reimbursement for course materials, or reimbursement for pre-requisite coursework.

The program is available to EMTs/AEMTs with at least 18 months of service with RCEMS and no disciplinary action. The employee must commit to RCEMS for at least 2 years post program completion.

Interested candidates who meet the requirements above must submit a letter of interest to the Director and Assistant Director six months prior to their anticipated program start date. To receive reimbursement, the approved employee must provide their course schedules to the EMS Scheduling Officer as soon as possible and alert them if changes occur. The employee may use PTO, Trade Time, or Time-Off without pay for time spent in class during their regularly assigned shift.

Trade Time is defined as the same number of hours, with an employee who has the same certification and employment status and does not create an opening which must be filled by overtime.

2.15 Mandatory Deductions

Riley County is required by law to make certain deductions from payroll. Among these are applicable federal, state, and local income taxes required Social Security contributions, and KPERS participation as required by law. These deductions will be itemized on employee pay summaries. The amount of the deductions will depend on employee earnings and on the information furnished on each employee's W-4 form regarding the number of allowances claimed. Modifications to the number of allowances claimed should be submitted to the Human Resource Information System (HRIS). Each employee is responsible for reviewing the pay stub to ensure it reflects the proper number of withholdings.

The annual W-2 form reflects how much deductions were made from earnings for these purposes.

Wage Garnishments: Any other mandatory deductions made from pay, such as court-ordered garnishments, will be deducted upon receipt of a court order.

If it appears an error has been made, immediately report it to Human Resources. If it is determined an improper deduction was made, the County will promptly reimburse deduction made in error.

2.16 Salary Requirements for Exempt Employees

The Fair Labor Standards Act (FLSA) is a federal law regulating employee pay for time worked. The FLSA provides an exemption from minimum wage and overtime requirements for certain employees in job functions which meet specific criteria regarding job duties and salary. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period. For an exempt employee, the predetermined amount cannot be reduced due to the quality or quantity of the employee's work. Subject to certain exceptions, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work.

Riley County's complies with salary basis requirements of the FLSA. If an improper deduction has been made, HR should be notified immediately. Reports of improper deductions will be promptly investigated. If it is determined an improper deduction has occurred, reimbursement will be made in a timely manner.

2.17 Timekeeping Procedures

Riley County complies with laws requiring employees to maintain records of hours worked. It is the responsibility of all employees to accurately record their time utilizing the electronic time system provided. For non-exempt employees this includes the time the employee begins and ends their workday, the beginning and end of each meal period, and the beginning and ending time of any departure from work for personal reasons. Exempt employees must accurately report days worked and leave used, whether use was a full day or partial day.

Non-exempt employees may not begin work before their scheduled starting time, work past their scheduled stopping time, or work overtime without prior authorization from their supervisor. Non-exempt employees are never permitted to work off the clock. Riley County timekeeping system rounds time worked to the nearest quarter-hour. Employees may clock in up to 7.5 minutes prior to scheduled start time, which will be rounded to the quarter hour.

Logging in or out for another employee or falsifying a time record is a breach of County policy and is grounds for disciplinary action up to and including termination.

Hours worked and leave time used must be recorded accurately. All adjustments to worked time must be documented within the HRIS timecard program and approved by the supervisor or department head. All payroll adjustment requests must be submitted within 30 days of the error.

RCEMS Non-Standard Timekeeping Procedures: RCEMS does not provide unpaid meal breaks. EMS employees remain in their response areas unless otherwise assigned and maintain a state of readiness to ensure chute times do not exceed 60 seconds from 0700 to 1900 or 120 seconds from 1900 to 0700.

2.18 Business Expense Reimbursements

Riley County reimburses employees for reasonable and legitimate expenses incurred while working outside the County, for travel approved by the Department Head for in-state travel and by the BoCC for out-of-state travel. Persons traveling on Riley County business are entitled to transportation, hotel accommodation, meals, and limited incidentals (taxi and parking fees) that meet reasonable and adequate standards for convenience, safety, and comfort. Upon return, an itemized list of expenses with receipts must be submitted to the Department Head for approval before reimbursement can be made.

Employees are expected to use a County Vehicle for travel unless one is not available. Employees using personal vehicles for business travel will be reimbursed for mileage at the rate established by the BoCC.

Expense reimbursements must be submitted within 30 days of the expense being incurred, unless specifically approved by the Department Head and the Budget & Finance Officer.

Refer to Riley County Purchase Card Use in the Procedures Manual for information on business expenses.

3 PAID TIME OFF & LEAVES OF ABSENCE

Riley County recognizes employee's desire to enjoy time away from work. That is why we offer paid time off and unpaid leaves of absence, as outlined in this section.

3.1 Holidays

Riley County shall observe all Federal holidays, except for Indigenous People's Day, as paid holidays for regular full-time County employees. Holidays are only paid to full-time employees who are scheduled to work on the observed holidays listed here:

- New Year's Day
- Martin Luther King's Birthday (3rd Monday in January)
- President's Day (3rd Monday in February)
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- Thanksgiving Friday
- 2 days for Christmas holiday as designated by the payroll calendar annually, except when Christmas falls on a Saturday or a Sunday, when only one day will be observed.

The BoCC may designate other days as additional holidays on a one-time basis.

The BoCC shall close Riley County Offices on Indigenous Peoples' Day for mandatory in-service for County employees. Employees in attendance shall receive pay for hours of in-service.

When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday.

Full-time employees receive holiday pay based on regular-scheduled hours for each holiday listed above.

Holiday Pay for employees required to work on a County-observed holiday: For full-time employees, hours required to work on a holiday will be paid at 1½ times the employee's regular hourly rate for time worked during the regular work schedule and 2½ times the regular hourly rate for any time worked above their regular scheduled hours. For example, a full-time employee who is required to work 11 hours on a holiday, with an 8-hour regular scheduled day, would receive 8 hours of compensation at 1½ times their regular pay rate, and 3 hours at 2½ times their regular pay rate.

If a part-time, as-needed, or temporary employee is required to work on a designated holiday, pay will be calculated at 2½ times the regular hourly rate for all hours worked. *PRN EMS employees see specific PRN Holiday Pay Process

Eligibility for holiday pay: An employee on unpaid leave for more than 75% of the workday either the last working day before a holiday or the first day following a holiday shall not receive holiday pay. An employee using approved paid leave the workday before and after a holiday shall receive holiday pay.

An employee not scheduled to work on a holiday shall not be paid holiday pay, nor shall he/she be assigned an alternative holiday.

RCEMS receive Holiday Pay only when working on the actual holiday. Holidays include only those recognized by Riley County holiday schedule and are paid on the holiday itself, which may be different than the observed holiday for other Riley County employees. RCEMS Holiday Pay will be based on scheduled hours worked on the actual holiday and will not exceed 24 hours.

3.2 Paid Time Off and Critical Leave

The County provided Paid Time Off (PTO) is used for personal leave and short-term illness. Critical Leave is paid leave solely provided for long-term illnesses, injury or situation covered by FMLA. Critical Leave is not an earned right, but a benefit provided by the County Commissioners for employees who experience long-term illnesses. Critical Leave is not intended to replace PTO, or to be used for sick leave.

Leave may only be used after it is accrued. Riley County does not allow use of unearned PTO. Leave requests should be submitted 2 weeks in advance, or as soon as possible. Requests will be reviewed, approved, and potentially withdrawn subject to the department operating needs.

- Non-exempt employees: requests should be submitted in 15-minute increments, through the HRIS and are subject to Department Head approval.
- Exempt employees: leave is required when an employee is absent from work for 4 or more hours during a scheduled workday. An exempt employee who abuses leave by repeatedly taking less than 4 hours leave without using paid leave can be denied leave or be required to use PTO.

To ensure a separation of duties and reduce the risk of errors or malfeasance, Riley County mandates employees involved in processing, or accounting for, fiscal transactions take 40 consecutive hours of leave using PTO after

the 1st year of employment. At the discretion of the department head, any combination of approved leave may be used and combined with PTO to reach the 40 hours required.

Amounts of Leave: Only regular full-time and part-time employees are eligible for PTO and Critical Leave. The first day of work, eligible employees begin to accrue both. Regular full-time employees accrue at the rates in the charts below; regular part-time employees accrue prorated based on scheduled hours.

Length of Service	PAID TIME OFF (PTO)		CRITICAL LEAVE	
	Accrued per Pay Period	Maximum Accrued	Accrued per Pay Period	Max Accrued Annually*
First Year	4 hours	104 hours (13 days)	1.85 hours	48 hours
2 nd to 4 th year	5.85 hours	152 hours (19 days)		
5 th -10 th years	6.77 hours	176 hours (22 days)		
11+ years	7.69 hours	200 hours (25 days)		

RCEMS LEAVE ACCRUALS				
Length of Service	PAID TIME OFF (PTO)		CRITICAL LEAVE	
	Accrued per Pay Period	Maximum Accrued	Accrued per Pay Period	Max Accrued Annually*
First Year	5.54 hours	144 hours (6 days)	2.77 hours	72 hours
2 nd to 4 th year	7.38 hours	192 hours (8 days)		
5 th -10 th years	9.23 hours	240hours (10 days)		
11+ years	11.08 hours	288 hours (12 days)		

*The numbers on these charts reflect only what is accrued through the course of the calendar year. For information about accumulating additional Critical Leave time, see the "Unused PTO" description below.

Leave will continue to accrue while on paid leave. During an unpaid leave of absence, accruals will be prorated to reflect the number of hours actually paid in the pay period.

The increase in PTO is effective the first day of the pay period after the employee's anniversary date.

Personal Day: Full-time, regular employees receive 1 personal day per year in addition to PTO. This personal day may be used for any approved day during which Riley County remains open. Personal days are available at the beginning of each calendar year for current employees. A new employee hired before June 30 will receive 1 personal day upon hire; a new employee hired after June 30 will **not** receive a personal day until the beginning of the next full year of employment. Employees must specify the day for which they are requesting to use a personal day. The request must be scheduled and approved no less than 2 weeks prior by the employee's immediate supervisor. Personal days may be used in conjunction with any other type of approved leave. Personal days will not be carried over to the next calendar year, nor will they be cashed out if not taken or paid at separation.

Service Awards: As recognition for valued service, after 15 consecutive years in a regular position, and on the anniversary of each 5th year thereafter, the employee's PTO account will be credited with 40 additional hours that must be used within one calendar year or is forfeited. If the additional hours cause the employee to exceed the maximum yearly limit of PTO, the hours will not be converted to Critical Leave hours. The anniversaries represent accrued time from the date of hire as a regular employee.

Unused PTO: Accrued PTO unused at the end of the calendar year, over the maximum allowed hours, will be converted to Critical leave on a one-to-one basis the first pay period of the new calendar year.

PTO at the End of Employment: Accrued PTO unused at the end of employment will be paid to employees who have been employed at least six (6) months and have resigned with proper notice (a minimum of 2 weeks for non-department head employees and minimum of 1 month for department heads). Employees employed less than six (6) months and those terminated for disciplinary reasons forfeit payout of unused PTO. Payout will be limited to the maximum yearly limit in which employment ends.

CRITICAL LEAVE: Critical Leave shall be granted only for the following situations which last more than 24 consecutive working hours:

- Illness or disability of the employee, including temporary disability related to pregnancy and childbirth for either the employee or the spouse, in accordance with Federal and State statutes.
- Legal quarantine of the employee.
- Illness of or disability to an immediate family member (as defined in this handbook).
- Upon the placement of a child with the employee for adoption or foster care.

During the 24-hour period before Critical Leave is available, PTO/Personal Day must be used. If 24 hours of PTO and/or Personal Day is not available, leave without pay must be taken up to a total of 24 hours. No other leave, or time worked, may be used to satisfy the 24-hour period prior to Critical Leave. The 24-hour waiting period for using Critical Leave starts at the time leave for the illness or disability begins.

If an employee returns to work and needs additional time off for the same medical condition, an additional 24 hours of PTO must be used to access Critical Leave, unless FMLA has been approved. Equally so if a new, separate illness or disability begins, or any other additional qualifying event occurs.

Employees using Critical Leave for multiple conditions must document which illness leave is required for on the Request for Time-Off form.

Intermittent Critical Leave: Critical Leave may only be used intermittently for an FMLA covered reason.

When an employee is injured on the job, Workers' Compensation processes are followed. Critical Leave can be used immediately to supplement Workers' Compensation payments.

Accumulation of Critical Leave: There is no accumulation limit on Critical Leave. Upon separation from employment with proper notice (minimum of 2 weeks for non-department head employees and minimum of 1 month for department heads), and for non-disciplinary termination, employees receive payout for prorated Critical Leave following the Critical Leave payout table below. To qualify for Critical Leave payout, an employee must have accrued at least 384 hours. These hours will not be prorated for part-time employees. The maximum number of paid hours is 376 regardless of total accumulation.

Accumulation	Prorated hours paid	Accumulation (cont.)	Prorated hours paid (cont.)
384	120	600	264
396	128	612	272
408	136	624	280
420	144	636	288
444	160	648	296
456	168	660	304
480	184	672	312
492	192	684	320
504	200	696	328
516	208	708	336
528	216	720	344
540	224	732	352
552	232	744	360
564	240	756	368
576	248	768	376
588	256		

Contagious or Infectious Disease Exception: During a declared epidemic or pandemic involving a contagious or infectious disease, the following rules apply regarding Critical Leave. In the event of any conflict with previous paragraphs concerning Critical Leave, the rules outlined herein take precedence:

- (1) Employees are granted immediate access to their accrued Critical Leave, bypassing the usual waiting period and without the prior use of other accrued leave, provided:
 - The employee requests immediate access to their accrued Critical Leave, **and**
 - The employee advises the Department Head that they (or their immediate family member) are displaying recognized medical symptoms of the contagious or infectious disease which has generated the epidemic or pandemic; or if the employee (or their immediate family member) has been diagnosed with the disease by a medical provider, or the employee has been lawfully ordered to be quarantined by the Local Health Officer.
- (2) Employees are encouraged to stay home and use either Annual or Critical Leave when experiencing recognized symptoms of a contagious/infectious disease. It is recommended employees adhere to recognized medical guidelines to determine the appropriate duration of absence. Employees should make every effort to avoid returning to work prematurely, thereby minimizing the risk of exposing other County employees to potential infection.
- (3) Abuse of this exception will result in disciplinary actions. Abuse includes, but is not limited to:
 - False reporting of symptoms of contagious or infectious disease.
 - Use of PTO or Critical Leave beyond the medically necessary recovery period from contagious or infectious disease.
 - Violation of the terms of a lawful quarantine order issued by the Local Health Officer.

3.3 Flex Time

Non-exempt employees who arrive late or request to leave early may request permission from their Department Head to use "flex time" to make up a brief absence. Flex time may be approved when paid time off is not used

to cover the absence. If a non-exempt employee has completed 40 hours and is not authorized to work overtime hours, they will be asked to stop working for the week.

Flex time must occur within the same workweek. Flex time hours are only approved for scheduled work hours. Flex time is not allowed on a holiday.

If a non-exempt employee has previously requested PTO or Critical leave and is called back to work outside of the scheduled hours, the requested paid time off will be converted to flex time.

3.4 Shared Leave

In the event of a Critical medical condition requiring an extended absence from work, employees can receive or donate paid leave, referred to as "shared leave." This policy is designed to provide support and assistance to employees facing significant health challenges.

Shared leave may be granted if the employee or an immediate family member (employee's parent, spouse, or child for this policy) is experiencing a Critical medical condition (non-job-related, extremely serious, totally incapacitating, or life-threatening) and the employee anticipates being absent from work for at least six weeks and the medical condition is likely to cause the employee to take leave without pay or terminate employment.

Shared leave may not be granted for short-term or intermittent conditions or illnesses. Shared leave is meant to cover the duration of the current Critical medical condition for which it was collected up to a maximum of 180 calendar days from the date shared leave usage began.

Leave Donation Eligibility:

1. The donor must fulfill one of the following conditions:
 - **PTO Balance** of at least 144 hours remaining after the donation.
 - **Critical Leave Balance:** of at least 480 hours remaining after the donation.

Separating employees are eligible to donate PTO only and are not eligible to donate Critical Leave.

Shared Leave Receiving Eligibility: To qualify to receive shared leave, employees must:

1. be a regular employee of the County.
2. have received 'Meets Expectations' or better in a written performance evaluation.
3. have exhausted all PTO and Critical Leave before receiving donated shared leave.

Employees receiving long-term disability payments, workers' compensation payments or other reimbursement for time-off or retired or separated from employment are not eligible for shared leave.

Requesting Shared Leave: Shared leave requests must be submitted in writing using the designated "Shared Leave Request Form" by either the employee or Department Head. Each shared leave case will be reviewed and requires approval from Human Resources. No medical information about the employee or family member will be disclosed. Communication of the need for donations for a recipient will be treated with sensitivity and respect for the privacy of the recipient. If the employee is unable to request shared leave on their own, the Department Head may do so on their behalf with verbal permission.

Shared leave may not be applied retroactively and will not accumulate as additional leave for the employee receiving donations.

Misuse of donated leave by the recipient will be grounds for disciplinary action.

Making Donations: Donations are made after approval using the "Shared Leave Donation Form". Multiple donations may be made for a particular occurrence, with each donation requires a new form and approval.

Shared leave shall be donated in one-hour increments. Shared leave may not be transferred to any employee other than the specified recipient.

Donations are voluntary, confidential, and must not involve coercion, threats, intimidation, or financial inducements. Once leave is donated, the donating employee cannot reclaim the hours for personal use. If leave is not used, it remains on the donating employee's leave balance.

Using Shared Leave: Shared leave shall be paid at the receiving employee's regular rate of pay by the receiving employee's department. An employee using shared leave will continue to accrue leave at the regular rate. PTO or Critical Leave accrued each pay period will be deducted before shared leave is used.

Certification while on Leave: During the request for shared leave or at any time during its use, the employee may be required to provide a healthcare provider's statement or other medical evidence establishing the illness, injury, or impairment as a Critical medical condition preventing the employee from performing full regular work duties (which may include certification for immediate family members). Shared leave may be denied in the absence of the requested information.

Use Following Return to Work: After returning to work and being cleared by a healthcare provider, shared leave can be used only for follow up appointments or re-occurrences of the same medical condition that occur within 30 calendar days of their return.

3.5 Family and Medical Leave (FMLA)

FMLA allows employees to balance work and family life by taking reasonable leave for certain family and medical reasons. To be eligible for FMLA leave, employees must have worked for Riley County for at least 12 months and have worked 1,250 hours during the past 12 months.

REASON FOR LEAVE (FMLA defines "immediate family member" to be spouse, parent, and child)	Max length of unpaid, job-protected leave/12-month period*
Employee's own serious health condition	12 weeks
Birth of a child and to care for the newborn child	12 weeks
Placement of a child for adoption or foster care	12 weeks
To care for an immediate family member with a serious health condition	12 weeks
To respond to an urgent situation arising out of an immediate family member's active duty or call to active duty (deployment to a foreign country) in the National Guard, Reserves or Regular Armed Forces (qualifying exigencies)	12 weeks
To care for an immediate family member who has incurred a serious injury or illness while on active duty in the Armed Forces, including a veteran discharged within past five years	26 weeks
To attend to an immediate family member who is on "rest and recuperation" from military service	15 days

*Riley County uses a rolling calendar that looks forward from the first day of FMLA leave used to measure this 12-month period.

Benefits and Protections: For employees enrolled in health insurance, continuation of coverage during FMLA leave is on the same terms as if he or she had continued to work. If family member coverage is provided to an employee, family member coverage will be maintained during the FMLA leave.

If PTO or Critical Leave is available while on FMLA leave, the employee's share of health plan premiums will continue to be paid by payroll deduction. An employee on unpaid FMLA leave must pay the normal employee portion of the insurance premiums to maintain insurance coverage. If the employee's premium payment is more than 30 days late, coverage will be dropped.

In some instances, an employer may choose to pay the employee's portion of the premium, for example, to ensure that it can provide the employee with equivalent benefits upon return from FMLA leave. In that case, the employer may require the employee to repay these amounts. In addition, the employer may require the employee to repay the employer's share of the premium payment if the employee fails to return to work following the FMLA leave unless the employee does not return because of circumstances that are beyond the employee's control, including a FMLA-qualifying medical condition.

Upon return from FMLA leave, employees are returned to the original or equivalent positions with equivalent pay, benefits, and other employment terms. If the employee does not return to work after FMLA leave expires, Riley County reserves the right to recoup any money spent on health insurance benefits during the leave period in accordance with the law. While on FMLA leave, PTO accruals will be consistent with Riley County's PTO policy.

An employee who fraudulently obtains Family and Medical Leave from Riley County is not protected by the FMLA's job restoration or maintenance of health benefits provisions. In addition, Riley County will take all available appropriate disciplinary action against such employees due to such fraud.

Definition of Serious Health Condition: A serious health condition is an illness, injury, impairment, or physical or mental condition involving either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents performance of the functions of the job or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by incapacity of more than 3 consecutive calendar days combined with at least 2 visits to a healthcare provider or 1 visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave by Spouses Employed by Riley County: If a married couple both work for Riley County and each wish to take leave for the birth of a child, adoption, or placement of a child in foster care, or to care for a parent (but not a "parent in-law") with a serious health condition, the two employees may only take a combined total of 12 weeks of leave. If both employees wish to take leave to care for a covered injured or ill service member, each may only take a combined total of 26 weeks leave.

Requesting FMLA Leave: If FMLA leave is foreseeable, notice must be made at least 30 days' prior. If this is not possible, notice must be given as soon as practicable (within 1 to 2 business days of learning of the need for leave); employees must also comply with Riley County's call-out procedures, notifying supervisors on an on-going basis of absence. Failure to provide notice may be grounds for delaying FMLA-protected leave, depending on the facts and circumstances.

Additionally, if a medical treatment, a series of treatments, military caregiver leave is planned, employees must consult with Riley County first regarding the dates of such treatment to plan a schedule that best suits the needs of the employee and Riley County.

Certification Process: Within 5 business days after notifying Riley County of a request for FMLA leave, or after Riley County has become aware of the need for leave, the DOL Notice of Eligibility and Rights Form will be

provided, as well as the appropriate DOL certification. Employees are responsible to provide completed certification form to determine if the request qualifies for FMLA leave. Completed certifications must be received by Human Resources within 15 days of the request. Failure to provide the required certification for FMLA leave may result in the denial of leave or continuation of leave.

Substitution of Paid Leave for Unpaid Leave: While on FMLA leave, all paid time off available must be used. Workers' compensation related leave will run concurrently with FMLA leave provided the absence is due to a qualifying "serious health condition" as defined under the FMLA. Please be aware employees receiving workers' compensation payments are not able to substitute accrued paid time off for any part of the leave of absence.

Employees collecting short-term disability payments while on FMLA leave will not be required to use PTO unless they choose to do so, and the plan allows.

Intermittent Leave or Reduced Work Schedule: Leave may be taken continuously, intermittently or on a reduced work schedule basis when medically certified. However, in all cases, the leave may not exceed the total allowed by FMLA, and other applicable laws. Reasonable efforts must be made to schedule leave for planned medical treatment so as not to disrupt County operations. Intermittent leave must be taken in 15 minutes increments. Intermittent or reduced work leave may not be used after the birth of a healthy newborn child to bond; instead, leave requests must be made in one consecutive period for that purpose. Intermittent or reduced work FMLA leave may be allowed where the time off is to care for a covered child who has a serious health condition.

Once intermittent leave is approved, notify the supervisor when the need for leave occurs, via the standard procedure.

Reporting While on Leave: If leave is taken because of an employee's own serious health condition or to care for a covered relative, employees may be required to update Riley County regarding the status of the condition and intention to return to work. In addition, notice must be given as soon as practicable (within 2 business days if feasible) if the dates of leave change.

Recertification: Riley County requires recertification for serious health conditions annually, when seeking an extension of leave.

Returning from FMLA Leave: If leave is because of an employee's own serious health condition (except on intermittent leave), employees are required to provide medical certification to return to work with or without reasonable accommodation. Without this, employees will not be permitted to resume work.

Notices Sent by Employer: Notices of Rights and Eligibility Forms, Designation Notices, and information regarding FMLA, leave/return to work orders will be sent via email, certified mail or via hand delivery. For more information about FMLA, visit the Department of Labor Wage and Hour Division website.

Extended Disability following FMLA: If a period of disability continues beyond the 12 weeks provided by the FMLA policy, an employee may apply in writing for extended disability leave in accordance with our *Medical Leave (non-FMLA)* policy. This extended leave will be considered on a case-by-case basis.

3.6 Medical Leave (non-FMLA)

Occasionally, for medical reasons not covered by FMLA, employees may need to be temporarily released from the duties of the job. It is the policy of Riley County to allow employees to apply for and be considered for an unpaid medical leave of absence related to their own health issue.

If the medical leave is foreseeable, notice must be given to Riley County at least 30 days' prior, in writing. If this is not possible, notice must be given as soon as practicable (within 1 to 2 business days of learning of the need for leave) and must comply with Riley County's call-out procedures. Certification must be provided from a healthcare provider that demonstrates: (a) a qualified individual with a disability under the Americans with Disabilities Act (ADA), as amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA); (b) unable to perform the essential functions of the job, even with a reasonable accommodation; and (c) an estimated amount of time expected to be unable to do so.

Riley County reserves full discretion to decide if medical leave is appropriate, if granting a medical leave would pose an undue hardship on Riley County, and, if granted, the duration of an approved leave. If approved for medical leave, accrued paid time off must be used in accordance with the paid time off policies. However, if disability insurance benefits or workers' compensation benefits are being paid, use of available paid time off will be in accordance with state law and the rules of the plan. Compensation will not be made at more than 100% of the regular rate of pay from all sources combined.

While on leave, healthcare insurance may be subject to termination based on the terms of the relevant plan. In such a case, employees may elect to continue health coverage at their own expense, as allowed by law. If premium payments are due while on leave, the employee is responsible for paying the premium. Riley County will give instructions for payment at the time of leave.

During medical leave, Riley County reserves the right to request updates on the employee's medical status and an estimated return-to-work date. Additionally, a medical certification affirming the individual's fitness to resume work, with or without reasonable accommodation, is mandatory.

If the position is permanently filled while on a non-FMLA medical leave of absence, the employee can apply for any available open position within Riley County. If the employee does not return to work at the end of the approved leave of absence, this will be considered a voluntary resignation.

3.7 Unpaid Leave of Absence (Leave Without Pay)

Riley County may allow employees who have completed one full year of service and who have no paid time off available be considered for an unpaid leave of absence of up to 30 days with the possibility of a 30-day extension to fulfill personal obligations. This Policy does not cover an employee's own medical issues. If medical leave is needed, an FMLA request should be made, if applicable, or a request for leave under the Medical Leave Policy.

Unpaid Leave of Absence is intended for emergency circumstances. If the need for leave is foreseeable, notice must be given to the Department Head and the Director of Human Resources at least 30 days prior, in writing. If this is not possible, notice must be given as soon as practicable (within 1 to 2 business days of learning of the need for leave) and must comply with Riley County's call-out procedures. Unpaid Leave of Absence (Leave without Pay) requests will be reviewed by the Department Head in conjunction with the Director of Human Resources. Unpaid Leave of Absence will not be approved for planned, non-critical leave requests. Riley County reserves full discretion to decide if leave is permissible and the duration of an approved leave.

While on unpaid leave, the County will continue to pay its share of the cost of health insurance for employees who intend to return to county employment, for a maximum period of 1 month. The employee portion of healthcare insurance continues to be the employee's responsibility; employees must make arrangements to pay their portion prior to the leave of absence.

If the employee does not return to work at the end of the approved leave, this will be considered a voluntary resignation.

3.8 Military Leave

Riley County recognizes the need to be absent from work to serve in the U.S. military. Riley County provides military service leaves of absence to all full-time and part-time employees in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws.

Should an employee require military leave, advance notice should be communicated to the supervisor through an authorized military order. Whenever possible, a minimum of 30 days' notice is encouraged. In cases where 30 days' notice is not feasible, employees are expected to provide as much advance notice as possible. Riley County retains the right to request a copy of military orders or training paperwork.

The County offers administrative leave for military duty at a rate of half of the normal scheduled week with a maximum of 40 hours unless otherwise required by applicable law. Employees may use available PTO during military service leave. During military service leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. If an employee separates from employment due to an extended military leave, they will be eligible for reemployment after military service leave. To return to work, employees must either report to work or apply for reemployment, and present military discharge documentation, if available, as follows:

- If military leave was less than 31 days, employee must report to work on the first regularly scheduled workday after return home from military service.
- If military leave was for 31 to 180 days, employee must apply for reemployment within 14 days following completion of military service.
- If military leave was for more than 180 days, employee must apply for reemployment within 90 days following completion of military service.

If an employee does not report to work or apply for reemployment within the applicable timeframe, this will be considered an unexcused absence. Nothing in this policy requires Riley County to reemploy individuals who are not eligible for reemployment rights under applicable law. If eligible for reemployment, a position will be assigned with the same seniority, with all rights and benefits based on that seniority, that would have been attained if military leave had not been taken. Seniority rights include pay and benefits that accrue or are determined based on length of service.

Riley County strictly prohibits discrimination or retaliation against any employee or applicant based on their membership in or obligation to perform service for any branch of the U.S. military. In instances where state or local military service leave laws offer greater protections or benefits to employees, the most favorable provisions, as provided by such laws, will apply.

3.9 Administrative Leave

The BoCC may grant paid Administrative Leave for regular employees when unusual or emergency conditions exist. Administrative Leave is granted based on the employee's scheduled day of work for that specific day. Employees granted Administrative Leave by the BoCC must remain available for call back to regular duty. Failure to return to regular duty upon the department head's request, or unavailability to the department head, may result in disciplinary action, including a change of Administrative Leave to unpaid leave.

Examples of Administrative Leave include severe weather conditions, wide-scale emergencies, and situations involving individual buildings deemed potentially hazardous or imminently dangerous.

- a) If County buildings are lawfully ordered closed by the Local Health Officer (K.S.A. 65-201) to control the spread of contagious or infectious diseases, the BoCC may grant Administrative Leave for regular employees within affected County buildings. The BoCC may also grant Administrative Leave if County departments are significantly understaffed, cannot perform essential functions, or if the Local Health Officer advises closure to curb the spread of disease.
- b) Administrative Leave is granted annually for employee flu shots in 1-hour increments and quarterly for on-site blood drive participation.
- c) Discretionary closure of the offices of Clerk, Treasurer, County Attorney, and Register of Deeds requires the consent of the elected official in charge of that department.
- d) If non-exempt personnel designated as emergency personnel work during Administrative Leave, those hours are included in the regular hours. Overtime, if applicable, will be calculated for hours worked beyond 40, and Administrative Leave will be added after calculating all hours worked.
- e) If other paid leave was authorized before the emergency, using that leave during the emergency will not be changed to Administrative Leave.
- f) Regular, non-exempt, non-emergency personnel working during Administrative Leave, with Department Head approval, will be paid for hours worked. Any remaining balance will be paid as Administrative Leave.
- g) Part-time employees receive prorated Administrative Leave based on their regularly scheduled work hours. Interns, temporary employees, or as-needed employees working during Administrative Leave will be paid only for actual hours worked.
- h) No Administrative Leave shall be granted to an employee on leave without pay.

3.10 Paid Bereavement Leave

In the unfortunate event of a death in the family, regular employees are entitled to paid bereavement leave, as detailed in the chart below. Such leave must be taken consecutively and may not be split up or postponed. Proof of death and the relationship to the deceased may be required. Request must be approved by the Department Head prior to taking the leave.

<i>Relationship</i>	<i>Leave Granted to non-EMS</i>	<i>Leave Granted to EMS</i>
Spouse, child (includes miscarriage), foster child, stepchild, parent (includes in loco parentis), sibling	Up to five (5) consecutive working days	Two (2) consecutive 24-hour shifts
Grandparent (including great grandparent and in-law), grandchild, great grandchild, mother- or father-in-law, brother- or sister-in-law, legal guardian, all "half" and "step" relations	Up to three (3) consecutive working days	One (1) 24-hour shift
Coworkers (current and past)	Up to 2 consecutive hours to attend the funeral	

3.11 Jury Duty and Court Attendance Leave

Riley County is committed to supporting the communities in which we operate, including supporting, whenever possible and in accordance with applicable law, fulfilling the responsibility to serve as juror or when subpoenaed to appear in court. When notification regarding upcoming jury duty or court attendance is received (other than when called as a defendant in the proceedings), notify the direct supervisor within one business day of receipt. If jury duty or court attendance is required, at the end of each day of service, notify the supervisor of the status and return to work if excused from jury duty during regular working hours.

Employees will be paid for jury duty leave when the jury duty falls on a day the employee was scheduled to work. An employee granted leave under this section who receives pay or fees for jury duty or a required appearance shall turn over to the County the pay or fees. Those fees will be deposited in the fund from which the employee is paid. The employee may retain any amount paid to the employee for expenses in traveling to and from court unless the employee traveled in a County vehicle.

Riley County will not take adverse action because of time lost for jury duty or responding to a subpoena.

3.12 Witness and Crime Victims Leave

An unpaid leave of absence will be permitted where subpoenaed to attend a judicial proceeding as a witness, including where attendance or appearance in court is by reason of being a victim of, or a witness to, a crime, or are a member of a victim's family or for any other reason as required by law.

Please provide as much notice as possible to the supervisor before taking leave under this policy. Confirm the reason for the absence before leave is approved by either producing a subpoena or other proof of attendance. Leaves of absence will not be approved to attend proceedings as a criminal defendant. Return to work if excused from court during regular working hours.

Employees required by Riley County to attend court proceedings as witnesses will be compensated at their regular rate of pay for hours spent in court. In addition, meals will be reimbursed in accordance with our *Business Expense Reimbursement Policy*. Employees appearing in court for any other reason allowed in this policy may take the time unpaid or use available PTO.

3.13 Domestic Violence Leave

Riley County will not discharge, discriminate, or retaliate against an employee who is a victim of domestic violence or sexual assault and who takes time off from work to:

- Obtain (or attempt to obtain) a temporary restraining order, a normal restraining order or other injunctive relief for the employee's safety or the safety of his or her child(ren).
- Seek medical attention for any injuries resulting from domestic violence or sexual assault.
- Obtain services from a domestic violence shelter or program or rape crisis center because of domestic violence or sexual assault; or
- Attend court appearances related to the domestic violence or sexual assault.

If leave is needed related to domestic violence, notify the supervisor with as much notice as possible. Upon return to work, within 48 hours, provide documentation that supports the requested leave. Riley County will not take adverse action for an unscheduled absence with sufficient documentation (such as a police report) to support the absence within 48 hours. Employees are permitted up to 8 days of unpaid domestic violence leave per calendar year. Available paid time off may also be used while on leave.

3.14 Paid Time Off for Voting

In accordance with state law, employees are permitted up to two consecutive hours of paid time off from work to vote in an election. Employees are encouraged to vote in advance of election day or vote before/after their regular work schedule if possible. If the polls are open outside of regular working hours, leave will be combined with non-working hours providing at least two consecutive hours availability for voting. Riley County reserves the right to specify the hours during which employees can take leave to vote. It is important to note employees are not obligated to vote during their lunchtime.

4 EXPECTATIONS

Riley County supports employees' needs to do the best job possible in a safe, professional environment. This section outlines our mutual expectations.

4.1 Code of Conduct

Employees must conduct themselves both at work and while off duty according to the highest standards of professionalism and in compliance with our policies and all applicable laws. In addition, all employees must conduct themselves both at work and while off duty in a manner that does not discredit the County or hinder the effectiveness or efficiency of County operations.

To meet these obligations, Riley County has established a set of conduct expectations employees must meet both on and off duty. While it is impossible to list every action that is unacceptable conduct, the following lists some examples. Employees who commit violations such as these may be subject to disciplinary action, up to and including termination of employment: *Community Corrections employees are also subject to additional Code of Conduct – see below.

- Theft or inappropriate removal or possession of property
- Falsification of County records, including timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating County vehicles or equipment
- Engaging in violent conduct
- Violating our *Workplace Violence Policy*
- Conviction of a violation of any state or federal criminal law or engaging in criminal conduct in violation of our *Criminal Activity and Arrests Policy*
- Negligence or improper conduct leading to damage or loss of public property or funds.
- Defacing County property
- Insubordination
- Creating dissension, disturbances, or interfering with other's work performance
- Violation of safety or health rules including failure to report unsafe working conditions.
- Smoking in prohibited areas
- Sleeping on the job (when not job-appropriate)
- Any unlawful harassment, including sexual.
- Possession of dangerous or unauthorized materials, such as explosives or firearms
- Conducting unauthorized business while on County time or while using County equipment
- Unauthorized use of telephones, mail system, or other County equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Unsatisfactory performance or conduct
- Discourteous or disruptive conduct or other offensive behavior in public, to the public, or to employees of the County
- Keep personal phones out of sight unless there is some special reason to have it turned on, and which is approved by the supervisor.
- Engaging in conduct or other activities that could bring discredit to the County or hinder the effectiveness or efficiency of the County operations.

- Being associated with conduct or activities that bring discredit to the County or hinder the effectiveness or efficiency of the County operations.
- Soliciting or accepting gratuities, gifts, or bribes from any person associated with the County in exchange for a favor or service.

4.2 Additional Code of Conduct for Riley County Community Corrections Employees

Riley County Community Corrections establishes additional expectations for its employees based on the services provided and state statute. Employees are expected to adhere to the following Code of Conduct.

- Uphold ethical and professional standards in all actions.
- Acknowledge each client as an individual with the potential to contribute positively to society.
- Keep client information confidential, disclosing it only when necessary for job performance and in accordance with program policies on information release.
- Refrain from using information obtained during official duties for personal gain.
- Treat all clients equally, without discrimination based on race, sex, national origin, color, sexual orientation, religion, age, mental or physical handicap, or any other personal characteristic, condition, or status. No preferential treatment is allowed.
- No physical or emotional abuse, including but not limited to hitting, beating, shaking, cursing, threatening, binding, closeting, prolonged isolation, food denial and derogatory remarks about the client or the client's family. Any allegation of physical or emotional abuse of a client, or a client's family, will be subject to disciplinary action.
- Report suspected abuse as required by K.S.A 38-2223.
- Avoid engaging in business transactions or relationships with clients, their families, or close associates that may create a conflict of interest.
- Refrain from engaging in unnecessary or non-duty-related activities with clients or their families. This includes but is not limited to acts of betting, trading, dealing, socializing, unrelated family contact, inappropriate personal conversation, exchanging personal correspondence, sexual misconduct, or any other actions developing a relationship beyond a professional one.
- Do not provide legal advice.
- Report any violation or attempted violation of these restrictions to the Director.

4.3 Discipline Policy

Every employee has the duty and responsibility to be aware of, and abide by, existing rules and policies. Employees also have the responsibility to perform their duties to the best of his/her ability and to the standards as set forth in their job description or as otherwise established.

Riley County uses a disciplined approach to address unacceptable conduct, attendance concerns, and other policy violations including demotion, transfer, leave without pay, or termination of employment.

The disciplinary process may involve various actions to address violations. However, the County is not required to engage in progressive discipline and may discipline or terminate employees 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 employment is anything other than on an "at-will" basis consistent with applicable law.

Supervisors and Department Heads will make every reasonable effort to allow employees to respond to disciplinary actions. Understand the County is concerned with consistent enforcement of the policies but is

not obligated to follow any disciplinary or grievance procedure and, depending on the circumstances, employees may be disciplined or terminated without any warning or procedure.

The following is an outline of the County's progressive discipline process – records of any counseling shall be forwarded to Human Resources for placement in the employee's personnel file.

- Verbal discipline action — verbal communication from a supervisor to an employee regarding a workplace infraction, performance concern, etc. with identified goals for improvement. Documentation of the verbal counseling is forwarded to HR for the personnel file. Verbal discipline actions are approved at the supervisor level.
- Written discipline action — written documentation issued for significant misconduct, notice of disapproval, need for corrective action, or failure to improve after verbal discipline. Specific goals, timelines, and results of failure to improve are included. Multiple written discipline actions may be used. Written discipline action requires department head approval prior to delivery to the employee.
- Performance Improvement Plan — when a disciplinary situation is not easily resolved or when the employee has demonstrated an inability or unwillingness to perform assigned work efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time, generally 6 weeks, not to exceed 90 days. Within this period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the Department Head and Human Resources Director. At the end of the performance improvement period, the PIP may be closed if the employee has satisfactorily completed its terms. If established goals of the PIP are not met, or additional disciplinary action is necessary, the employee may be involuntarily terminated.
- Suspension with pay — time away from work with pay. A suspension with pay is possible in an investigation of misconduct, in connection with pending disciplinary action, or when previous attempts to improve an employee's conduct have been unsuccessful. A suspension with pay requires approval by the department head, Human Resources, and the County Counselor before being taken.
- Suspension without pay — time away from work without pay. A suspension without pay up to 30 days is possible for the same issues addressed by suspension with pay, or when other issues of a severe/pervasive nature warrant such action. A suspension without pay requires department head, Human Resources Director, and County Counselor approval before being taken.
- Demotion — placement in a position with fewer or lower-level responsibilities and a lower pay range. A demotion requires prior approval by the department head, Human Resources Director, and County Counselor. The demoted employee's position may be reclassified, or the demoted employee may be moved into an existing vacant position. In no case will a new position be created to demote an employee.
- Involuntary termination — permanent separation from service with the County. Involuntary termination requires prior approval by the department head and the Human Resources Director and review by the County Counselor before being taken. Involuntary termination may prevent an employee's eligibility for rehire. Involuntary termination for cause disqualifies that employee for pay out of unused, accrued benefits. Riley County reserves the right to determine the appropriate level of discipline for any inappropriate conduct up to and including termination.

These steps serve as a guide for both supervisors and employees. Documentation of each step becomes part of the personnel file.

All employees, whether during their introductory period or after successfully completing it, are at-will employees and can be terminated by Riley County with or without cause, for any reason or no reason and with or without prior notification.

4.4 Dispute Resolution of Discipline Actions Policy

Riley County allows employees an opportunity to appeal discipline action taken against them through a dispute resolution procedure. The County will attempt to promptly resolve all such disputes that are appropriate under this policy. An appropriate dispute is defined as “an employee’s expressed dissatisfaction concerning any interpretation or application of a work-related policy by the County, supervisors, or other employees which resulted in a disciplinary action against the employee.” Matters which may be considered appropriate disputes under this policy include:

- An expressed belief County policies, practices, rules, regulations, or procedures have been applied inconsistently to that employee.
- An expressed belief the employee has been subjected to mistreatment, such as coercion, reprisal, harassment, or intimidation.
- An expressed belief the employee has been discriminated against because they are a member of a protected class; and/or
- An expressed believe the employee is subject to improper or unfair conditions of employment, or unfair disciplinary actions.

The procedures to dispute a disciplinary action are described in the Riley County Procedures Manual.

4.5 Attendance and Punctuality

Riley County emphasizes the importance of reliable and punctual attendance. Absenteeism and tardiness can impact both colleagues and the county. While recognizing the occasional need for unplanned absences, the county outlines expectations, and procedures regarding attendance.

Absence Notification: Employees must make all reasonable efforts to notify their supervisor at least one hour before the start of their scheduled shift in the event of an absence. If leaving a message, employees should include the reason and the expected duration. Daily notification is required for each day of absence or tardiness. In emergencies or other extenuating circumstances preventing timely notification, employees should provide notice as soon as possible and reasonable explanation for non-compliance.

Non-exempt employees shall not report to work more than 7.5 minutes before the designated time, nor stay later than 7.5 minutes after designated time unless authorized by the department head. However, employees are still obligated to report to work on time.

Unexcused Absence: Unexcused absence occurs when an employee is absent from work during scheduled hours without permission, including full or partial day absences, late arrivals, and early departures. The following absences will not be counted against the attendance record:

- Approved leave of absence
- Absence qualifying under federal or state leave laws.
- Pre-approved times away from work using accrued paid time.

Supervisors have the discretion to categorize each absence or tardiness as excused or unexcused and determine the use of available paid time off. They may also request medical notes or other documentation to verify illness, emergencies, or extenuating circumstances. When an employee is sick for more than 24 consecutive working hours, the department head may request a healthcare provider's authorization to return to work.

Employees violating this policy will be subject to discipline up to and including termination.

If an employee is absent without notification, for 3 consecutive days, it will be assumed the employee has voluntarily resigned via job abandonment. As a result, the employee will be removed from payroll.

4.6 Meal and Break Periods

Riley County provides paid rest breaks during each workday, when possible. Full-time employees may be granted up to 2, 15-minute breaks each scheduled workday. The timing of employee breaks should be scheduled and approved by the department head or supervisor. Employees should remain on the grounds while on break, unless otherwise approved by the department head.

If a break is not taken, the time may **not** be accumulated to use at another time nor used for flexing a work schedule.

Unpaid meal breaks may be taken each scheduled workday, are limited to one hour and are scheduled and approved by the Department Head or supervisor. Eating should be limited to break times. Food taken to a desk or workstation should be kept out of sight of customers.

RCEMS employees refer to Shift Structure and Daily duties on Y Drive.

Lactation Breaks: *As part of our family-friendly policies and benefits, Riley County supports breastfeeding employees by accommodating the need to express breast milk during the workday.*

For up to one year after the child's birth, any employee who is breastfeeding will be provided reasonable break times to express breast milk. Riley County has designated rooms for this purpose on each of our campuses within 5 minutes of the nursing employee's workstation. Employees requesting lactation breaks should work with Human Resources to identify the lactation room, and ensure policy is followed. Requests need to be made with at least 2 months' advance notice whenever possible.

Employees should discuss with the supervisor the frequency, timing and duration of lactation breaks to ensure a mutually agreeable arrangement. Employees are provided with paid break time up to 20 minutes when necessary for lactation breaks. Breaks of more than 20 minutes in length will be unpaid, or require use of PTO, and recorded on timesheets where appropriate.

Lactation rooms will be designated within 5 minutes of the nursing employee's workstation, will have a door with a functional lock, have proper lighting, comfortable seating, a small table or counter, an electrical outlet and access to a refrigerator to store the expressed milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk.

4.7 Dress Code – Professional Appearance Policy

Each employee is a representative of Riley County Government and as such is responsible for providing a professional appearance by being well groomed, being appropriately attired, and functioning in a safe manner within an orderly work environment.

This policy establishes a minimum acceptable dress code for employees of Riley County:

- Final discretion regarding appropriate dress is given to elected officials and department heads.
- Consideration is given to the working conditions and environments of each position.
- Riley County expects consistency in the application of the dress code across departments so productivity and good morale is maintained.
- Safety is the highest priority. In environments where safety is a concern flexibility should be given.

Riley County employees are diplomats for county government. Each employee may be the initial contact or the continued colleague for the customer doing county business. Employees should represent the mission, vision, and values of Riley County. Employees should present a clean, well-groomed, and appropriately attired professional appearance as they perform their job duties.

- Employees in safety sensitive positions have specific clothing requirements, and those who wear a specific uniform should dress according to that expectation.
- Employees who perform work in an office environment will dress in appropriate office attire. Examples of inappropriate office attire include but are not limited to frayed, tattered, or torn clothing; jeans; overalls; painter's pants; military or camouflaged clothing; t-shirts with inappropriate writing or logo's; shorts or cutoffs; halter or midriff tops; tank or spaghetti strap tops; leisure wear/jogging suits; sweatpants; flip flops; or a general appearance considered excessive by the Department Head.
- Markings of any kind or nature, except for permanent makeup that does not detract from a professional image, are prohibited anywhere upon the face. Only tattoos that would not be considered extremist, indecent, sexist, or racist are allowed to be visible during work hours. Any markings that fall within any of these categories must be covered.
- Piercings are to be tasteful and professional. Earrings and piercings are not to be in excess, gauges and plugs are not acceptable. Jewelry should be tasteful and moderate in style.
- Alternative attire occasions may be announced by the Board of County Commissioners.
- Education on professional appearance shall be made available to employees as needed.

An individual department may designate a casual dress day. Casual clothing such as jeans, athletic shoes, and clean tee shirts displaying acceptable messages may be appropriate if approved by department head/elected official. Casual dress days will not conflict with the dress policy and guidelines, and employees must still remember their appearance represents Riley County.

If the department head finds an employee's appearance or personal hygiene inappropriate, the employee will be asked to leave work and return properly dressed and groomed. If asked to leave, the time away will be unpaid. Speak with a supervisor about clothing standard questions, before wearing questionable items to work.

For EMS crews: EMS employees are issued several uniform items and must follow the guidelines presented in the County's *Uniform Standard* policy in the Y drive. Except for ball caps, t-shirts, or job shirts, no uniform item should be worn off duty. If an employee chooses to wear any item which identifies them as an RCEMS employee, they must conduct themselves in a professional manner.

For WIC dietitians and Nurses: Dietitians and nurses are permitted to wear scrubs.

- Scrubs shall be well fitted and look professional (limited wrinkles) and appropriate for physical requirements of the position and body type.
- Closed toe shoes are required in the clinic. Tennis shoes are permitted when worn with scrubs.

- c. To avoid the spread of disease, long neck ties and scarves are not permitted in the clinic.

Health Department employees are required to wear County-issued ID badges in a manner visible and above the waist so our clients can differentiate between staff and public. ID badges are also used to quickly identify licensed and credentialed staff and determine roles and responsibilities in case of a public health emergency.

For Safety Sensitive Field Employees: Safety Sensitive clothing/PPE shall be worn by employees as deemed appropriate for each work situation. High visibility safety apparel meeting Performance Class 2 or 3 of the ANSI/ISEA 107-2004 shall be worn. Employees working in the right-of-way are required to wear a safety vest or other safety clothing that meets the Performance Class 2 requirement. Class 3 apparel is required for work conducted during night-time activities. The apparel background material color shall be fluorescent orange-red, fluorescent yellow-green, or a combination of the two. The reflective material shall be orange, yellow, white, silver, yellow-green, or a fluorescent version of these colors and shall be visible at a minimum distance of 1,000 feet. The retro-reflective safety apparel shall be designed to clearly identify the wearer as a person. In accordance with National Safety Council recommendations, vests and other safety clothing used during daytime hours shall have at least 600 square inches of background material and 60 square inches of highly reflective material. *For a list of clothing issued to safety sensitive positions, see the Riley County Procedural Manual.

4.8 Employee Political Involvement

Every employee has the right to register and vote on political issues. Employees are also permitted to engage in political activities and join organizations, subject to the following restrictions:

- Employees have the right to political involvement when confined to non-working hours.
- No violation of civil rights related to political involvement will be tolerated.
- Activities related to political involvement, not related to employment at Riley County, should be conducted during non-working hours. (does not apply to KAC and county legislative activities)
- Employees must comply with the County's Solicitation policy.
- No supervisor or person in authority shall solicit employees for contributions (money or labor) for any candidate for elective office.
- Employees cannot be compelled or coerced to support a candidate for elective office or engage in any political activity.

4.9 Remote Work Policy

Riley County considers Remote Work a viable alternative work arrangement in cases where individual, job, and supervisor characteristics are best suited to such an arrangement. Working remotely allows employees to work at home, on the road, or in a satellite location for all or part of their regular workweek. Remote work is an alternative that may be appropriate for some employees and some jobs. Remote work does not change the terms and conditions of employment with Riley County. At-will employment status remains unchanged.

Eligibility: The Department Head will designate which employees are eligible to work remotely. If permission is granted, the Department Head will designate the employee's remote schedule. Permission to work remotely is at the County's discretion and can be withdrawn at any time.

County Policies and Performance Standards Remain in Effect: Employees working remotely must continue to adhere to their regularly scheduled working hours. Any deviations must be approved by the supervisor in advance. They must abide by all County policies and continue to meet performance standards for their roles. Failure to follow County policies or to maintain expected performance standards may result in loss of remote work privileges and/or discipline up to and including termination.

Caregiving and Remote Work: If an employee has been granted permission for remote work and will be responsible for caregiving during working hours, the department head must be notified. The department head will assess whether remote work remains appropriate considering caregiving responsibilities.

Timekeeping: Non-exempt employees working remotely must adhere to the County's Timekeeping Policy. Accurate recording of all worked hours is mandatory. Non-exempt employees may not work overtime without prior approval from a supervisor.

Equipment and Technology Support: The County is responsible for repairing County equipment. Employees are accountable for any loss or damage to County equipment.

Privacy Expectations: Employees should have no expectation of privacy when using County-provided equipment. Monitoring of employee access and connection to County networks may occur at any time.

Security: Employees are responsible for securing County property from theft. Use secure remote access procedures and maintain confidential passwords, anti-virus measures, and regular computer backups.

Expenses: Remote work costs related to cellphone use, long-distance charges, internet access, and electric bills are the responsibility of the employee.

The County may revoke or revise remote working arrangements at any time.

4.10 Drug and Alcohol Policy

For purposes of this policy, the term "employee" shall not include elected officials or temporary election workers hired by the County Clerk. This policy applies to all other employees and volunteers of Riley County, without exception, including part-time, temporary, and as needed employees.

Riley County is committed to providing a safe, healthy, and productive workplace free from alcohol and unlawful drugs as classified under state or federal laws, including marijuana, while employees are working on County premises, another worksite of the County, and while operating County-provided vehicles or personal vehicles used for Company business. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves and others with whom they work. Therefore, working under the influence of alcohol or drugs, including marijuana, is strictly forbidden.

In addition to forbidding employees from working under the influence of drugs or alcohol, the unlawful manufacture, distribution, possession or use of any unlawful drug or drug paraphernalia on Riley County's premises, while conducting Company business, or in any vehicle owned or leased by the County is absolutely prohibited. If employee take prescribed medication while on the job, the prescription must be followed consistently and use must not pose a risk to anyone's safety. However, the use of medical marijuana while on the job or while off the job that results in the employee working under the influence is prohibited. If a physician has prescribed medication that influences the ability to safely perform job duties, the supervisor must be immediately notified. Employees will not be subject to discipline for the appropriate use of legal nonprescription or prescribed legal drugs for the treatment of illness or injury.

Additionally, employees may not be under the influence of, consume, sell, or purchase alcoholic beverage on any property County does business or in any vehicle owned or leased by the County. An alcohol test showing an alcohol concentration of .02 or greater will be deemed a violation of the policy.

Reporting: Report evidence of alcohol or drug use to a supervisor or HR immediately. In cases where the use of alcohol or drugs poses an imminent threat to the safety of persons or property; report the violation. Failure to do so could result in disciplinary action for the non-reporting employee.

Employees who violate the Drug and Alcohol Policy will be subject to disciplinary action, up to and including termination.

Testing: As a part of our policy to ensure a substance-free workplace, employees may be asked to submit to a drug and/or alcohol test under any of the circumstances listed below.

- *Pre-Employment:* All job offers will be contingent upon a negative drug test.
- *Reasonable Suspicion:* "Reasonable suspicion" will exist when a supervisor or other person in authority has a reasonable belief based on objective factors such as the employee's appearance, speech, behavior or other conduct or facts, that the employee is under the influence of drugs or alcohol, or both.
- *Post-Accident:* Testing may be required to evaluate the root cause of a workplace incident that harmed or could have harmed employees. All employees whose conduct could have contributed to the incident, not just employees who reported injuries, will be subject to drug testing.

Compliance with the Drug and Alcohol Policy is a condition of continued employment with the County. A refusal to submit to a drug or alcohol test upon request by the County will be considered a positive test and will result in discipline up to and including termination. A refusal to submit to a test is defined as: failure to provide the required valid specimen(s); obstructing the collection of a specimen or the testing process; submitting an altered, adulterated or substitute sample; failure to show up for a scheduled test; refusal to complete the requested drug testing forms; or failure to promptly provide specimen(s) for testing, without a valid medical reason, when directed to do so.

Rehabilitation: We believe it is important to seek professional help for drug/alcohol problems. Proactively asking for help before the matter is addressed through the disciplinary action process benefits the employee and Riley County. If a violation or suspected violation of this policy has not occurred before the request, Riley County will consider a leave of absence to pursue drug or alcohol rehabilitation. If leave is granted, the employee will be required to give a negative drug or alcohol test to return to work. The inability to do so may result in termination. Requests for rehabilitation leave will be denied and employees subject to the disciplinary process, up to and including termination, if they have not made the request prior to any suspected or actual violation of this policy.

Follow-up: Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including termination. Depending on the circumstances and the employee's work history/record, the County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which will include follow-up drug and/or alcohol testing at times and frequencies determined by the County. Follow-up testing will be randomly administered at least 6 times during the first 12 months an employee has returned to work and can continue for a period of up to five years. Employees may also be asked to sign a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

DOT Compliance: This policy applies to all employees, including those who are subject to the Department of Transportation (DOT) regulations. DOT-regulated employees must adhere to the requirements of this Drug and Alcohol Policy as well as the DOT Drug & Alcohol Policy, in the Appendix of this Handbook. The DOT makes no exceptions for medical or recreational marijuana that has been legalized by an applicable state law. DOT-

regulated employees will not be excused from policy for use of marijuana resulting in a positive test, even if the use is legal under applicable state law.

Confidentiality: All drug and alcohol testing records will be held in confidence and only shared internally with those who have a business reason to view them. Release outside of the County will comply with applicable law. All testing records will be stored separately from the employee's personnel file.

4.11 Conflict of Interest

Employees have a responsibility to avoid any conflict between their personal interests and those of Riley County. A conflict of interest occurs when personal interests, or those of a close relative, interfere, or appear to interfere with the ability to make sound business decisions on behalf of Riley County. Conflicts of interest could arise in the following circumstances:

- An employee or the close relative of an employee being employed by, or acting as a consultant to, a competitor or potential competitor, supplier, or contractor.
- Serving as a board member for an outside commercial company or organization whose interests compete with Riley County's.
- An employee or the close relative of an employee owning or having a substantial interest in a competitor, supplier, or contractor.
- Accepting gifts, discounts, favors, or services from a customer or potential customer, competitor, or supplier, unless equally available to all County employees.

For the purposes of this policy, a "close relative" is any person who is related by blood or marriage, or whose relationship with the employee is like that of persons who are related by blood or marriage.

Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, kickbacks, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

Before engaging in any activity, transaction or relationship that might give rise to a conflict of interest, seek review from the Department Head.

4.12 Outside Employment

Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions outlined in this policy. DOT-regulated drivers are required to report all compensated work and adhere to the Hours-of-Service regulations issued by the Federal Motor Carrier Safety Administration.

Activities and conduct away from the job must not conflict with or compromise the County's interests or adversely affect job performance and ability to fulfill job duties. Employees are prohibited from unauthorized use of any County equipment and the unauthorized use or application of any confidential information. Further, no solicitation or conducting outside business during paid working time is allowed.

Employees are cautioned to carefully consider the demands of additional work activity before accepting outside employment. Outside employment is not an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If Riley County determines an employee's outside work interferes with performance, the employee may be asked to terminate such employment.

The County does not permit employees on a leave of absence, whether medical or non-medical, to engage in outside employment while on leave. Engaging in outside employment while on a leave of absence will result in termination of employment.

Employees who have accepted outside employment may not use paid Critical Leave to work on the outside job. Fraudulent use of leave will result in disciplinary action up to and including termination.

4.13 Confidential Information

It is the policy of the County to uphold the confidentiality of the persons we serve with the highest regard. All information and knowledge concerning County residents is confidential in nature. Employees shall not publish, discuss, or otherwise make public any information concerning persons served by the County unless such release is explicitly authorized by the resident. In an emergency, confidential information immediately pertinent to emergency care may be provided.

Information that is not available to the public should be held in confidence. Anyone responsible for distribution of this type of information to unauthorized sources may be terminated immediately.

Health Information: It is the obligation of every employee to maintain the confidentiality of information concerning employees, clients, families, and co-workers. No one is to communicate to any unauthorized person information of a personal nature, (including financial, address, phone number, medical treatment, diagnosis, etc.) unless the information is pertinent to the treatment of an individual and is communicated to someone with a need to know due to involvement in their care. Employees shall not seek access to confidential information when that knowledge is not required in the performance of their duties. Compliance with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) shall be a condition of new and continued employment at the Riley County Health Department.

4.14 Personal Property

Riley County is not responsible for personal property lost, damaged, or stolen. Individuals bringing personal property onto County premises are responsible for its security. Personal items brought onto County premises or worksites must not be sexually suggestive, offensive, or demeaning.

4.15 Use of County Equipment

Riley County provides equipment for job-related tasks. Users must exercise care, perform maintenance, and adhere to operating instructions, safety standards, and guidelines. County-issued equipment should not be used for personal use. Equipment must not be removed from County premises without approval.

Report lost or stolen County-issued equipment promptly. Internal investigations will occur in such cases. Intentional damage, negligence, or theft may result in disciplinary action, including termination. Legal remedies will be pursued, and reimbursement for lost or damaged items may be sought.

4.16 Electronic Communications Policy

County-provided property (computers, internet access, copy/fax machines, phones, email, voicemail) is for County business. Use of this property is prohibited for personal business unrelated to County interests or employees. Nothing in this policy is intended to contravene any applicable federal, state, or local law. The e-mail system is for County business only; solicitation for commercial ventures, charities, religious/political causes during working time is prohibited.

Employees must use the internet in a productive, ethical, and lawful manner. Electronic communication that threatens, intimidates, interferes with job performance, or violates County policies is prohibited. Violations may include breaches of Anti-Harassment, Confidential Information, and the Code of Conduct.

Any attempt to disrupt electronic communications, violate computer system security, or send electronic communications under false pretenses is strictly prohibited. Unauthorized access to any program using another employee's password or username is not permitted.

All electronic communication systems and information transmitted, received, or stored on County systems are the property of the County. The County may monitor system use to ensure compliance with policies, and employees should have no expectation of privacy in connection with equipment use or information transmission. The County reserves the right to review any employee's voicemail or email files, messages, and usage at any time without notice or permission.

Attempting to gain unauthorized access to files, emails, or voicemail is prohibited. Employees must exercise caution with email attachments and downloaded files to prevent viruses or malicious software. Only open attachments from trusted sources, and do not install unauthorized software.

Employees are expected to use systems responsibly and adhere to established security measures.

4.17 Bring Your Own Device (BYOD) Policy

This policy establishes guidelines for use of personally owned electronic devices for work-related purposes to ensure security of County data and equipment, legal compliance, and employee safety.

Employees can use personal electronic devices for work purposes when authorized in writing, in advance, by the employee, the Department Head and Human Resources. Personal electronic devices include personally owned cellphones, smartphones, tablets, laptops, and computers.

The use of personal devices is limited to certain employees and may be limited based on compatibility of technology and position. Contact Human Resources for more details.

Personal devices should be turned off or set to silent or vibrate mode during meetings and conferences and in other locations where incoming calls may disrupt normal workflow.

Restrictions on authorized use

Employees whose personal devices have camera, video or recording capability are restricted from using those functions when necessary, including meetings with supervisors and discipline-related discussions to secure privacy. While at work, employees are expected to exercise the same discretion in using their personal devices as is expected for the use of County devices. Riley County policies pertaining to harassment, discrimination, retaliation, confidential information, and ethics apply to use of personal devices for work-related activities.

Excessive personal calls, emails, or text messaging during the workday, regardless of the device used, interfere with productivity and are distracting to others. Employees should handle personal matters during nonwork time. Exceptions may be made for emergency situations and as approved in advance by the Department Head.

Nonexempt employees may not use their personal devices for work outside of their normal work schedule without authorization in advance from the Department Head and Human Resources. This includes reviewing, sending, and responding to emails or text messages, responding to phone calls (excluding emergency and call-out phone calls from a supervisor), or making phone calls.

Employees may not use personal devices for work purposes during periods of leave without authorization from HR. Riley County reserves the right to deactivate the County's application and access on the employee's personal device during periods of unpaid leave. An employee may not store information from or related to former employment on the County's application.

Privacy/Riley County access

No employee using his or her personal device for work-related purposes should expect any privacy except that which is governed by law. Riley County has the right, at any time, to monitor and preserve any communications that use Riley County's networks in any way, including data, voice mail, telephone logs, internet use and network traffic, to determine proper use.

Riley County reserves the right to review or retain organization-related data on personal devices or to release the data to government agencies or third parties during investigation or litigation. Managers may review activity and analyze use to ensure Riley County's resources are being used according to this policy. Furthermore, no employee may knowingly disable network monitoring software or system.

Reimbursement

Employees authorized to use personal devices under this policy will receive an agreed-on monthly reimbursement based on the position and estimated use of the device. If an employee obtains or currently has a plan that exceeds the monthly reimbursement, Riley County will not be liable for the cost difference where federal or state law allows.

The BoCC has approved the following reimbursement amounts, which will be requested by the Department Head and approved by Human Resources based on use required for the position.

\$25 per month

\$40 per month

\$65 per month.

The Department Head requesting the reimbursement should complete a Mobile Device Reimbursement Request Form, have the employee, and direct supervisor sign and submit it to HR.

4.18 Use of Personal Cellular Devices for Non-EMS Departments

Personal cell phones may be carried but must be set on "silent" or "vibrate" modes during working hours. Receiving and placing personal cell phone calls are restricted to break times and designated break areas. Special exceptions, including emergencies, must be approved by the supervisor. Personal calls, text messaging, or other cell phone activities interfering with County work may lead to disciplinary action.

Employees are prohibited from using hand-held devices while operating any motor vehicle on Riley County business. However, hands-free devices may be used if allowed by state and local laws and if such use will not compromise safety.

4.19 Use of Personal Cellular Devices for EMS Personnel

Because of the nature of the EMS work, EMS employees are permitted to carry personal cell phones while on duty. It is necessary to ensure the professional standards of this department in both clinical and non-clinical settings are not undermined because of a personal cell phone. As such, the following guidelines apply:

- In Clinical Settings:
 - Devices must be kept on the silent or vibrate setting.
 - No personal or non-business-related use of any kind is permitted.
- In Public Settings:
 - Devices must be kept on the silent or vibrate setting.

- Devices should be used sparingly and only if necessary to communicate, not for browsing the internet or social media sites.
- In Station Settings:
 - Devices must be kept on the silent or vibrate setting.
 - Devices may be used freely so long as they do not detract from duties, training, or ancillary assignments.
- In Driving Settings:
 - Devices must be kept on the silent or vibrate setting.
 - No use, business or otherwise, is permitted.

Supervisors and Administrators are permitted to use devices while the apparatus or vehicle is in motion when necessary to conduct official RCEMS business.

Lost, stolen, hacked or damaged equipment: Employees are expected to protect personal devices used for work purposes from loss, damage, or theft. To secure sensitive County data, employees are required to have “remote wipe” software installed on their personal devices by the IT department prior to using the devices for work purposes. This software allows the County-related data to be erased remotely in the event the device is lost or stolen. Wiping Riley County data may affect other applications and data.

Riley County, KS will not be responsible for loss or damage of personal applications or data resulting from the use of County applications or the wiping of Riley County information. Employees must immediately notify the supervisor in the event their personal device is lost, stolen or damaged.

Termination of employment: Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the personal device for inspection. All Riley County data on personal devices will be removed by IT upon termination of employment.

Violations of policy: Employees who have not received authorization in writing from Riley County, KS and who have not provided written consent will not be permitted to use personal devices for work purposes.

4.20 Use of Social Media

The Social Media policy applies to all employees, both on and off the job. Employees must adhere to all other County policies that might apply to social media use, as well.

Riley County recognizes the internet provides unique opportunities to participate in discussions and share information using a wide variety of social media, such as Facebook, TikTok, LinkedIn, X, Instagram, Pinterest, Tumblr, blogs, and wikis. However, employees’ use of social media can pose risks to Riley County’s confidential information, reputation, and brands; can expose Riley County to discrimination and harassment claims; and can jeopardize Riley County’s compliance with business rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from job performance, and to ensure that Riley County’s IT resources, and communications systems are used appropriately as explained below, Riley County expects employees to adhere to the following guidelines and rules when using social media, whether at work or outside of work:

1. Avoid engaging in conduct on social media that violates Riley County’s policy on Anti-Harassment and Equal Employment Opportunity. This includes refraining from ethnic slurs, racist or sexist comments, or any discriminatory, threatening, or abusive content.
2. Social media usage during working hours is not permitted unless required by the job.

3. Maintain respectful, fair, and courteous behavior towards fellow employees, customers, and suppliers on social media.
4. Avoid posting complaints or criticism that could be perceived as malicious, threatening, obscene, intimidating, defamatory, or harassing.
5. Refrain from posting or endorsing offensive content, such as ethnic slurs, sexist comments, discriminatory remarks, profanity, abusive language, or obscenity.
6. Do not share Riley County's confidential or proprietary information on social media platforms.
7. Clearly state employee social media activity represents personal views and not Riley County's.
8. Use good judgment about posts and remember that anything can reflect on Riley County.
9. Statements made about Riley County and any of its employees must also be truthful and accurate.
10. Do not violate any applicable law.

Employees are held responsible for their conduct on social media. If an employee's posting violates guidelines, Riley County may take disciplinary action, up to and including termination. This policy does not restrict communications or actions protected/required by state or federal law. If employees have questions or doubt the appropriateness of Social Media usage, he/she should speak with the supervisor.

4.21 Media Contacts

Employees are not authorized to give statements to any representative of the media without prior authorization from the Public Information Officer (PIO) as directed by the BoCC. This restriction may include, but is not limited to, television, internet, and print journalists.

Any employee authorized to speak to the media by the PIO may not share personal opinions while representing Riley County.

Media appearances and interviews should be coordinated through the PIO. If a reporter contacts an employee directly, the employee should either take a message and inform the PIO or ask the reporter to contact the PIO directly for scheduling and follow up.

The PIO will provide media training and assist with interview preparation upon request.

4.22 Criminal Activity and Arrests

Participating in criminal activity, during work or off duty, may result in disciplinary action up to and including termination. Disciplinary action depends upon a review of all factors involved, such as the nature of the act and charges, whether it was work-related, how it affects or may affect Riley County's reputation, employee's ability to perform the essential functions of the job or attendance. Disciplinary actions are not dependent upon the disposition of any case in court.

Employees are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled because of an arrest may lead to disciplinary action, up to and including termination, for violation of the attendance policy or job abandonment.

Disciplinary action taken will be based on information reasonably available. This information may come from witnesses, police, or any other source if management has reason to view the source as credible.

4.23 Fraternization

Riley County is committed to avoiding situations that create the appearance of favoritism, conflicts of interests and the potential for sexual harassment. Employees who hold a position as a supervisor, manager, director, or

executive (collectively referred to as a “supervisor”) within Riley County are prohibited from engaging in a romantic or sexual relationship with any subordinate employee. For purposes of this policy, a subordinate employee is defined as any employee working in any function or area of responsibility that reports directly to or reports up through a chain of command to a supervisor.

If a romantic or sexual relationship develops, the supervisor, manager, director, or executive involved in such a relationship must immediately report the relationship to Human Resources. Failure to report the relationship immediately will result in discipline up to and including termination of employment.

Upon disclosure of a romantic or sexual relationship, Riley County may transfer the supervisor and/or subordinate employee, at its sole discretion, to another department, area, or function of responsibility so the subordinate employee is no longer working in any area of responsibility reporting directly to or up through a chain of command to that supervisor. If this cannot be accomplished, one or both parties may be terminated from employment. Failure of either the supervisor or subordinate employee to accept an assigned transfer after a disclosure is made will result in termination of employment. In addition, the supervisor must also immediately disclose if the romantic or sexual relationship ends. Failure to do so will also result in discipline up to and including termination of employment.

Co-employees who have no supervisor/subordinate relationship must also immediately disclose any romantic or sexual relationship to management. Notification must also be given if the romantic or sexual relationship ends. Failure to disclose the relationship or notify management that it has ended will result in discipline up to and including termination of employment.

4.24 Personnel Records and Administration

Human Resources shall keep records of all the people employed. Those records shall include, but are not limited to: employment application, authorizations to hire, investigative material, licensure/registration verification, transcripts, handbook and policy acknowledgment forms, performance evaluations, disciplinary action documentation, commendations, orientation checklist, leave of absence requests, education/training profile, letter of resignation, activation and deactivation form, Personnel Requisitions, and other records directed to be made and maintained under these rules and regulations or under applicable State or Federal law. An employee’s personnel file shall be available during office hours for inspection by that employee and others as provided under applicable Federal and State law.

Medical records are maintained separately from personnel files and are available for review pursuant to State and Federal law.

The names, positions, salaries, and lengths of service of employees are subject to disclosure. Pursuant to the Kansas Open Records Act.

4.25 Solicitation and Distributions

Solicitation during work time, solicitation of any employee while they are working, or distribution of literature of any kind during work time, or at any time in working areas is prohibited except for vendors as approved by Department Heads. The BoCC reserves the right to expressly allow exceptions to this policy for certain charitable organizations or activities, community events, as well as those activities authorized for the REACH Committee.

4.26 Bulletin Boards

Riley County uses bulletin boards to communicate County information such as safety rules, statutory and legal notices, County-related events, and County policies. Employees may utilize any separate bulletin board

specifically set aside for employee use, if available. Notices may include upcoming community events, personal items for sale, expressions of sympathy or gratitude, or other notices of general interest. Riley County is not responsible for the accuracy of any announcements posted by employees, and Department Heads will be responsible for monitoring material. This policy will apply to any electronic bulletin board established within the Riley County Information Systems Network as well.

4.27 Termination and Resignation

If an employee wishes to resign, Riley County requests the employee notify the department head or supervisor in writing about the anticipated departure date at least two weeks in advance. Employees are expected to work the entire notice period; however, Riley County reserves the right to accept voluntary resignations immediately and may waive the requirement of working out a notice period.

The final paycheck for a separated employee will be issued on the first regularly scheduled payday following the separation date.

After termination from Riley County, employees are requested to provide an accurate address for at least one year for tax purposes.

4.28 Return of County Property

On or before the last day of work, or any time requested by Riley County, employees are required to return all County equipment, phones, computers, ID badge, credit cards, keys, records, manuals, computer files, and other documents, including all copies of such items, which in any way relate to the business or affairs of Riley County. Employees will be responsible for any such property not returned to Riley County upon request.

4.29 Re-Employment After Separation

Re-hired employees shall have their previous accrual tier assigned to their accrual rate for PTO purposes. A reinstated employee will be required to successfully complete a new 6-month evaluation.

4.30 Verification of Employment

Employers, financial institutions and residential property managers routinely contact employers, including Riley County, for information on former or current employee work history and salary. Requests of this type should be referred to HR. Responses to written requests for verification of employment will be provided only when the request is accompanied by a former or current employee's signed authorization to release such information. A written verification of employment will be returned directly to the requesting party. Telephone requests for verification of employment by prospective employers, financial institutions and residential property managers will be limited to confirming information stated by the external party.

5 SAFETY IN THE WORKPLACE

The safety and health of employees is the top priority. Riley County strives to provide a clean, hazard-free, and safe environment. This section includes general safety policies.

5.1 Health and Safety in the Workplace

Employees are expected to play an active role in ensuring a safe work environment. This involves strict adherence to all safety rules and guidelines established by the county, following safety instructions from supervisors, and using required safety equipment. In addition, employees must comply with all relevant federal, state, and local laws related to workplace safety. Specific responsibilities include:

1. **Reporting Incidents:** Employees must promptly report all workplace injuries, accidents, or illnesses to their supervisor, regardless of severity. In the absence of the supervisor, the report should be made to the next level above.
2. **Emergency Response:** In a life-threatening emergency, employees are instructed to dial 911.
3. **Equipment Awareness:** Employees are required to be familiar with the location of safety and emergency equipment.
4. **Work Area Maintenance:** Employees are responsible to keep areas and exits free from hazards.
5. **Equipment Issues:** Problems with safety equipment should be reported to the supervisor.
6. **Reporting Hazards:** Employees are expected to promptly report unsafe conditions or hazards, such as wet floors or broken equipment, to their supervisor or the next level above.

Riley County prohibits any form of discipline, discrimination, or retaliation against employees who report health or safety concerns, workplace injuries, violations of policy, or who cooperate in investigations.

5.2 Use of Vehicles

These guidelines must be strictly adhered to when operating a vehicle while on County business. Failure to comply with any of the following requirements may result in disciplinary action, including termination.

1. **Authorization to Drive:** Employees are not permitted to operate County-provided vehicles without explicit permission from their supervisor.
2. **Passenger Policy:** Providing rides to non-employee/non-client is strictly prohibited.
3. **Valid Driver's License:** Employees must possess a valid and current driver's license.
4. **License Status Notification:** If an employee's driver's license is suspended or revoked, immediate notification to the supervisor is required by 9:00 AM the next business day. Employees must cease operating the vehicle in such cases.
5. **Reporting Tickets:** Ticket violations received while operating a vehicle on County business must be reported.
6. **Motor Vehicle Record Review:** Riley County may periodically review the motor vehicle records of employees who drive for work purposes to ensure a good driving record is maintained.
7. **Driving Record Maintenance:** Failure to maintain a good driving record may result in the loss of the privilege to drive for work purposes and, in essential driving roles, may lead to termination.
8. **Insurance Exclusion or License Suspension/Revocation:** Employment may be terminated if the employee is excluded as a driver by the insurance company or if the driver's license is suspended or revoked.
9. **Vehicle Care:** Employees are responsible for the safe operation and cleanliness of assigned vehicles. Damage to a County vehicle, by theft, breakdown, mechanical problem, etc, must be reported to the supervisor.
10. **Accident Reporting:** Any accident involving the assigned vehicle, or personal vehicle while on County time, must be reported to the supervisor immediately. This includes all accidents whether another vehicle was involved and regardless of the extent of damage or lack of injuries. A Vehicle Accident Report must be completed immediately (from the scene, during the same day, or as soon as practicable if immediate or same-day reporting is not possible). The completed Form should be given to the Budget & Finance Officer/Risk Management Officer within 24 hours of the accident. Photos of the accident must be taken at the scene and submitted with the Accident Report. Employees are expected to cooperate fully with authorities in the event of an accident without making any statements other than replying to the questions of investigating officers. Accidents involving personal injury must be reported to the supervisor for workers' compensation purposes.

- 11. Financial Responsibility:** Employees will be responsible for fines resulting from moving or parking violations incurred while operating a vehicle on County business.

Employees using a County vehicle represent the County and must follow County policies.

Driver Safety Rules

1. The use of County vehicles or personal vehicles for County business while under the influence of alcohol, intoxicants, or other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.
2. Employees are not permitted under any circumstances to operate a County vehicle when a physical or mental impairment may cause the employee to drive unsafely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, injury, medication, or fatigue.
3. When making calls while driving, employees must use a hands-free device. If hands-free devices are unavailable, employees are strictly prohibited from making or receiving calls, sending, or receiving text messages, emails, or any other form of electronic communication while operating any vehicle on County business. Use of hand-held devices is only allowed in lawfully designated parking areas.
4. Due diligence must be exercised in driving, including following traffic laws, and avoiding distractions such as eating, drinking, adjusting controls, focusing on passengers, or engaging in personal grooming. Occupational fatalities from motor vehicle accidents are a significant concern, and employees are urged to drive safely.
5. Seat belts must always be worn by the driver and all riders, even if air bags are available.
6. Drivers are responsible for the security of County vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
7. If a driver becomes drowsy while driving, they should stop driving immediately to ensure safety.
8. Applicable federal, state, and local laws, including speed limits, must always be obeyed, unless involved in authorized response to a public emergency.

Please remember employees' primary responsibility is to focus on the road and drive safely.

5.3 Use of County Vehicles for Breaks and Meals

The goal of this policy is to provide an employee flexibility to stop for breaks and meals while driving a County vehicle. Violating this policy may result in disciplinary action and/or this policy may be rescinded.

Employees using a County vehicle are not allowed to use the vehicle to run personal errands. However, the following stops are permitted:

- *Restroom:* Stop to use a public restroom.
- *Meal:* Driving to an establishment with the intent of obtaining food or drink if their personal vehicle is not available, they have obtained supervisor approval, and they will be able to get back to the job site and be ready to work within the time allotted for lunch.
- *Breaks:* Stopping during an established morning or afternoon break if:
 - The establishment is near the original route the employee is using.
 - Stops shall not exceed 15 minutes and the employee is back at their vehicle workstation by the end of the scheduled break.

Any stop will count as the employee's break regardless of the time spent.

5.4 Smoking and Tobacco Policy

To maintain a healthy and comfortable working environment the use of tobacco, including the use of electronic smoking devices, in any form is strictly prohibited within any County Building, excepting those buildings specifically exempted herein. Persons who choose to use tobacco products outside of County buildings but on County property shall do so subject to the following restrictions:

- a) Use of tobacco and smoking devices is prohibited within 30 feet of entrances to County Building.
- b) Employees who choose to smoke may do so on their own time before work, during the lunch period and/or after work in the employee's private vehicle in the employee parking lot, unless otherwise prohibited on a particular County facility.
- c) The use of tobacco products in any form and/ or electronic smoking devices shall not be permitted within the facilities or on the property of the Riley County Health Department, the Family & Child Resource Center, and the Sunflower Walking Trail at any time.
- d) Employees shall not use tobacco products at any time they are talking to or otherwise interacting with members of the public while on County time.
- e) Individuals using tobacco or electronic smoking devices on County property are required to dispose of related trash in receptacles. Tobacco users shall not litter County property.

Use of tobacco products is prohibited within County vehicles or machinery with confined cabs that are assigned for general use. The following Departments may exempt vehicles/equipment from this prohibition in writing: Public Works, Parks, Noxious Weed, and Rural Fire District #1.

Use of tobacco products is not prohibited in buildings owned by Riley County and leased to private persons, natural or legal, for a period of longer than one (1) year or in buildings occupied by or under the control of Riley County Police Department.

Riley County employees who choose to use tobacco products during their work hours are subject to established rules and procedures concerning rest breaks.

5.5 Violence and Weapons Policy

The County strictly prohibits and will not tolerate any form of workplace violence against employees or other individuals. It is the duty of every employee to report such conduct and to cooperate in any investigation of such conduct which will determine whether an employee or individual has violated this policy. All employees and Individuals shall comply with this policy, including those employees or individuals authorized to carry a concealed handgun. All employees and individuals are prohibited from using any firearm* and any other weapon of any kind in violation of this policy, state statute, federal law, or applicable local city ordinance.

*A firearm is defined as any item which is designed or has been converted to expel a projectile by explosive force, or by compressed air, or by any other force and includes replicas of any such item. A handgun is defined as a firearm which is designed or has been converted to be capable of firing in one hand. A weapon is defined as any item of personal property which is not a firearm, but which is used in violation of this policy. Employee or individuals may possess a small non-lethal item of personal property which is designed for personal protection (such as mace or an audible hand-held alarm), provided such item is not prohibited by state or federal law or applicable local city ordinance, unless such item is used, or attempted to be used for workplace violence as described in this policy.

It is the responsibility of each employee who carries a concealed handgun while engaged in the duties of their employment to do so only when and where they are allowed to do so by state and federal law, applicable local

city ordinance and this policy. Only then, is such employee authorized to carry a concealed handgun while on County premises, or otherwise engaged in their duties of employment. Every employee authorized to carry a concealed handgun pursuant to the above while engaged in the duties of their job shall always have the concealed handgun on their person and in their control. If an employee who is authorized to carry a concealed handgun removes the handgun from their person at any time while engaged in the duties of their job, the handgun shall be secured in a locked drawer, locker, or vehicle glove compartment accessible only to that employee. Failure to secure the handgun in such a secure location may subject the employee to disciplinary actions up to and including termination.

Any individual who makes threats of violence, displays threatening behavior, or engages in violent acts, with or without use of a firearm or weapon, on County property shall be removed from the area as soon as safely possible, and shall be prohibited from entering County premises until an investigation of the conduct in question has been completed.

No employee is authorized to carry a concealed handgun in the Riley County Courthouse or Pawnee Mental Health. Apart from the Riley County Courthouse and Pawnee Mental Health, any employee not prohibited from possessing a firearm under federal or state law is authorized to carry a concealed handgun while working.

No employee or individual is authorized to openly carry a firearm on any Riley County premises, except for authorized law enforcement personnel.

Any employee who carries a firearm in violation of this policy will be subject to disciplinary actions up to and including immediate termination.

Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior. It ranges from threats and verbal abuse to physical assaults and even homicide. The County strictly prohibits any workplace violence including, but not limited to:

- Aggressive or hostile acts such as throwing objects at another, fighting or damaging property.
- Injuring another person physically.
- Oral or written threats to injure an individual or to damage property.
- Engaging in behavior that creates a reasonable fear of injury to another person.
- Engaging in behavior that subjects another individual to extreme emotional distress.
- Bullying, intimidating, or harassing another person (making obscene phone calls or using threatening body language or gestures i.e. standing close to someone or shaking a fist at them).

This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated. If an employee receives or becomes aware of threatening communications from an employee or outside third party, or if they suspect or witness an act of violence, it must be reported immediately to any supervisor. The County prohibits any form of discipline, reprisal, intimidation, or retaliation for a good faith report of workplace violence of any kind, pursuing a workplace violence complaint or cooperating in related investigations. Do not engage in either physical or verbal confrontation with a potentially violent individual. If an employee encounters an individual who is threatening immediate harm to an employee or visitor to our premises, call 911 immediately.

**An employee who lawfully possesses a firearm may store such in a privately-owned vehicle in the County parking lot if the vehicle is locked, and the firearm is out of sight within the trunk, glove box, or other enclosed compartment or area within the vehicle. In addition, the County will not deny or condition employment upon an agreement by a prospective employee that prohibits the prospective employee from engaging in the foregoing.*

5.6 Protective Orders

If an employee applies for or obtains a temporary or final protective order listing Riley County property as being a protected area, a copy must be provided to the department head. Additionally, in situations without such an order, but involving domestic violence or a relationship of fear, employees should report that to the department head so that any necessary safety precautions can be considered and taken.

Riley County emphasizes the importance of reporting these situations to ensure necessary safety precautions. The county recognizes the sensitivity of such information and is committed to following confidentiality procedures that respect and uphold the privacy of the employee(s). The goal is to create a safe and supportive environment where employees feel comfortable reporting such matters, knowing that their confidentiality will be maintained, and appropriate steps will be taken to address the situation.

5.7 Inspection of Property

As part of a County investigation of possible violations of a policy, it may be necessary for work areas, lockers, desks, or cabinets to be searched on occasion. These are the property of Riley County, and therefore, the county reserves the right to conduct searches with or without prior notice. Individuals involved should maintain no expectation of privacy in these areas.

5.8 Emergency Closings

Severe weather days or conditions requiring the closure of facilities or adjustments to work schedules will be declared by the BoCC. Riley County may permit employees to arrive late or leave early during severe weather, though individuals must exercise personal judgment regarding the safety of road conditions in their respective areas. If commuting to work is deemed unsafe, employees are required to adhere to the call-off procedure outlined in the Attendance and Punctuality policy.

In situations where severe weather results in missed work or challenges in reporting to work, the use of PTO or flex time is mandated, unless the BoCC has declared an emergency closure, granting Administrative Leave.

Should a closure determination be made before the workday commences, a designated County official will notify the media, with Department Heads promptly informed via telephone. Ideally, decisions to close due to adverse weather will be made no later than 6:00 a.m. KMAN radio station 1350 AM will serve as the primary media contact, and employees are encouraged to listen to radio updates before departing for work. Closure notices will be posted at www.1350KMAN.com and announced on 101.5 FM and 104.7 FM. Employees will receive notification through Everbridge. Updates will also be available on the County website, www.rileycountyks.gov.

Department Heads will categorize employees as either "emergency personnel" or "non-emergency personnel." Emergency personnel are obligated to report to work during specific emergency situations. Each Department Head is responsible for establishing and executing an emergency contact plan to promptly inform all departmental employees of closures. Non-emergency personnel should be reached using a departmental "telephone tree" system, facilitating efficient communication.

APPENDIX A: DEFINITIONS

- **Appointment:** The hiring of an individual into a position.
- **Appointing Authority:** The Board of County Commissioners authorizes employment of personnel.
- **At-will employment:** Riley County employees are at-will employees and do not have an employment contract. As an employee-at-will, anyone can be discharged or resign at any time with or without cause.
- **Benefits eligible employee:** a full or part time employee offered, and eligible to enroll in, county benefits.
- **Board of County Commissioners (BoCC):** Members of the public elected or appointed to the Board of County Commissioners of Riley County, Kansas.
- **Class of Positions:** A group of positions requiring the same general level of skill and responsibility that can be designated by the same term in a Classification Plan.
- **Compensation:** All forms of payment for employment, including salary, benefits, stipends, and bonuses.
- **County Service:** Employment with Riley County, Kansas.
- **Department Head:** An elected official or appointed director who recommends personnel actions.
- **Deputy:** employee designated to act on behalf of an elected official, and who directs the activities of the elected official's department in his/her absence. Eligible for additional compensation.
- **DOT Employee:** employees who hold a Commercial Driver's License (CDL) and who perform safety-sensitive transportation functions,
- **Employee Assistance Program (EAP)** – for employees and immediate family members. A confidential service providing guidance and treatment referral for personal or job-performance problems.
- **Elected Official:** Person elected to serve a public office within the County, also referred to as Department Head or Commissioner.
- **Employee:** Hired personnel falling within Classification of Employment categories.
- **Flexible Work Schedule:** Varying scheduled hours within a workweek.
- **Full-time employee:** employee with a regular schedule of at least 40 hours/week. These employees receive full leave benefits and are eligible for health and other insurance benefits.
- **Grant-funded employee:** employee hired because of grant funding. Position dependent on funding.
- **Human Resources Information System (HRIS):** software used to meet Riley County's HR goals, improve workforce productivity, and analyze data for decision making. Employee information is stored and processed in the HRIS.
- **Leave:** A period of absence from work; smallest increment is 15 minutes.
- **Leave Without Pay:** Approved absence without pay; requires Department Head and HR Director approval.
- **Overtime:** Time worked more than 40 hours per workweek. Overtime is paid only for hours worked. PTO and other paid or unpaid leaves of absence are not included in calculating overtime pay.
- **Paid Time Off** – benefit provided by Riley County compensating for time away from work.
- **Part-time employee:** employee with a regular work schedule of less than 40 hours/week. Leave benefits accrue on a prorated basis.
- **Pay Grade:** Assigned position within the County's classification system.
- **Performance Evaluation:** Employee performance will be evaluated at the end of the initial 6 months of employment and annually throughout employment.
- **Position:** A group of duties and responsibilities assigned or delegated by an appointing authority; includes full-time, part-time, regular, temporary, intern, grant-funded, or as-needed basis.
- **PTO:** Paid Time Off – see above definition.
- **Promotion:** Advancement of internal employees to higher positions.

- RCFD Volunteer: individuals who volunteer freely for public service with RCFD#1. Volunteers receive a stipend for reasonable expenses for their service.
- Regular employee: employee with schedule and specified number of hours/week on a continual basis
- Re-grading: The result of applying a job evaluation methodology causing a position's pay grade.
- Rehire: Re-employment of an employee who has previously separated from County service.
- Resignation: Voluntary separation of service by an employee.
- Risk Management Officer: employee primarily responsible for identifying and analyzing Riley County's risks and potential impacts. This is generally assigned to the Budget and Finance Officer.
- Safety Sensitive: A position that involves some aspect of heightened danger, can affect the safety of the employee and others, and requires full and unimpaired skills and judgement to safely execute the job. Example: truck driver, heavy machinery operator, construction workers and healthcare professionals.
- Seasonal employee: employee hired for a specific season or portion of the year, not to exceed 270 calendar days. No leave or insurance benefits are available.
- Separation: End of employment due to resignation, involuntary discharge, retirement, contract expiration, or workforce reduction.
- State Employee Health Plan (SEHP): Member Portal: Division of Kansas Dept of Administration; primary duty to provide employees and retirees with health insurance.
- Supervisor: An employee overseeing others; performs duties delegated by the Department Head.
- Tardiness: Reporting to work after the designated start time without approved leave.
- Termination: Involuntary discharge or dismissal of an employee.
- Trade Time (EMS only): Employees trading scheduled work, hour for hour, with supervisor approval.
- Transfer: Movement between departments or distinct positions within the same department.
- Volunteer: Performs services without compensation no employee-employer relationship.
- Workweek: Begins at 12:01 AM Saturday and ends at 12:00 AM the following Friday.

APPENDIX B: RILEY COUNTY DOT DRUG AND ALCOHOL POLICY

1. Purpose

The U.S. Department of Transportation (DOT) has issued regulations (49 CFR, Part 40, and Part 382) which govern the use of drugs and alcohol by employees who hold a Commercial Driver's License (CDL) and who perform safety-sensitive transportation functions, including driving a Commercial Motor Vehicle (CMV). The agency's regulations require drug and alcohol testing of specified employees as described in this policy. The goal is to ensure drug and alcohol-free transportation and work environment, and to reduce and eliminate drug and alcohol related accidents, injuries, fatalities, and damage to Company property.

2. Scope

This policy establishes guidelines for Riley County ("the County") to provide a safe, healthy, productive, and secure drug free work environment for employees and other individuals conducting business with the County and/or regulated by the Department of Transportation (DOT).

The use of drugs and/or alcohol can create safety and health hazards, which may cause unacceptable job performance, behavior and possibly put others in danger. All individuals that operate equipment requiring a Commercial Driver's License (CDL) are subject to this policy while they are on or in property owned or operated by the County or its affiliates and subsidiaries, and while performing any safety-sensitive function defined in the "Definitions" section of this policy.

3. Policy Statement

- a. Riley County explicitly prohibits:
 - i. The unlawful manufacturing, distributing, possessing, abusing or being under the influence of drugs and/or alcohol in the workplace.
 - ii. Being impaired or under the influence of drugs and/or alcohol away from the workplace, if such an impairment or influence adversely affects the employee's work performance, the safety of the employee or others, or puts at risk Riley County's reputation.

4. Testing Types and Requirements

- a. The County reserves the right to test applicants and employees in the following circumstances:
 - i. Pre-employment Testing –required of all applicants given a conditional offer of employment.
 - ii. Random Testing – Employees will be selected at random for drug and alcohol testing at the interval determined by the DOT. The County is authorized to perform random testing over and above the standards enforced by the DOT.
 - iii. Reasonable Suspicion Testing - The County may ask an employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs or alcohol, including but not limited to the following circumstances: evidence of drugs, drug paraphernalia, or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
 - iv. Post-Accident Testing- Any employee involved in an on-the-job accident or injury must submit to a drug and/or alcohol test under all circumstances.
 - v. Return to work – If an employee has tested positive or otherwise violated the drug and/or alcohol policy, the employee will be required to take a drug and/or alcohol test before returning to safety-sensitive functions.

vi. Follow-up – Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including termination. Depending on the circumstances the County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which will include follow-up drug and/or alcohol testing at times and frequencies determined by the County. Follow-up testing will be randomly administered at least 6 times during the first 12 months an employee has returned to work and can continue for a period of up to 5 years. Employees may also be asked to sign a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

b. Drugs Tested for and Levels of Detection:

i. Employees will be tested for drugs and alcohol according to the panels and thresholds as provided by 49 CFR Part 40. Individuals who test positive will be subject to the County disciplinary policy and removed immediately from a safety sensitive function for a minimum of 24 hours.

5. Collection and Testing Procedures

a. Employees subject to alcohol testing shall be driven to a County designated facility and directed to provide breath specimens. Breath specimens shall be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .02 or more, a second breath specimen shall be tested approximately 20 minutes later. The results of the second test shall be determinative. Alcohol tests may, however, be a breath, blood, or saliva test, at the County's discretion. For purposes of this Policy, positive test results generated by law enforcement or medical providers may be considered by the County as work rule violations.

b. Applicants and employees shall provide urine specimens to a medical facility as directed by the County. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested for evidence of drug use. The laboratory shall screen all specimens and confirm all positive screens. There shall be a chain of custody from the time specimens are collected through testing and storage.

c. Oral fluid testing is an alternative method to urine testing for the detection of drugs in a person's system.

i. The collection of oral fluid should be conducted by a trained professional using an approved device.

ii. The employee must not eat, drink, smoke, or chew gum for at least 10 minutes prior to test.

iii. The collector will instruct the employee on how to collect the sample, ensuring enough fluid is obtained.

iv. The collected sample will be sealed in a tamper-evident container.

d. The laboratory shall transmit positive drug test results to a Medical Review Officer ("MRO") retained by Riley County, who shall offer persons with positive results a reasonable opportunity to rebut or explain the results. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at their expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split

specimen, the employee or applicant will be treated as passing the test. A positive test result will not be communicated to Riley County, until such time that the MRO has confirmed the test to be positive.

- e. Direct Observation – Direct observation of a drug screen may be necessary if:
 - i. The laboratory MRO reported an initial sample is invalid and there is not a medical explanation for the result.
 - ii. The MRO reported to the employer the original positive, adulterated, or substituted result had to be cancelled because the test of the split specimen could not be performed.
 - iii. The laboratory reported to the MRO the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL.
 - iv. The test is a return-to-duty test or a follow-up test.
 - v. The collector suspects the employee/perspective employee has tampered with a specimen.
 - vi. The specimen is out of the required temperature range.
 - vii. The original specimen appeared to have been tampered with.

The collector will explain the reason, if known, for a directly observed observation collection.

6. Refusal to Submit to a Test

- a. Drivers who hold a Commercial Driver's License (CDL) and perform safety-sensitive transportation functions, shall submit to alcohol and controlled substances tests administered in accordance with 49 CFR Part 382.
 - i. Refusing to submit to a test carries the same consequences as failing a drug and/or alcohol test. The following will be considered Refusal to Submit to a Drug and/or Alcohol Test:
 1. Failing to appear for any test (except a pre-employment) test within a reasonable amount of time, as determined by the employer, consistent with DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee to appear for attest when called by a C/TPA.
 2. Failing to remain at the testing site until the testing process is complete. Provided an employee who leaves the testing site before the testing site commences a pre-employment test is not deemed to have refused the test.
 3. Failing to provide a urine specimen for any drug test required. Provided that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
 4. In the case of a directly observed or monitored collection in a drug test, the driver fails to permit the observation or monitoring of the driver's provision of a specimen.
 5. Failing to provide enough urine when directed, and it has been determined, through a medical evaluation, that there was no adequate medical explanation for the failure.
 6. Failing or declining to take a second test when directed the driver to take.
 7. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on the basis only if the pre-employment test is conducted following a contingent offer of employment.
 8. Failing to cooperate with any part of the testing process (e.g., refusal to empty pockets when so directed, behaving in a confrontational way, disrupts the collection process).
 9. The MRO reports that there is a verified adulterated or substituted test result.

- ii. Drivers who have refused to submit to a test shall be subject to corrective action up to and including termination as spelled out in the Disciplinary Action section of this policy.

7. Reasonable Suspicion and Post-Accident Testing Protocol

- a. The employee will be advised the County believes there is reasonable suspicion that he/she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates testing) and that this test is being offered to confirm or deny this suspicion.
- b. The employee will be transported to any one of the County's contracted testing facilities. One member of management/designated attendant will accompany the employee. *Under no circumstances will the employee be allowed to drive him or herself to the testing facility.*
- c. Prior to going to the testing facility, supervisor will contact the testing facility to inform them that staff from the County will be arriving and will need a drug and/or alcohol test completed.
- d. The employee to be tested MUST present a PHOTO ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings this with them when leaving Company premises.
- e. The employee to be tested must sign a consent form provided by/at the testing facility. Refusal to sign is addressed under the "Disciplinary Actions" section of this document.
- f. Riley County representative, and the tested employee, must sign the collection procedure.
- g. After returning to work or when leaving the testing facility, the supervisor/manager MUST arrange to transport the person home (unless testing results are immediate). *Under no circumstances will the tested employee be allowed to drive himself or herself home.*

8. Prohibitions

- a. Drivers shall not engage in prohibited conduct per Subpart B of 49 CFR Part 382 which includes:
 - i. Reporting to or being on duty while having an alcohol concentration of 0.04 or greater.
 - ii. Using alcohol while on duty.
 - iii. Being on duty within four hours after using alcohol.
 - iv. Using alcohol when required to take a post-accident test for a period of eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
 - v. Refusing to submit to a required drug and/or alcohol test.
 - vi. Reporting or being on duty when having used any drug or controlled substance.
 - vii. Having tested positive or adulterated or substituted a test specimen for controlled substances.

9. Disciplinary Actions

- a. Any employee determined by Riley County to have engaged in the creation, manufacture, distribution, dispensing, possession, or is determined to be under the influence of drugs and/or alcohol while on the County's premises or while conducting Company business will be subject to corrective action up to and including termination.
- b. Any driver found to have violated Subpart B of 49 CFR Part 382 shall be immediately banned from performing a safety-sensitive functions, including driving a commercial motor vehicle, and shall be subject to the Return-to Duty Process of 49 CFR Part 40 Subpart O.
- c. A driver who has tested between 0.02-0.039 shall be immediately removed from safety-sensitive functions and shall remain removed from performing safety-sensitive tasks, including driving a commercial motor vehicle for a period of at least 24 hours.
- d. An employee who refuses to submit to a urine or blood analysis shall be subject to corrective action up to and including termination.

- e. Any employee who refuses to sign a consent form at a testing facility shall be subject to corrective action up to and including termination.
- f. The County may choose on a case-by-case basis, to ask an offending employee to participate in, and satisfactorily complete a drug or alcohol abuse evaluation, treatment, and/or rehabilitation program approve for such purposes.
- g. Any applicant for hire testing positive will not be hired.

10. Exemptions and Reasonable Accommodations

The County recognizes many prescription and over-the-counter medications may fall within the above prohibitions. It is the employee's responsibility to report to the supervisor or HR the current use of any prescription or over-the-counter drug that may impair performance, for safety and the safety of others.

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations shall be kept confidential to the extent required by law and maintained in secure files separate from personnel files. Such records and information may be disclosed among managers on a need-to-know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

11. Management Rights

Management retains the right to amend the provisions of this policy when applicable Federal, State, or Municipal laws so indicate. Such right to amend under this circumstance is not limited to the necessity as required by the applicable statute.

12. Clearinghouse Reporting Requirements

As part of continuing efforts to promote safe roadways and to ensure qualified CDL drivers are performing safety-sensitive duties, a database was created that will contain pertinent information regarding CDL drivers' drug and alcohol testing violations. Employers will be required to query the database on an annual basis for current employees and as part of the pre-employment screening process for all covered prospective employees.

The following outlines the reporting entity's responsibilities and required process for reporting information to the clearinghouse. They are as follows:

a. Prospective/Current Employer of CDL Driver must report within 3 business days:

- An alcohol confirmation test with a concentration of 0.04 or higher.
- Refusal to test (alcohol) as specified in 49 CFR 40.261.
- Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
- Actual knowledge, as defined in 49 CFR 382.107, a driver has used alcohol on duty, used alcohol within 4 hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
- Negative return-to-duty test results (drug and alcohol testing, as applicable)
- Completion of follow-up testing.

Note: Employers using a C/TPA to comply with the employer reporting responsibilities remain responsible for ensuring that the C/TPA is compliant for such reporting.

b. Medical Review Officer (MRO) must report within 2 business day:

- Verified positive, adulterated, or substituted drug test result.
- Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR 40.191.

c. Substance Abuse Professional (SAP) must report within one business day:

- Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing (identification of driver and date the initial assessment was initiated).

13. Effects of Alcohol and Controlled Substances Use

If an employee within the workplace is experiencing problems with substance abuse, help is available. If there is suspicion of a co-worker having an issue, notify a supervisor. Issues involving others are private in nature and should not be made known to the public. A list of Substance Abuse Professionals (SAP list) is available for employees for information and assistance on substance abuse. Substance Abuse Professionals can also be found online on websites such as <https://www.saplist.com/>. Assistance may also be found through community hotlines and in local, state, and federal health departments.

Questions regarding alcohol and controlled substance abuse can be directed to Human Resources.

I. Designation:

The BoCC has established the following factors in designating specific positions as safety-sensitive:

- A. Employees who are required to hold a CDL license for commercial vehicles:
 - With a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds) or
 - Designated to transport 16 or more passengers including the driver, or
 - Transporting hazardous materials in amounts requiring placarding.
- B. Additional safety-sensitive positions may be identified as criteria are established or mandates are implemented. An employee who occupies a safety-sensitive position will be notified in writing.

II. Responsibilities:

- A. The BoCC has designated the Director of Human Resources as responsible for the implementation and conformance of Riley County's Drug and Alcohol Testing policy to 49 CFR § 40, 391, and 382 and for recordkeeping and confidentiality of the drug testing process.
- B. In addition, Human Resources, Riley County supervisors and Department Heads are responsible for observing employee behavior and performance in relation to reasonable suspicion testing.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT

The employee handbook describes important information about Riley County, KS and I understand I should consult human resources regarding questions not answered in the handbook. I have entered my employment relationship with Riley County, KS voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or Riley County can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.**

I understand that no manager, supervisor, or representative of Riley County has any authority to enter into any agreement for employment other than at-will.

This manual and the policies and procedures contained herein supersede all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with Riley County. By distributing this handbook, Riley County expressly revokes all previous policies and procedures which are inconsistent with those contained herein.

I understand, except for employment at-will status, all policies and practices may be changed at any time by Riley County, KS, and reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge this handbook is neither a contract of employment nor a legal document. I understand employment and compensation may be terminated with or without cause and with or without notice at any time by Riley County, KS, or myself.

I have received the handbook, and I understand it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Printed Name

Employee's Signature

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE