Personnel Policy

Teton County, Idaho

-Adopted by the Board of County Commissioners: November 24, 2008-

WELCOME TO TETON COUNTY GOVERNMMENT

Thank you for being a part of Teton County government. Employees are the county's most valuable asset; without you there would be no county services. Whether you are a newly hired employee, or a veteran employee, your skills, experience and knowledge are valued and appreciated. It is important that you understand your roles, rights, and responsibilities as public employees, so please take time to read and understand this personnel policy.

PERSONNEL POLICY

This Personnel Policy is not a contract. No contract of employment with Teton County will be valid unless it is expressly approved by the Board of County Commissioners and unless it is signed by and contains the name of the employee who would be benefited/obligated by the contract. Notwithstanding anything said by a supervisor, no contract of continued employment shall be implied.

The policies and benefit offerings outlined in this Policy are subject to change at any time, without prior notice. Changes may be made at the sole discretion of the Board of County Commissioners. The County may, at its sole discretion, alter or amend this Policy or portions thereof at any time without prior notice to or consent by its employees.

Legal counsel serves at the pleasure of the client, pursuant to Idaho Rules of Professional Conduct. As such, legal counsel employed by Teton County may be terminated at the pleasure of the client/supervisor. Nonetheless, no legal counsel employed by Teton County shall be dismissed from employment or demoted for unlawful discriminatory reasons. Legal counsel believing that he/she faces dismissal or demotion with an attendant reduction in pay for unlawful discriminatory reasons, or because of allegations requiring the opportunity for a "name-clearing hearing," shall be given an opportunity to be heard regarding these allegations as provided herein.

PURPOSE

The purpose of this Policy is to establish a safe, efficient and cooperative working environment, to establish the responsibilities and level of performance expected of all County employees and to explain benefits provided to County employees. This Policy should not be construed as a contract of employment and is not intended to specify the duration of employment or limit the reasons for which an employee may be discharged. This policy creates no rights, contractual or otherwise, on behalf of employees of Teton County.

NATURE OF EMPLOYMENT

Except as otherwise provided herein or as required by law, employees of Teton County are at AT-WILL employees. Only a written contract expressly authorized by the Board of County Commissioners can alter the at-will nature of employment by the County.

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I. GENERAL POLICIES

A. THE ORGANIZATION IN WHICH YOU WORK

Thank you for being a part of Teton County government. Employees are the county's most valuable asset; without you there would be no county services. Whether you are a newly hired employee, or a veteran employee, your skills, experience and knowledge are valued and appreciated.

Working for Teton County may be somewhat different from any employer for which you may have worked in the past (see Appendix B, Welcome to Teton County Government). Teton County is a political subdivision of the State of Idaho, but is not a part of state government. The Board of County Commissioners serves as the governing body for Teton County, carrying out local legislative duties and fulfilling other obligations as provided by law. The Board of County Commissioners is the general policymaker for Teton County and has primary authority to establish terms and conditions of employment with Teton County. The Board of County Commissioners appoints personnel to help carry out its administrative responsibilities.

As with all elected public officials, the Board of County Commissioners is ultimately responsible to the voters of Teton County. The terms set forth herein reflect County policy at the time of its adoption, but the terms are subject to change at any time, without prior notice, and at the sole discretion of the Board of County Commissioners.

Only the Board of County Commissioners has authority to establish general policy for Teton County employees. Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of Teton County, not of the official who supervises his/her work. The terms and conditions set forth in this Policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's pledge, without the express written agreement of the Board of County Commissioners. That is particularly true for terms or conditions which would establish a financial obligation for Teton County, now or in the future.

You may work for a department with an operational policy that provides additional direction to employees concerning expectations and procedures unique to that department.

B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of Teton County employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to race, religion, sex, age, national origin, or disability that does not affect job performance. No job or class of jobs will be closed to any individual except where a mental or physical attribute, sex, or age is a bona fide occupational qualification. All objections to application of Teton County's policy in this regard shall be brought to the attention of the elected official or department head, or in the case of objection to actions undertaken by that person, to legal counsel for the county.

C. VETERAN'S PREFERENCE

Teton County will accord a preference for employment to veterans of the U.S. Armed Services in accord with provisions of Idaho Code § 65-502 or its successor. In the event of equal qualifications for an available position, a veteran or family member who qualifies for preference pursuant to Idaho Code § 65-502 or its successor will be employed.

D. CONFLICT OF INTEREST

No person shall be employed by Teton County when said employment would result in a violation of provisions found in Idaho Code § 59-701 et seq., §18-1359 or their successors. Any such appointment may be void. An employee whose relative is subsequently elected may be eligible to retain his/her position as allowed in Idaho Code §18-1359(5).

E. PREFERENCE FOR PROMOTION FROM WITHIN

Qualified individuals who are already employees of Teton County may be given preference over outside applicants to fill vacancies in the work force. Employees may be selected for transfer to positions without following the procedures normally required for hiring of new employees.

F. PERSONNEL POLICY SUBJECT TO CHANGE WITHOUT PRIOR NOTICE

The rules contained in this Personnel Policy are subject to change at any time, without prior notice, at the sole discretion of the Board of County Commissioners.

G. AT-WILL STATUS

Employees of Teton County are employed on an at-will basis, and the County retains the right to terminate employees at any time. Involuntary terminations may occur for any reason, including, but not limited to, lack of work, organizational restructuring, or for unacceptable performance, personal conduct, and reasons specifically listed under "Prohibited Workplace Conduct."

II. Employment Start-Up

A. EMPLOYMENT FORMS TO BE COMPLETED

The employee must meet with the Human Resource Clerk to review all pre-employment forms which must be completed before the employee may begin work for Teton County. The employee must meet with a representative from the County's insurance company in order to become enrolled in any county insurance plan. The following pre-employment forms are required:

1. Employment Application form
2. New Employee Worksheet
3. Insurance forms
4. Immigration form (I-9)
5. W-4 form
6. Direct Deposit form
7. PERSI retirement forms, if applicable
8. Any other forms necessary for employee information and benefits
9. Acknowledgement of Receipt of Teton County Personnel Policy Manual

B. PAYROLL REPORTING SYSTEMS

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the Board of County Commissioners. Each report of employee time must be signed by both the supervisor and the employee and should contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered. Any employee with concerns about his/her compensation, rate of pay, payroll status, deductions, etc. shall communicate such concerns to the Human Resource Clerk as soon as any such concern becomes evident. If the response is unsatisfactory, the employee should address

the issue to his/her immediate supervisor in order to resolve stated concerns. A written record of such issues should be maintained in the employee's personnel file.

C. DISTRIBUTION OF POLICY

At the time of employment, each employee shall receive a copy of this Personnel Policy. It is the responsibility of the employee to familiarize him/herself with the contents of the Policy and to acknowledge its receipt in writing. Employees will be notified of periodic updates or changes to this Personnel Policy.

D. EMPLOYEE PERSONNEL FILES

1. Personnel Records

The official employee records for Teton County will be kept in the office of the Teton County Clerk, or in the office of the employee's supervising elected official. Within these personnel files will be kept all records of employee performance review, employee status, and other relevant materials related to the employee's service with Teton County. The employee's supervisor, employee's elected official or the employee him/herself may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review all materials placed in his/her personnel file at any reasonable time. Copies of materials in an employee's personnel file are available to that employee without charge. Personnel files shall not be removed from the premises except as necessary for County purposes.

If the supervising elected official chooses to keep the official employee file, all documents necessary for payroll and benefit administration must be retained in the office of the Teton County Clerk.

A separate medical records file for each employee will be maintained in the office of the Teton County Clerk. A licensed physician designated in writing by the employee may examine the employee's medical record file.

2. Access to Personnel Files

It is the policy of Teton County to allow only limited access to an employee's personnel file. Those authorized to evaluate materials in a personnel file include the employee's supervisors, the Board of County Commissioners when acting as a Board in the course of its official business, attorneys for the County, elected officials for the employee's department, and the employee him/herself. Based upon the general confidentiality of personnel files, access of others to such files shall be allowed only with authorization of the supervising official after consultation with the County attorney. Information regarding personnel matters will only be provided to outside parties with a release from the employee, or when deemed necessary by legal counsel for the County, or pursuant to Court order, or pursuant to a proper subpoena. The County reserves the right to disclose the contents of personnel files to outside State or Federal agencies, to its insurance carrier or its agents for risk management purposes, or when necessary to defend itself against allegations of unlawful conduct.

3. Management of Information in Personnel Files

Each employee shall be provided an opportunity to contest the contents of his/her personnel file at any time. This is to be done by filing a written objection and explanation, which will be included in the file along with the objectionable material. In the sole judgment of the supervising official, after consultation with legal counsel for the County, any offending material may be removed upon a showing by the employee that it is false or unfairly

misleading. However, in general, there should be a presumption that materials are to remain in personnel files, accompanied by the employee's written objection and explanation, to provide a complete employment history.

E. PRE-EMPLOYMENT TESTING

Applicants for certain positions may be required to take various tests that measure ability, aptitude, skills, or drug use. All tests administered will conform to all applicable legal regulations. Any offer of employment is conditional upon the applicant's satisfactory completion of these tests.

III. RULES OF EMPLOYEE CONDUCT

The most important duty of Teton County employees is to perform all tasks and conduct all affairs consistently in a manner that merits public trust and confidence. A reputation of integrity can only be achieved through the collective and individual conduct of every employee.

Violation of any of the rules set forth below shall be grounds for disciplinary action, including possible dismissal from employment. The list of "Prohibited Workplace Conduct" included herein is not all-inclusive and other acts of misconduct not specifically set out below may also be grounds for disciplinary action. *Among these rules, the most important is the rule addressing attitude and cooperative behavior.*

A. EXPECTATIONS FOR PERSONAL PERFORMANCE & BEHAVIOR

Each employee of Teton County is expected to successfully perform the duties for which they were hired and to conduct him/herself in a manner that is helpful, productive, and reflects positively upon the County. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of Teton County as a public institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions upon Teton County and its officials. In order to accomplish this, each employee must comply with the following expectations:

1. *Work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.* This is the first priority for all employees.

2. Be prompt and regular in attendance at work or other required employer functions.

3. Comply with dress standards established in the department for which the employee works. Dress standards shall be set by the managing official, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and present a suitable appearance to the public.

4. Dedicate primary efforts to Teton County employment with secondary employment subject to approval by the appointing official. Each employee must notify the appointing official of any other employment, self-employment or other business interests. Secondary employment should not conflict with duties performed for the County in any meaningful way. Individual department rules may spell out permissible examples of "moonlighting" wherein employees may hold additional positions.

5. Avoid conflicts of interest, and the appearance of conflicts of interest, in appointments and working relationships with others. No employee shall engage in conduct which violates the laws of the State of Idaho, including but not limited to I.C. §18-1356 (accepting gifts that exceed a value of $50), I.C. §59-701 et seq. (Ethics in Government Act), I.C. §59-201 (Prohibitions Against Contracts) and I.C. §18-1359 (Using Public Position for Personal Gain).

6. Not accept gifts or gratuities in any personal or professional capacity which could create the impression that the giver was seeking favor from the employee or official in violation of I.C. § 18-1356 and I.C. § 18-1357.

7. Not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.

8. Not release any public record without the express authority of the public official responsible for custody of the record or without an order from a court or public agency of competent jurisdiction.

9. Not release any personnel record without the concurrence of the public official responsible for custody of the record and after consulting with legal counsel for the County or without an order from a court or public agency of competent jurisdiction.

10. Not engage in conduct away from work which, although not criminal, may reflect adversely upon Teton County or its officials or otherwise impair the employee's ability to perform.

11. Not use any substances, lawful or unlawful, which will impair the employee's ability to function as a valued and competent part of the Teton County work force. Should the employee be prescribed a lawful substance that may impair the employee's ability to safely do his/her job, the employee is required to provide a physician's note explaining the possible effects of the medication upon the employee's ability to do his/her job and the length of time that the employee will be required to take the medication. The employee may be required to use Paid Time Off, Long Term Illness or unpaid leave while taking the medication.

12. Not engage in conduct while operating a motor vehicle which impairs the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment.

13. Not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the Board of County Commissioners, elected official, or department head for whom he/she works.

B. EXPECTED WORKPLACE CONDUCT

Each employee will be expected to conduct him/herself in the workplace in accordance with the following rules. These rules are NOT ALL-INCLUSIVE of conduct expected of Teton County employees. Each employee of Teton County shall:

1. Give his/her best efforts to accomplish the work of Teton County for public benefit in accordance with policies and procedures adopted by the Board of County Commissioners and elected officials, and display an attitude of cooperation and constructive participation.

2. Be subject to the administrative authority of the officials who supervise the department where the employee works, even though the officials may not have been involved in the hiring of the employee.

3. Adhere to any code of ethics in his/her profession and avoid conflicts of interest or using his/her public position for personal gain.

4. Follow all rules for care and use of public property to assure that the public investment in such property is protected and that the safety of the public and other workers is maintained.

5. Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor which violates any local, State or Federal laws.

6. Abide by pertinent State and Federal statutes, and Teton County rules, concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the responsible official and applicable laws.

7. Adhere to defined work schedules and follow procedures for requesting exceptions from normal work schedules. Each employee shall follow the rules regarding the reporting of work hours and obtaining the supervisor's approval for time-keeping records. Failure to follow such rules may be grounds for delayed payment of wages or reimbursements, or for imposition of appropriate disciplinary penalties.

8. Follow rules regarding lunch periods, including provisions granting supervisors authority to adjust them. Lunch period timing may be changed to accommodate the completion of necessary work.

9. Report all observed accidents that occur on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.

10. Report any accidents observed to have happened on county property or involving county property. Each employee shall provide as much information as he/she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible and reasonable efforts should be made to assist those in need.

11. Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.

12. Maintain a current driver's license when necessary for the conduct of work for Teton County. Each employee must report any state-imposed driving restrictions to his/her immediate supervisor and is also obligated to notify his/her supervisor in the event that his/her driving abilities are impaired.

13. Perform such obligations as are necessary to carry out the work of Teton County in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

C. PROHIBITED WORKPLACE CONDUCT

Employees of Teton County SHALL NOT:

1. Be present in the workplace under the influence of drugs, alcohol, illegal substances or any legal substances which would impair the ability of the employee to perform his/her work competently or which would threaten the safety or well-being of other workers or the public.

2. Engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.

3. Sleep or be absent from the employee's work station when on duty. Employees shall be attentive to their work at all times.

4. Engage in malicious gossip and/or spread rumors, engage in behavior designed to create discord and lack of harmony, or willfully interfere with another employee's work output or encourage others to do the same.

5. Use work time for personal business, including the selling of goods or services to the general public or county employees.

6. Use work time or public premises to promote political or religious beliefs to members of the public or fellow employees.

7. Engage in political activities while on duty in public service. This rule shall not apply to elected officials, provided they comply with all electioneering laws and do not use county resources for political purposes.

8. Provide false or misleading information on employment applications, job performance reports, timesheets or any other related personnel documents or papers.

9. Destroy, alter, falsify or steal the whole or any part of a police report or any record kept as part of the official governmental records of the county (I.C. §§ 18-3201 and 18-3202).

10. Discriminate in the treatment of co-workers or members of the public on the basis of race, religion, gender, age, disability or national origin.

11. Smoke, except in designated outdoor smoking areas if so provided.

12. Abuse employee benefit offerings by taking unjustified or unearned Paid Time Off or Long Term Illness, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with Teton County policy.

13. Violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior written permission from a department head or elected official before attending multi-day conferences or training sessions. Employees must follow the process outlined herein for use of Paid Time Off, Long Term Illness, or other types of leave granted by this Policy.

14. While on duty, discuss non-work-related items for more than a few minutes with co-workers, friends, or family members in-person, or via electronic or telephonic devices.

15. Use phones or computers in the workplace in a manner that violates policy or disrupts workplace activities.

16. Engage in criminal conduct of any kind while on duty or off. Teton County employees are expected to behave in a lawful and socially acceptable manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.

17. Violate any lawful rule established by the appointing official to maintain order and productivity in the workplace.

18. Unlawfully harass a fellow worker or member of the public at any time while in the Teton County active service, as outlined in the County's Harassment Policy.

D. RELATIONSHIP POLICY

No employee or elected official of Teton County shall hire, supervise or otherwise exercise discretion concerning a paid employee who is related to the supervisor within the first or second degree of affinity or consanguinity, pursuant to state law (I.C. 18-1359 or its successor).

Any supervisor involved in a romantic relationship with a subordinate must immediately notify his/her superior of the existence of any such relationship. Efforts should be made to eliminate supervisory responsibility for one who is romantically involved with a subordinate.

E. POLITICAL ACTIVITY

Teton County employees and elected officials may participate in public affairs, except as prohibited by law, in a manner which maintains the neutrality, efficiency, and integrity of the employee's performance of County functions. Employees and elected officials may engage in political activities as individuals, but not as representatives of the County. While on duty, employees and elected officials may not engage in any political activity, including the public display of political pictures, badges, or buttons. Employees and elected officials may not use county time, supplies, equipment, facilities or property for political purposes.

F. CANDIDACY FOR ELECTIVE OFFICE

While Teton County recognizes that the First Amendment provides Constitutional protections for the political activity of its employees, it also recognizes that this right is not absolute when balancing the right of the individual to become a candidate for office and the County's interests in promoting the efficiency of the public services it performs through its employees (*Pickering v. Board of Education*, 391 U.S. 563, 88 S.Ct. 1731 (1968).

If an employee initiates candidacy against an incumbent elected official for whom he/she is a subordinate and there is a *reasonable prediction of disruption* in that official's office, the employee may be terminated.

A "reasonable prediction of disruption" is based upon *any* of the following factors:

1. The size of the office in which the employee works--the smaller the office, the greater prediction of disruption;

2. Whether the employee candidate holds a position of trust and confidence to the incumbent--the closer the ties, the greater likelihood of disruption;

3. Whether the employee candidate is running for a position in which he/she would replace or become superior to his/her current supervisor--in such circumstances the threat of disruption would loom larger; or

4. The nature of the relationship between the employee candidate and the incumbent and the degree of contact they have with one another--the greater the amount of contact and interaction, the greater the possibility of disruption.

Not all of the above factors must be met in order to seek resignation or termination of the employee.

If, after consultation with the County Prosecuting Attorney, the incumbent elected official determines that there exists a *"reasonable prediction of disruption"* should the employee remain employed with Teton County, and the employee refuses to resign, he/she may be terminated. The official shall set out, in writing, the factual basis for finding that there exists a "reasonable prediction of disruption" using the above factors. Said written findings shall be provided to the employee, placed in the employee's personnel file and made a part of the official record. All other applicable hearing procedures, as set out in this policy, shall apply.

IV. EMPLOYEE CLASSIFICATION

For varied reasons, employee status must be organized by class or category in order to administer employee policies, benefits or otherwise address employment issues. It is generally the responsibility of the employee to assure that he/she is properly categorized for purposes of each issue or benefit type. The county will endeavor to assist with such matters, but the employee shall be ultimately responsible to assure that his/her service is properly addressed.

The procedures for hiring, promotion, and transfer of all Regular Employees shall be subject to the provisions of this policy. Personnel actions concerning Temporary or Seasonal Employees are not subject to the procedures set forth herein, unless the policy provisions expressly provide therefore.

With the exception of elected officials, any employee, regardless of designation, may utilize the Unlawful Discrimination and Name-Clearing Hearing procedure should he/she believe that an employment action taken against him/her was the result of unlawful discrimination or an allegation entitling him/her to a name-clearing hearing.

A. EMPLOYEE CLASSIFICATION FOR *BENEFIT* PURPOSES

An employee's position classification may affect the status of his/her obligations or benefits. The primary classes of employees and their respective status is outlined below.

1. Elected Officials

   Elected officials are not considered Regular Employees. Elected officials receive the same employment benefits as other Full-Time Regular employees, but are not eligible for Paid Time Off, Long Term Illness, Paid Holidays, overtime pay, or Compensatory Time.

2. Full-Time Regular Employees

   Employees whose employment is sustained and continuing, and who work a regular weekly schedule of at least 30 hours, are considered Full-time Regular Employees. Full-Time Regular Employees shall receive all employee benefits provided by Teton County as such benefits now exist or may be subsequently changed by action of the Board of County Commissioners. Full-time Regular Employees may be "exempt" or "non-exempt" from the provisions of the Fair Labor Standards Act, as discussed later.

3. Part-Time Regular Employees

   Employees whose employment is sustained and continuing, and who work a regular weekly schedule of less than 30 hours, are considered Part-Time Regular Employees. Part-

Time Regular Employees may be eligible for PERSI retirement benefits, but are not eligible for other benefits provided to Regular Employees. However, the existing benefits of Part-Time Regular Employees employed by Teton County on or before December 31, 2008 will not be changed.

4. Temporary/Seasonal Employees

Employees who work on a temporary or seasonal basis, even though they may work more than 30 hours per week, are classified as Temporary or Seasonal Employees. Such employees will receive none of the benefits provided to Regular Employees, except those required by law or those approved by official action of the Board of County Commissioners.

5. Independent Contractors

Independent contractors who provide services to the County on a contractual basis are not considered employees of the County. This Policy does not apply to independent contractors.

B. EMPLOYEE CLASSIFICATION FOR *POLICY* PURPOSES

1. Except as otherwise provided by this Policy, or as required by law, or pursuant to a written contract signed by the Board of County Commissioners, employees of Teton County are at-will employees.

2. Changes in employment status that are the result of budgetary needs, reductions in force, reorganization of work duties through transfer or reassignment, or general changes in the terms or conditions of employment or of benefit offerings may be made at the sole discretion of the Board of County Commissioners. Therefore, Teton County retains full authority, without prior notice, to modify the general terms and conditions of employment. Should an employee believe that any such decision is the result of unlawful discrimination, he/she may utilize the hearing procedures set out in this Policy.

4. Deputy Prosecuting Attorneys & Other Legal Counsel. Because the Idaho Rules of Professional Conduct, as established by the Idaho State Bar, govern the relationship between an attorney and his/her client, Deputy Prosecutors (including Senior Deputy Prosecutors) and other legal counsel for the county appointed pursuant to I.C. § 31-2601 et seq. are considered to be at-will employees, and they serve at the pleasure of Prosecuting Attorney or the Board of County Commissioners (if they serve at the Board's pleasure). They can be appointed or removed at the pleasure of the elected official for whom they serve. However, any deputy prosecutor or other legal counsel for the county who believes that he/she has been terminated as a result of unlawful discrimination or as a result of an allegation entitling him/her to a name-clearing hearing, may utilize the hearing procedure as set forth in this policy.

5. Senior Deputies (sometimes referred to as "chief deputies") appointed pursuant to Idaho Code § 31-2006 serve in that role at the pleasure of the elected official for whom they serve. The designation can be established or removed at the pleasure of that elected official, and the hearing process set out in this policy does not apply to the removal of Senior Deputy status. In all other respects of this policy, Senior Deputies are considered to be Regular Employees.

6. Temporary/Seasonal Employees. Employees who work on a temporary or seasonal basis are not considered to be Regular Employees and the disciplinary hearing process as set out in this policy does not apply. However, any Seasonal or Temporary employee who believes that he/she has been terminated as a result of unlawful discrimination or allegations entitling him/her to a name-clearing hearing, may utilize the hearing procedure set forth herein.

7. Veteran's Rights Following Reinstatement. Any veteran who has been restored to his/her position in accordance with Idaho Code § 65-512 shall not be discharged from such position without cause for a period of one (1) year after such restoration. During this one-year period, a returning veteran shall be entitled to a hearing prior to termination. Such returning veteran shall also be considered as having been on leave of absence during his/her period of military duty. He/she shall be restored to his/her position without loss of seniority, status or pay.

V. EMPLOYEE COMPENSATION & BENEFITS

A. ESTABLISHMENT OF EMPLOYEE COMPENSATION

Teton County compensates employees in accord with decisions by the Board of County Commissioners as budgets are set and tax levies authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or *status quo* maintenance for any time period. The supervising elected official or administrator may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation levels rests with the Board of County Commissioners. The Board of County Commissioners reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which justify or require change in County expenditures. Such changes will be implemented by Resolution.

B. COMPLIANCE WITH STATE AND FEDERAL PAY ACTS

Teton County shall comply with all State and Federal pay Acts respecting the compensation of employees for services performed in the public service.

C. ADDITIONAL COMPENSATION POLICIES

Elected officials shall be paid a set salary as established by the Board in the annual budget. Employees determined to be exempt from the hourly requirements of the Fair Labor Standards Act shall be paid on a salary basis as established by the Board of County Commissioners.

D. RIGHT TO CHANGE COMPENSATION AND BENEFITS

Teton County reserves the right to change general compensation for any reason deemed appropriate by the Board of County Commissioners. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent county budget. Hours worked may be reduced or employees may be laid off by the Board of County Commissioners or by elected officials within their department as necessary to meet budgetary constraints work load changes.

E. WORK PERIODS

Employment with Teton County is subject to the Fair Labor Standards Act as described below. Each employee is responsible for monitoring the status of hours worked in each work period. The work week for all employees begins at 12:01 am on Saturday of each week and concludes at 12:00 midnight on the succeeding Friday.

Sworn law officers have a 28-day work period consisting of four work weeks (two pay periods).

Employees' schedules may be re-arranged by their supervisor within the established work period so that employees do not accumulate more than the maximum allowable hours in that work period.

F. OVERTIME COMPENSATION: COMPLIANCE WITH FLSA

In addition to the employee classifications set forth in this policy, all employees are classified as "Exempt" (salaried) or "Non-exempt" (hourly) for purposes of complying with the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation. Certain employees are exempt from operation of this law because they perform work that qualifies for a "professional," "executive" or "administrative" exemption. Exempt employees are not eligible to receive overtime pay or compensatory time.

Employees who serve as sworn law enforcement officers are subject to special exceptions found in the FLSA (see 29 U.S.C. § 207[k]).

Overtime will be allowed only when authorized by an appropriate supervisor or when absolutely necessary in an emergency. Authorization of overtime shall be indicated by the supervisor's initials next to the date on which the approved overtime was worked.

Time not worked (such as Paid Time Off, Long Term Illness, Compensatory Time, Holidays) is not considered as time worked for purposes of computing overtime compensation.

G. COMPENSATORY TIME POLICY

It is the policy of Teton County that hourly employees who work more than 40 hours in a seven-day work period will accrue Compensatory Time in lieu of being paid for overtime. Such Comp Time shall be computed at 1½ hours for each hour worked in excess of 40 hours per week.

Sworn law enforcement officers subject to a 28-day work period will accrue Comp Time in lieu of being paid overtime for hours worked in excess of 171 hours in a 28-day work period (two pay periods).

Comp Time will accrue on payroll records following the work period during which it was earned. Exempt (salaried) employees are not eligible to receive Compensatory Time. The Board of County Commissioners has set a maximum Comp Time accumulation of 80 hours. Any Comp Time over that amount shall be paid in the next pay period unless an exception is approved by the Board of County Commissioners prior to that pay period.

At the end of the fiscal year, hourly employees may carry a maximum of forty (40) hours of accrued Comp Time into the new fiscal year. Any accrued Comp Time in excess of 40 hours on September 30, shall be paid in the next pay period.

When an employee has accrued balances of both Paid Time Off and Comp Time, any Comp Time in excess of 40 hours shall be used before Paid Time Off hours.

H. REPORTING AND VERIFYING TIME RECORDS

HOURLY employees are required to accurately report all of their work hours and leave taken on the appropriate timesheet. Employees must indicate their beginning and ending time for each day worked. Each report of employee time must be signed by both the supervisor and the employee and shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered. Hourly employees are not allowed to work "off the clock" or "volunteer" time.

Hourly employees who work at least six (6) hours in a day are assumed to have taken at least a thirty (30) minute lunch break, unless noted otherwise on their timesheet and initialed by the supervisor.

SALARIED employees work in positions exempt from the FLSA and are not eligible for overtime pay or Compensatory Time. Salaried employees are expected to work at their place of employment unless they have received specific prior written authorization from their supervisor to work from home or elsewhere. They must manage their work schedule to accomplish the duties of their position and may be required to work over forty (40) hours in a week, including nights and weekends. Salaried employees are not managed on an hourly basis, so are not required to record individual work hours. However, a salaried employee must maintain and submit an accurate daily record of his/her absences from work and ensure that leave taken is properly recorded. Salaried employees who work at their place of employment at least a half day do not have to record leave taken on their timesheet for that day.

All time records shall be retained as required by the records retention policy of the County, consistent with state law. Filling out another employee's time record, or falsifying one's own time record, is prohibited and may be grounds for disciplinary action, including termination.

I. ON-CALL

At certain times, some hourly employees may be required to be available at a specific telephone number to enable him/her to respond to an emergency situation directly related to his/her duties and responsibilities. Such employees shall be considered to be "on-call" during those times and shall be paid for any hours actually worked during on-call periods. Time spent on the telephone or in person resolving a work issue while on-call is considered work time, and should be reported on the employee's timesheet.

J. PROMOTIONS AND COMPENSATION

Compensation for all employees is established by action of the Board of County Commissioners. The annual budget of Teton County sets the funding available for compensation for positions in various departments. Promotions and changes in status may be recommended by officials in each of the operating departments, but final authority regarding compensation rests with the Board of County Commissioners.

K. PAYROLL PROCEDURES AND PAYDAYS

Teton County utilizes a bi-weekly pay period which ends on alternating Fridays. Timecards are due by 5 pm on the Monday following the end of the pay period, or on Tuesday if Monday is a holiday. Late submission of timecards may result in paychecks being delayed until the next payday.

Payday is the Friday following the end of the pay period. "Direct Deposit Summaries" or paychecks are available by 9 am each payday. Every attempt is made to complete the payroll process on schedule and employees will be informed if an unavoidable delay is expected. In general, direct deposits will be made prior to the Friday deadline, but employees must understand that the County has no control over how fast a deposit is made once the County submits information to the servicing bank. DO NOT assume that deposits have been made until they are confirmed by your financial institution.

It is the obligation of each employee to monitor the accuracy of his/her paycheck(s). Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand

individual circumstances. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with official policy of the County. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Board of County Commissioners with the assistance of the Human Resource Clerk, the policy shall prevail.

Employees are obligated to call the County's attention to any discrepancies in payroll practices, whether to the advantage or disadvantage of the employee. Any such discrepancies must be brought to the county's attention, in writing, within 60 days of the date on the paycheck containing the discrepancy.

Teton County has established a direct deposit payroll system and all new employees are encouraged to enroll in that system. Any official U.S. bank or credit union may be designated for receipt of the direct deposit.

L. COMPENSATION WHILE SERVING ON JURY DUTY OR AS A WITNESS IN A COURT PROCEEDING

Leave will be granted to employees called to serve as a court witness in matters specifically related to County operations or called to serve on jury duty. Full pay will be provided to Regular Employees during such service and any pay received from the court or others shall be given to the County.

M. MILITARY LEAVE

Unpaid leaves of absence will be granted to participate in ordered and authorized field training. The County's employment policy will comply with the provisions of Idaho Code § 46-224, et seq., or its successor, as those Code provisions govern leaves of absence for military service and the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended (USERRA).

N. REDUCTION IN FORCE

Employee assignments may be affected by reductions in force made due to economic conditions or changes in staffing and workload. The Board of County Commissioners or each elected official within his/her department, reserves the right to make any changes in work force or assignment of resources deemed to be in the organization's best interests.

O. PAYROLL DEDUCTIONS

In accord with Idaho Code § 45-609 or its successor, no payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee or as required by law.

P. TRAVEL TIME & EXPENSE

All travel and/or attendance at a training or conference event by County employees must be authorized in advance by the responsible department head or elected official. Overnight travel for department heads who report to the Board of County Commissioners must be authorized in advance by the County Commissioners.

An employee on approved County business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the Travel Reimbursement Policy established by the Board of County Commissioners (Appendix G). Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested in accord

with Idaho Code § 31-1501 or its successor and policies adopted by the Board of County Commissioners.

Time spent by an employee traveling to another city for a special one-day assignment or training shall be considered work time.

Travel time related to trips that keep an employee away from home overnight is considered work time when it cuts across the employee's regular work hours on any day of the week. Travel time outside an employees regular work hours while traveling on an airplane, train, automobile or public transportation is generally not considered work time under the FLSA unless the employee is the driver. However, such time will be compensated when in the best interest of the department/office as determined by the elected official or department head. If compensated, such travel time will not be considered work time for purposes of overtime calculation.

Q. ON-THE-JOB INJURIES

All on-the-job injuries shall be reported to the employee's supervisor and the Human Resource Clerk as soon as practicable, but no later than 10 days after the occurrence of the injury. The Human Resource Clerk is responsible for filing all workers' compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident, he/she should be eligible for workers' compensation benefits. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the appropriate elected official(s) for review.

For sworn law enforcement officers injured on-the-job, the County will handle workers' compensation claims pursuant to Idaho Code, Title 72, Chapter 11.

R. PERFORMANCE REVIEW

Employees shall participate in a performance review system established by the Board of County Commissioners or by an individual department with approval of the Board of County Commissioners. Such review systems may be the basis for allocating changes in compensation in each budget year. Records of any such reviews shall be kept in the employee's official personnel file in custody of the County Clerk or supervising elected official. Performance reviews shall be completed every six months during the first year of employment and annually thereafter. More frequent reviews are at the discretion of the department head or elected official.

S. REMOTE ACCESS & TELECOMMUTING

Only elected officials, department heads and the Commissioners' Assistant are eligible for remote access privileges. A "Teton County Remote Access Request" form must be completed and submitted to the Board of County Commissioners for approval. By signing the request form, those with remote access privileges agree to use such access only in the context of their official capacity for the County and to terminate their remote access when their County employment ends. Utilizing remote access may cause an employee's home computer to be subject to a public records request.

Telecommuting (working from home or elsewhere) requires the specific, written pre-approval of a department head or elected official. Such written approval must be obtained before the employee begins working off-site and a copy must be given to the Human Resource Clerk. Employees may not remove any original files or documents from the worksite.

T. EMPLOYEE BENEFITS

Teton County offers a number of employee benefits for Regular full-time and part-time employees. These benefit offerings are subject to change or termination at the sole discretion of the Board of County Commissioners. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the Board of County Commissioners.

1. Paid Time Off (PTO)

Paid Time Off is available to all qualifying Regular Employees according to the schedule shown below. PTO provides an employee with more flexibility to use his/her time off to meet personal needs, while recognizing an employee's individual responsibility to manage such absences. Each employee will accumulate a specified amount of PTO each pay period, and the employee is able to determine how to use those hours: for vacation, illness, caring for children, school activities, medical/dental appointments, personal business or emergencies. The amount of PTO earned will depend on the employee's length of service with the County. Employees will not accrue PTO while on leave of absence or suspension by the County.

Years of Service	PTO Accrual (per year)	PTO Accrual (per bi-weekly pay period)
0-5 full years (60 months)	13 days	.50 day
After completion of 5 full years	17 days	.66 day
After completion of 10 full years	21 days	.81day

A "day" of PTO equals 1/5 of the hours worked by an employee during their *typical* work week, with an 8-hour maximum. For example, a 35-hour employee will earn twelve 7-hour days of PTO (84 hours), while a 40-hour per week employee will earn twelve 8-hour days (96) hours. PTO begins accruing at the start of the first pay period after the employee has worked four full weeks. PTO stops accruing if an employee is placed on any type of administrative leave. PTO accrues on a bi-weekly basis.

At the end of the fiscal year, any PTO in excess of 80 hours will be forfeited, without right of compensation. This rule may be subject to an exception upon written permission of the responsible department head or elected official, and the Board of County Commissioners, which must be obtained prior to the end of the fiscal year. No PTO hours may be used before they are accrued.

Whenever possible, use of PTO must be scheduled in advance with consent of the responsible elected official or department supervisor. When an employee has accrued balances of both Paid Time Off and Comp Time, any Comp Time in excess of 40 hours shall be used before Paid Time Off hours. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first priority will be the orderly functioning of affected departments. Upon separation from employment, unused PTO will be compensated by a lump-sum payment at the then-current hourly rate or salary.

2. Long Term Illness (LTI)

Long Term Illness is available to all qualifying Regular Employees according to the following schedule:

Years of Service	PTO Accrual (per year)	PTO Accrual (per bi-weekly pay period)
0-5 full years (60 months)	3 days	.12 day
After completion of 5 full years	5 days	.20 day
After completion of 10 full years	7 days	.27 day

A "day" of LTI equals 1/5 of the hours worked by an employee during their *typical* work week, with an 8-hour maximum. For example, a 35-hour employee will earn three 7-hour days of LTI (21 hours), while a 40-hour per week employee will earn three 8-hour days (24) hours. LTI begins accruing at the start of the first pay period after the employee has worked four full weeks. LTI stops accruing if an employee is placed on any type of administrative leave. LTI accrues on a bi-weekly basis.

LTI may be used after an injury, illness or pregnancy and birth requires an employee to miss more than two consecutive scheduled work days. An employee must miss at least two-thirds of a scheduled shift to be considered a missed work day for this purpose. The supervisor, elected official, or Board of County Commissioners may require medical documentation to verify the appropriate use of LTI hours. LTI may not be used for days the employee was not scheduled to work.

If an employee is hospitalized, or undergoes outpatient surgery, the employee may begin using LTI hours immediately. Under all other circumstances, the first two days of missed work will be unpaid, or paid with PTO or Comp hours.

LTI hours may also be used by an employee who misses work due to the illness or injury of a member of the employee's "Immediate Family." The same two-day waiting period will apply, except in cases of hospitalization or surgery, as outlined above.

Up to 24 LTI hours may be used, without the two-day waiting period, to attend the funeral of a member of the employee's Immediate Family.

Immediate Family is hereby defined to include:
-Spouse or domestic partner
-Parent or step-parent of employee or spouse/domestic partner
-Legal guardian or person for whom the employee or spouse/domestic partner is the legal guardian
-Child or step-child of employee or spouse/domestic partner
-Sibling or step-sibling of employee or spouse/domestic partner
-Grandparent or step-grandparent of employee or spouse/domestic partner
-Grandchild or step-grandchildren or employee or spouse/domestic partner
-Relative living in the employee's household

In case of employee termination, the employee will forfeit any accrued LTI hours. No more than 120 hours of LTI time may be accumulated. Any employee with 120 hours of accumulated LTI will stop accumulating additional hours until the balance drops below 120 hours.

If an employee uses LTI because of an illness or injury compensable under the Workers' Compensation Law, the employee shall reimburse the county for any Workers' Compensation payments received for the days paid with LTI hours.

3. Holidays

Eleven official holidays are provided for all Regular Employees. When Christmas Eve falls on a weekday, all Regular Employees will receive an additional *one-half day* "Christmas Eve Holiday." A "day" of Holiday pay will equal 1/5 of the hours worked by an employee during their typical work week, with an 8-hour maximum. This means that a 35-hour per week employee will receive a 7 hour paid holiday while a 40-hour per week employee will receive an 8 hour paid holiday. County holidays shall be observed on the same day as observed by the Federal government. The holiday schedule may be changed at any time by the Board of County Commissioners.

Employees utilizing accrued LTI or PTO shall receive holiday pay for holidays which occur during their absence. Employees taking an unpaid leave of absence shall not receive holiday pay for holidays which occur during their absence.

Employees who work on holidays shall receive holiday pay or Comp Time, at the employee's discretion, in addition to their regular work pay. All employees required to work on Christmas shall be paid time and a half for the hours actually worked on that day.

Recognized holidays are:

New Year's Day	Columbus Day
Martin Luther King, Jr./Human Rights Day	Veteran's Day
Presidents' Day	Thanksgiving Day
Memorial Day	Day After Thanksgiving Day
Independence Day	**Christmas Eve Half-Day
Labor Day	Christmas Day

***When Christmas Eve falls on a weekday, all non-essential public service offices shall close at 1 pm, unless the responsible elected official determines they shall remain open. All county employees shall receive an extra one-half day of holiday pay.*

4. Leaves of Absence

Up to thirty (30) days unpaid leave may be granted by the elected official for any justifiable purpose. Unpaid leave in excess of thirty days shall require written approval of the Board of County Commissioners. An employee will not accrue LTI or PTO, or receive holiday pay, during an unpaid leave of absence.

5. Family Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for the following reasons:

*To care for a child following a birth or placement of a child with the employee for adoption or foster care.

*To care for a sick child, spouse or parent who has a "serious health condition."

*If the employee is unable to perform his/her own work responsibilities because of his/her own serious health condition.

The FMLA also requires that employee's group health benefits be maintained during the leave.

Only certain employees are eligible for FMLA benefits. To be eligible, employees must have worked for the employer for at least 12 months and must have worked at least 1,250 hours for the employer during the previous 12 months. In addition, the employer must employ at least 50 employees. If all requirements are met, the employee is covered under the FMLA.

If an employee meets these eligibility requirements, the FMLA provides an entitlement of up to 12 weeks of unpaid leave during which Teton County must continue the employee's group insurance benefits (employer portion only). If the employee does not return to work for reasons other than their own continued serious health condition or that of an eligible family member, Teton County may recover from the employee the premium(s) that were paid for the employee's medical coverage. Total FMLA leave for employee spouses who both work for

Teton County is 12 weeks combined, if the leave is for reasons other than the employee's own personal serious illness.

Employees are required to use any accrued PTO, LTI and Comp Time concurrently with any FMLA leave. If paid leave accruals are less than 12 weeks, the remainder of FMLA leave will be unpaid. Employees will continue to accrue leave while utilizing their paid PTO and LTI. They will cease to accrue PTO and LTI during the unpaid portion of their leave. If the employee is on Workers' Compensation leave, such leave will also run concurrently with any FMLA leave.

When the need for FMLA leave is foreseeable, employees are required to give 30 days written advance notice, or as much time as practical. Teton County reserves the right to request medical certification supporting any leave, and may require second or third opinions (at Teton County's expense). Teton County may also require a doctor's fitness for duty report prior to the employee returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work will be solely Teton County's in compliance with the provisions of the FMLA. Should a doctor not find the employee fit to return to duty, the employee will not be allowed to return to work.

Contact the Human Resource Clerk to discuss your rights and obligations for continuation of any current benefits you are receiving. Employees must make arrangements for payment of their portion of their insurance costs or those benefits will be discontinued.

FMLA leave may be taken intermittently or on a reduced leave schedule to allow the employee to care for a sick family member, or for an employee's own serious health condition, with prior written approval from the employee's supervisor or when "medically necessary." In the circumstance of birth or placement of a child for adoption or foster care, intermittent leave is only available by written approval of the elected official.

To request FMLA leave please write a brief letter or memo to your supervisor and the Human Resource Clerk indicating the reason for requesting FMLA leave and the expected duration of leave. (Note: You may be asked to provide certification by your physician or medical practitioner indicating the diagnosis and probable duration of your medical condition or the medical condition of your family member.)

Teton County has the right to determine whether the employee is or is not an "eligible employee" under the Act. Teton County has the right to place an employee on FMLA leave without the employee's consent should the County determine that the employee meets the eligibility requirements under the Act.

Teton County will return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the FMLA. The only exception may be for individuals who, under the provisions of the FMLA, are considered to be "key employees" whose extended absence would cause "substantial and grievous economic injury" to the County.

Teton County reserves the right to require periodic notices (determined by Teton County) of an employee's or family member's FMLA status and the employee's intent to return to work.

If you have any questions about your rights under FMLA please contact the Human Resources Clerk.

National Defense Authorization Act. On January 28, 2008, the FMLA was amended by the National Defense Authorization Act. This amendment provides an entitlement of up to 26 weeks of unpaid leave during a single 12-month period to an eligible employee who must care for a covered service member who is a spouse, son, daughter, parent or next-of-kin of the

employee and who has a serious injury or illness incurred in the line of duty which renders that person unfit to perform his or her duties in the Armed Forces. Teton County may require that the request for this type of leave be supported by certification that the service member being cared for by the employee has a serious health condition.

The National Defense Authorization Act also provides 12 weeks of FMLA leave to an employee if his/her spouse, son, daughter or parent has been called to active duty with the Armed Forces. No serious medical condition is required for this type of leave. Teton County may require that the request for this type of leave be supported by certification that the service member has actually been called to active duty. Teton County employees shall provide prior notice when the need for this type of leave is foreseeable.

6. Change in Benefits

Teton County, through its Board of County Commissioners, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

7. Benefits for Part-Time Regular and/or Temporary/Seasonal Employees

All employees shall receive benefits as required by law to include Workers' Compensation insurance and, if qualifying thresholds are met, PERSI retirement benefits. All other benefits to be determined by the Board of County Commissioners.

8. Insurance Coverage Available to Employees

Health insurance is available to employees and family members in accordance with the terms and conditions of the County's contract for such services. Contact the Human Resource Clerk to learn of sign-up and claims procedures. Other insurance offerings may be available at employee or county expense; contact the Human Resource Clerk for additional information. Any such offerings are subject to change at any time.

9. Retirement

The retirement plan of Teton County combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI mandates withholding a percentage of an employee's gross salary for pension purposes and Teton County matches this with an additional larger contribution. Contact the Human Resource Clerk for further information.

10. Transfer of Benefits with Employee Transfer

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within Teton County. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

11. Rehire of Employee

If an employee is rehired after a separation from the County of not more than twelve months--provided the separation did not involve threatened or actual litigation, or was due to circumstances other than unacceptable performance or personal conduct--the employee's PTO and LTI accrual rates will be based on their previous years/months of service.

12. Housing Allowance

The need for rapid emergency response time may make certain employees eligible for a special housing allowance or pay adjustment so they may reside within Teton County. Employees receiving any type of housing incentive payment must provide proof of residence at the time of employment, at the start of every fiscal year thereafter, and at any time by request of the department head, elected official or Board of County Commissioners.

VI. EMPLOYEE PERFORMANCE, DISCIPLINE and GRIEVANCE PROCEDURE

A. PURPOSE OF DISCIPLINE/PERFORMANCE POLICY

Employees of Teton County are employed on an at-will basis, and the County retains the right to terminate employees at any time. Involuntary terminations may occur for any reason, including, but not limited to, lack of work, organizational restructuring, or for unacceptable performance, personal conduct, and reasons specifically listed under "Prohibited Workplace Conduct."

The purpose underlying the discipline/performance policy of Teton County is to establish a consistent procedure for maintaining effective job performance, suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

B. DISCIPLINARY/PERFORMANCE SYSTEM FRAMEWORK

Teton County adopts the following framework for actions to be taken in the event that any employee subject to this policy violates employment policies or fails to perform adequately. Progressive steps may be implemented in order to encourage improved performance or attitude, but are not required. Teton County reserves the right to take any of the prescribed steps in any order in the event that a supervisor deems a policy violation or action of the employee to be serious enough to warrant a certain step.

The Board of Teton County Commissioners hereby appoints the county's Risk Manager as the Designated Official referenced within this Section VI.

C. HIERARCHY OF DISCIPLINARY ACTIONS AVAILABLE

The following actions are among the disciplinary steps that *may* be taken by the supervisor in response to policy violations and/or performance problems:

Oral warning (subsequently documented in writing)
Written warning or reprimand
Suspension without pay
Probation
Demotion
Dismissal

D. OPPORTUNITY FOR HEARING: ASSERTIONS OF DISCRIMINATION & NAME-CLEARING HEARING

All Teton County employees are at-will employees. However, Teton County recognizes that even at-will employees may from time to time suffer from the adverse consequences of unlawful

discrimination. Teton County also recognizes that a public employee who is being terminated from employment based upon allegations of dishonesty, immorality or criminal misconduct is entitled to a "Name-Clearing" hearing.

Unlawful discrimination addresses actions that are alleged to involve decisions based upon age, sex, race, religion, national origin or disability that is not a bona fide occupational qualification. *Failure to pursue this opportunity pursuant to this policy shall constitute a failure to exhaust remedies under this policy.* Issues involving job performance or employee attitude are not the proper subject of this procedure and will not be heard.

The elements of procedure to be followed and undertaken at the direction of the Board of County Commissioners or Designated Official, unless waived by the employee, are as follows:

1. The employee may, within fourteen (14) days of his/her termination or demotion, submit to the Designated Official a written allegation of unlawful discrimination or the basis for entitlement to a "name-clearing hearing," stating specifically the basis for the requested hearing. Written allegations filed untimely or failing to state a particular, legally recognized basis will not be granted an opportunity to be heard.

2. An employee alleging unlawful discrimination or the entitlement to a "name-clearing hearing" will be entitled to meet with the Board of County Commissioners, and the hearing will last no longer than two hours unless otherwise approved.

3. There shall be a record maintained, including an audio recording of the hearing.

4. The employee's supervisor shall provide a brief written statement in response to the particular allegation of discrimination or the employee's response to the charges involving dishonesty, immorality or criminal misconduct. The Board of County Commissioners may request that the employee's supervisor participate in the hearing.

5. The employee will not be prohibited from having an attorney assist him/her at the employee's own expense.

6. The employee will be allowed to present oral testimony (or provide written statements) concerning evidence upon which the alleged discrimination or "name-clearing" is based.

7. The Board may ask the employee's witnesses questions for clarification purposes should that be necessary during the discussion process.

8. The employee shall not have the opportunity to question any participants during this process, but may submit written questions for the Board to consider.

9. The Idaho Rules of Evidence do not apply to this opportunity to be heard.

After the conclusion of the hearing, the Board of County Commissioners will consider the information submitted and such other information as might be in the County's records to arrive at a decision concerning the employee's allegations. Said decision shall set forth the reasons for the Board's determination in writing. If as a result of this opportunity to be heard, the Board finds fault with the basis for the County's action, remedial action may be prescribed, including restoration of employment and payment of back pay.

E. GRIEVANCE PROCEDURE

Any grievance or complaint on any matter involving the conduct or operation of any department, or involving a dispute within a department, shall be resolved by the elected official or department

head. If the conflict cannot be resolved informally, the County's Grievance Procedure shall be followed (Appendix C).

F. DISCRIMINATORY WORKPLACE HARASSMENT POLICY & COMPLAINT PROCEDURE

1. Purpose

The purpose of this Harassment Policy is to clearly establish the County's commitment to provide a work environment free from unlawful harassment, to define discriminatory harassment, and to set forth the procedures for investigating and resolving internal complaints of harassment. Because of the importance of a workplace free from unlawful harassment, this policy should be reviewed with each employee on a regular basis.

It is important that all employees treat all other employees and members of the public with decency and respect. It is the responsibility of each and every employee, supervisor, department head and elected official to prevent inappropriate behavior in the workplace. Inappropriate behavior which impacts the workplace, or has the potential to impact the workplace, *will not* be tolerated.

This Policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, job retention, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation and training.

2. Policy

Harassment of an applicant for employment, a member of the public, or an employee by any employee of the County on the basis of race, color, religion, national origin, sex, age (40 and over) and disability is in violation of State and/or Federal law and will not be tolerated by Teton County.

Employees found to be participating in any form of employment-related unlawful harassment or retaliating against another employee for filing a complaint or cooperating with an investigation shall be subject to disciplinary action up to and including termination of employment.

3. Responsibilities

a. County. It is the responsibility of the County to develop this policy, provide training on this policy, keep it up to date, and ensure that any violation of this policy brought to its attention is dealt with as required by law and according to this Policy. The Board of County Commissioners shall appoint a Designated Official for the purposes of this Policy.

b. Supervisors. It is the responsibility of supervisors to enforce the policy, to train new employees on the policy, to make a regular review with all employees to ensure they know the policy and to regularly check the workplace to make sure the policy is being followed.

If a supervisor observes that unlawful discrimination, harassment or retaliation is occurring, he/she shall take immediate action to address the problem. Such action should include, but is not limited to, speaking directly with the affected person, developing a specific account of the actions, omissions or occurrences that are deemed discriminatory, consulting with the supervisor or department head and taking corrective or disciplinary action as appropriate. If the alleged discrimination, harassment or retaliation is not within the supervisor's area of responsibility or oversight, he/she should notify the department head or other appropriate management employee, who should then take prompt steps to address the allegation.

If unlawful harassment is reported or alleged, it must be followed up. No complaining party shall be allowed to retract an allegation of unlawful harassment without proving that it was made erroneously. If a supervisor receives information that discrimination, unlawful harassment or retaliation might be occurring, he/she shall follow the Complaint Procedure as set out below.

c. Employees. It is the responsibility of each and every employee and elected official to know this policy and to follow it. All County employees share the responsibility of understanding and preventing unlawful discrimination and harassment. But, ultimately, no satisfactory investigation or resolution of complaints can occur without the initiative and continued cooperation of the affected person(s). Individuals who believe they have been discriminated against or unlawfully harassed have the primary obligation of informing their supervisor, department head, Human Resource Clerk or legal counsel for the County of the act of discrimination, unlawful harassment or retaliation, recounting specific actions or occurrences whenever possible. It is imperative that every employee treat every other employee and members of the public with decency and respect so as to facilitate a sound professional work environment.

4. Definitions

For purposes of clarification, unlawful harassment includes but is not limited to the following behaviors:

a. Verbal Harassment. Epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, color, religion, national origin, sex, age (40 and over) and disability whether made in general or directed to an individual, or to a group of people regardless of whether the behavior was intended to harass. This includes but is not limited to inappropriate sexually-oriented comments, including dress or physical features, sexual rumors, code words, and race-oriented stories, as well as jokes of a sexual or discriminatory nature, or "kidding" which is oriented towards a prohibited form of harassment.

b. Physical Harassment. Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy or movement when directed at an individual on the basis of race, color, religion, national origin, sex, age (40 and over) and disability. This includes pinching, patting, grabbing, inappropriate behavior in or near bathrooms, sleeping facilities and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.

c. Visual Forms of Harassment. Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, e-mails, notes, bulletins, drawings or pictures on the basis of race, color, religion, national origin, sex, age (40 and over) and disability. This applies to both posted material and material maintained in or on Teton County equipment or personal property in the workplace.

d. Sexual Harassment. Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. There are basically two types of sexual harassment:

(1) "Quid pro quo" harassment, where submission to unlawful harassment is used as the basis for employment decisions.

Employee benefits such as raises, promotions, better working hours, job retention, etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Example: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

(2) "Hostile work environment," where the unlawful harassment creates an offensive and unpleasant working environment.

Hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or the public. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or even unwelcome physical contact as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

5. Complaint Procedure

The following complaint procedure will be followed in order to address a complaint regarding harassment, discrimination, or retaliation:

a. A person who believes he/she has been unlawfully harassed, discriminated or retaliated against should report it to their supervisor, department head, elected official, Human Resource Clerk, or legal counsel for the County. If a supervisor becomes aware that unlawful harassment or discrimination is occurring in any County department as a result of an employee coming forward, the supervisor shall immediately report it to the Designated Official pursuant to this policy. Once a complaint of unlawful harassment, discrimination or retaliation has been made, the complaint cannot be withdrawn by the complainant without a determination that is was made erroneously.

b. Promptly upon receiving the complaint, the Designated Official shall initiate the investigation to determine whether there is a reasonable basis for believing that an alleged violation of this Policy occurred.

c. Upon receiving the complaint, or being advised by a supervisor that violation of this policy may be occurring, the Designated Official shall review the complaint with the attorney for the County, the Human Resource Clerk or the Board of County Commissioners.

d. The Designated Official, in conjunction with legal counsel for the County, shall engage an appropriate person to investigate the complaint. The investigator shall be a neutral party. The investigator will interview the complainant, the respondent, and any relevant witnesses to determine whether the conduct occurred. As soon as practical, the investigator will conclude the investigation and submit a report of his or her findings to the Designated Official, who then will route it as appropriate.

If it is determined that unlawful harassment or discrimination in violation of the County's policy has occurred, the appropriate official shall recommend the appropriate course of action to be taken by the County. The appropriate action will depend on the following factors:

-The severity, frequency and pervasiveness of the conduct;

-Prior complaints made by the complainant;

-Prior complaints made against the respondent; and

-The quality of the evidence (first hand knowledge, credible corroboration etc.).

If the investigation is inconclusive or it is determined that there has been no unlawful harassment or discrimination in violation of this Policy, but some potentially problematic conduct is revealed, corrective action shall be taken. Promptly after the investigation is concluded, the supervisor(s) shall meet with the complainant and the respondent separately in order to notify them in person of the findings of the investigation.

The complainant and the respondent may submit statements to the supervisor(s) challenging the factual basis of the findings. Any such statement must be submitted no later than five (5) working days after the meeting with the supervisor(s) in which the findings of the investigation is discussed. Promptly after the supervisor(s) has met with both parties and reviewed the documentation, he or she will decide, after consultation with legal counsel, what action, if any, should be taken.

6. Disciplinary Action

If unlawful harassment is determined to have occurred, the supervisor shall take prompt and effective remedial action against the harasser. The action shall be commensurate with the severity of the offense, up to and including termination of employment.

7. Retaliation

Retaliation in any manner against a person for filing an harassment charge or complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The supervisor, department head and elected official shall take reasonable steps to protect the victim and other potential victims from further harassment or related consequences.

8. Confidentiality

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law. However, a complete and thorough investigation of the allegations will require the investigator to inform witnesses of certain aspects of the complaint in order to obtain an accurate account of the actions of the parties involved.

9. False Complaints

Any complaint made by an employee of the County regarding employment-based harassment which is conclusively proven to be false, shall result in discipline. This discipline may include termination of employment. This section is not intended to discourage employees from making complaints regarding employment-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and shall not be tolerated.

VII. SEPARATION FROM EMPLOYMENT

A. REDUCTIONS IN FORCE

When financial circumstances or changes of workload require, the County reserves the right to reduce forces in such manner as it deems necessary to maintain the effective functioning of Teton County services. Reorganization initiated to make more efficient use of resources or to accommodate budgetary needs shall not be subject to the hearing procedure established by Teton County.

B. RETIREMENT POLICY

The retirement policy of Teton County shall comply in all respects with Federal and State requirements respecting mandatory retirement and the obligations established by the Public Employee's Retirement System of Idaho (PERSI).

C. COBRA BENEFITS

Employees of Teton County who currently receive medical benefits, who separate their employment, may be eligible to continue those medical benefits at the employee's sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Please contact the Human Resource Clerk if you have any questions regarding your right to continue your health coverage after separating from Teton County.

D. EXIT INTERVIEW

Each employee who terminates from employment with Teton County is encouraged to participate in an exit interview with the Human Resource Clerk during which the employee will be notified when certain benefits will terminate, when final pay will be issued and review the process to receive COBRA benefits. The employee will be invited to inform the interviewer about his/her impressions of employment. A departing employee exit form may be completed at this point and will be retained in the employee's personnel file.

E. RESIGNATION POLICY

Voluntary resignations will generally be made in writing and a copy should be given to the Human Resource Clerk. If the employee wants his/her formal records to indicate "voluntary resignation," he/she must do so in writing to his/her supervisor or department head. Oral resignations will be documented by the supervisor after consultation with the elected official or department head in charge. Evidence of acceptance of a resignation shall be provided to the ex-employee if possible. Employees who have an unexcused or unauthorized absence of three (3) consecutive working days or more may be considered to have abandoned their position and therefore resigned.

♦ ♦

This Personnel Policy is hereby adopted by Resolution of the Teton County Board of County Commissioners.

Larry Young, Chairman

Mark Trupp, Commissioner

Alice Stevenson, Commissioner

ATTEST: Mary Lou Hansen DATE: 11-24-08

Mary Lou Hansen, Clerk

Appendix A. Acknowledgement of Receipt of Teton County Personnel Policy

I, ________________________________ acknowledge receipt of the Teton County Personnel Policy as adopted by the Board of County Commissioners on November 24, 2008.

- ☐ I understand that it is my responsibility to read and review this Policy.
- ☐ I understand that this Policy is not a contract and cannot create a contract.
- ☐ I understand that I am an At-Will employee.
- ☐ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Personnel Policy and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the Policy.
- ☐ I understand that this Policy may be modified without prior notice to me.
- ☐ I understand that should this Policy be modified that I will be provided a copy of the modifications.

DATED this ____________ day of ____________________, 20____.

____
(Employee)

◆ ◆

I, ____________________________________, provided a copy of the Teton County Personnel Policy as adopted by the Board of County Commissioners on November 24, 2008 to Teton County Employee: ____.

ON this ________day of ________________________, 20____.

____
Human Resource Clerk

Appendix B. Welcome to Teton County Government

As a county employee, you are ultimately responsible to an elected official, who in turn is responsible to the voters. The following information will help you understand the interrelationships between the county's nine elected officials and their various responsibilities. All elected officials serve 4-year terms, except County Commissioners, who alternate 2-year and 4-year terms.

ASSESSOR. The county assessor determines equitable values on both real and personal property for tax purposes. The assessor also acts for the Idaho Department of Transportation to title and license motor vehicles. If the governor should call up the militia, the assessor may be ordered to register all county residents liable for such service.

CLERK-RECORDER-AUDITOR. This one elective county officer holds five distinct titles: clerk of the district court, auditor, recorder, clerk of the Board of County Commissioners, and chief elections officer of the county.

COMMISSIONERS. A three-member Board of County Commissioners is the governing body in every Idaho county. Two commissioners are elected every two years: one for a two-year term and one for a four-year term. Commissioners may appoint an administrative assistant and hire other personnel to perform necessary duties.

CORONER. The county coroner plays an important role in law enforcement by investigating and holding inquests to determine the cause of violent or suspicious deaths.

PROSECUTING ATTORNEY. The county prosecutor is required to be a licensed and practicing attorney of law in the state of Idaho. He/she prosecutes all criminal cases and provides civil assistance to the various county offices.

SHERIFF. The sheriff enforces all penal provisions of the law within the County. He/she supervises the county's emergency 911 dispatch system and is responsible for detaining prisoners in the county jail. The sheriff is also is responsible for issuance of driver's licenses. The Sheriff may also have contracts with the cities or school districts to provide additional law enforcement services to those entities.

TREASURER. The county treasurer must collect and account for all property taxes. He/she is responsible for investing idle or surplus monies and manages estates when no heir or other qualified person is available.

County elected officials are concerned with the following issues:

County Finances & Budgeting. The budgeting and financial process of the county involves every elected and appointed county official. All county officials prepare budget requests and thus play a part in the county financial process. The county commissioners are ultimately responsible for adopting the budget and approving all payments, which are processed through the clerk's office.

Emergency Management. Counties must be prepared in case of emergency. Teton County has a full-time emergency management coordinator who is responsible for disaster prevention, preparedness, response and recovery.

Employment Practices. The responsibilities of a public employer are different from those in the private sector. Employees are accorded different rights and many Federal standards not applicable to small, private employers apply to the public sector. County officials must ensure compliance with all applicable state and federal employment laws.

Ethics/Conflicts of Interest. State laws govern circumstances where personal interests may conflict with public responsibilities and mandate disclosure and nonparticipation in certain circumstances. The governing process requires adherence to high ethical standards and disclosure of public information to friend and foe alike. Strong opinions must be balanced by respect for the procedural rights of others.

Health Care/Indigent Assistance. Basic preventative health care services are provided by Idaho's seven public health districts, governed by the counties. The County serves as the "last resource" for individuals unable to pay medical bills or in need of emergency, non-medical assistance.

Roads. Teton County maintains about 350 miles of roads and associated bridges. All road construction, maintenance and snow removal occurs under the direct supervision of the county's Road & Bridge supervisor, who is supervised by the county engineer, who reports directly to the county commissioners. The county has no responsibility or authority for any state highways.

Law Enforcement. The sheriff and prosecuting attorney are the county's primary law enforcement personnel. The sheriff is also responsible for detaining prisoners in the county jail, which may be accomplished by leasing space in a jail operated by another county. The county provides misdemeanor probation services for adults and juveniles.

Open Meetings/Public Records. The public's business is expected to be conducted in public, which means that all government meetings, including any sub-agency or commission created by the county commissioners, must be open to the public, unless the law specifically permits an executive session to be held. All records maintained by the government are public, except those specifically exempted by state statute.

Planning, Zoning and Building. Comprehensive planning, zoning and subdivision regulations are used by counties and cities to provide for orderly change and growth, as well as to stabilize and protect property values. The county issues building permits to ensure that structures are built according to standards set forth in the International Building Code.

Property Taxes. County government works with the State Tax Commission to administer the property tax system for all taxing districts (school, cemeteries, ambulance, fire, library). All county officials have responsibilities within the tax system.

Board of Equalization. The tax administration process starts in the county assessor's office where property values are set. The goal is to achieve equity in values for different property types by assessing all properties at market value. The county commissioners sit as a Board of Equalization to review appeals of property tax valuations and determine whether assessments are equitable. Once values and levies are set, it is the responsibility of the county treasurer to collect taxes.

Purchasing Contracts. Public officials must purchase public property in accordance with specific state statutes designed to provide openness and fairness in the process. The need for public business to be accountable requires that contractual relationships be carried out by written agreement, rather than mere oral promises, and that a competitive bid process is followed.

Risk Management/Liability. Counties have developed programs to manage liability risks to avoid public costs while allowing local government to function. Certain immunities may apply to governmental actions and officials must know these important laws.

Solid Waste Management. Counties are responsible for operating solid waste disposal systems and county commissioners have authority to acquire, establish and operate such systems.

Appendix C. Grievance Procedure

Any grievance or complaint on any matter involving the conduct or operation of any department, or involving a dispute within a department, shall be resolved by the responsible elected official or department head. If an employee grievance is not resolved by discussion, the employee may choose to complete and file a Request for Conflict Resolution.

An employee must have completed six (6) months of employment with Teton County in order to file a Request for Conflict Resolution. If the complaint or conflict is related to a disability as defined by the Americans with Disabilities Act, or is related to a claim of discrimination based on race, color, religion, sex, national origin, age, citizenship, or veteran's status, the employee should file a complaint under the County's Discriminatory Workplace Harassment Policy (Section VI, F).

An employee must submit a Request for Conflict Resolution within one calendar week of reaching an impasse with his/her supervisor or department head after attempting informal resolution of the conflict or complaint.

The formal conflict resolution process involves working up the line of supervision, starting with the immediate supervisor. The employee should submit the written Request for Conflict Resolution to his/her immediate supervisor. The form requires detailed information regarding the conflict or complaint, parties involved in the conflict, and attempted solutions to the conflict.

The immediate supervisor must respond in writing to the conflict resolution request within one calendar week of receipt of the complaint. If the employee is dissatisfied with the immediate supervisor's response, or if the immediate supervisor does not issue a written response, the employee may then proceed up the line of supervision. The decision of the elected official in charge of said office or department is final in each case.

Unless a written request is made by the supervising elected official, the Board of County Commissioners will not become involved in the employee grievance process for employees supervised by other elected officials.

Grievance Procedure: Teton County Request for Conflict Resolution

Name: _____ Date of the Occurrence: _____ Today's Date: _____

Job Title: _____ Department: _____

Provide details relating to the difficulty, reasons you believe it exists, and attempted or proposed solutions:

_____

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Submitted by: _____ Date: _____

Received by: _____ Date: _____

Appendix D. Use of County Resources

Teton County resources, including time, material, equipment, and information, are provided to further County business. Teton County email, computer, internet, copies, phone and voice mail systems are County property. Employees are trusted to behave responsibly and use good judgment to conserve County resources. Department heads and elected officials are responsible for the proper use of resources assigned to their offices. Incidental personal use must occur outside of work hours and is allowed only if it does not interfere with work, consume County resources or create potential County liabilities.

However, employees have no right to privacy with regard to use of county computers or phones. Teton County reserves the right to examine data stored on all phone, computer and network systems through both physical examination and electronic monitoring. If the information collected reveals violations to County guidelines or the law, the County may use its discoveries for disciplinary actions and/or provide the information to law enforcement. All email on county servers becomes a matter of public record, unless it contains non-public information as defined by state statute.

Computers & Internet. Teton County purchases and licenses the use of various computer software programs for business purposes and does not own the copyright to this software. Unless authorized by the software developer, Teton County does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple computers according to the software license agreement. Illegal duplication of software and its related documentation for personal use is prohibited.

Follow established procedures for protecting files including managing passwords and storing backup copies of files. Employees must protect the physical and electronic integrity of the equipment, networks, software and accounts on all Teton County equipment and should not open email from unknown senders or that seems suspicious.

The County maintains a standard configuration for all systems. Employees may not install unauthorized software, nor download any files from the internet, without prior written authorization from the County's IT staff. Employees may not connect unauthorized equipment or media, which includes but is not limited to: laptops, wireless access points, and mp3 players. Prohibited internet sites include, but are not limited to, those containing offensive graphics, images and language. Downloading of copyrighted, protected materials or software is strictly prohibited.

E-mail and Internet access is provided by Teton County to enhance communications and provide access to work related information and technology. Employees should always ensure that the business information contained in e-mail messages and other transmissions is legal, accurate, appropriate and ethical. Regular monitoring of internet activity will occur. The following are examples of *prohibited uses* of e-mail and internet systems:

-Sending or posting discriminatory, harassing, or threatening messages or images

-Using Teton County time and resources for personal gain.

-Stealing, using or disclosing someone else's code or password without authorization.

-Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted internet or e-mail services and transmissions.

-Sending or posting messages or material that could damage Teton County's reputation.

-Participating in the viewing or exchange of pornography or obscene materials.

-Using streaming audio, video or real time applications such as stock ticker, weather monitoring, or internet radio.

-Sending or posting messages that defame or slander other individuals.

-Attempting to break into the computer system of another organization or person.

-Refusing to cooperate with a security investigation.

-Attempt to capture or guess other employees' passwords or access restricted files or portions of operating systems or administrative systems.

-Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.

-Using the internet for political or religious activities, or any sort of gambling.

-Jeopardizing the security of the organization's electronic communications sytems.

-Passing off personal views as representing those of Teton County.

-Sending anonymous email messages.

-Unauthorized participation in or use of chat rooms or instant messaging.

-Logging on or using another employee's computer without authorization.

-Engaging in any illegal activities.

Telephones. Teton County recognizes that employees will occasionally need to place and receive personal phone calls during the workday. In all cases, personal calls should be minimal. Excessive work time spent on personal calls is considered a misuse of employee's work time and taxpayer funds; therefore, abuse is subject to disciplinary action. All personal cell phones and other communication devices must be kept in silent mode or turned off while employees are on duty.

Copy Machines. Teton County recognizes that employees may occasionally desire to make personal use of County copy machines. Such use is permitted for small numbers of copies if they are made only after business hours and paid for at the rate established by the County's fee schedule.

Heavy Equipment, Tools, Machinery and Shop Facilities. All heavy equipment, tools, machinery and maintenance shop facilities are provided solely for use by county employees working on county projects. Such equipment, tools and facilities shall not be used for non-public purposes.

Appendix E. Emergency Closure

From time to time, all or part of County offices and/or operations may be closed or suspended due to emergencies such as power failure, hazardous weather, or unsafe workplace conditions. Authority for such suspension of operations rests with the Board of County Commissioners. When a decision to close is made, radio station Q102 shall be asked to make a public service announcement, and a notice will be placed on the county web site. If the decision to close is made after 9 am, the Human Resource Clerk shall notify each department head and elected official.

In the absence of an announcement, it should be assumed that County offices and/or operations are not suspended. However, non-essential employees may be excused from work upon their request and at the discretion of the department head or elected official. Employees so released will not be paid, except through use of PTO or Compensatory Time.

Certain essential services are required to be maintained during any closing. The employees involved in these essential services are excused from work only with the specific authorization of their supervisors, regardless of radio or other announcements. Department heads and elected officials should make clear beforehand who are essential employees in emergencies, what their obligations are, and establish procedures to let them know whether they will be needed to work. Failure to report to work during emergencies by employees required for essential services may be cause for disciplinary action.

The nature and effect of emergencies may vary, so the pay policy to be followed may also vary. An emergency closing is not in the nature of a holiday and all employees do not necessarily receive an equal amount of time off or additional pay. While the County strives to be fair and reasonable in payment for closings, there is no legal obligation to reimburse employees when work is not available because of emergency conditions.

The County reserves the right, therefore, to determine on a case-by-case basis: (1) whether to close; (2) whether employees will be paid; and (3) if employees will be paid, on what basis.

Appendix F. Records Retention & Destruction Policy

Teton County Records must be retained according to applicable law, contractual requirements, and this policy. Teton County records may only be destroyed according to applicable law and by resolution of the Board of County Commissioners and upon the advice of the Teton County Prosecuting Attorney.

All questions regarding the retention or destruction of records should be directed to a supervisor, manager, department head, or elected official. If the department head or elected official determines that the records may be disposed of, a records destruction request must be sent to the County Prosecutor for review. The request shall include a detailed list of the records to be destroyed. The County Prosecutor will review the request and provide advice on the length of time that those records need to be retained. If the records may be disposed of, resolution authorizing the destruction of such records must be prepared and approved by the Board of County Commissioners.

All paper and electronic records relating to Teton County business must be stored, kept or saved on property owned or leased by Teton County. All email relating to Teton County business should be done on the Teton County email system and employees should not use personal email accounts for Teton County business. If electronic records, such as Word or Excel documents, are created on hardware or software not owned by Teton County, such as an employee's home computer, then that employee must ensure that a final version of such electronic record is saved on the Teton County network.

The destruction of any county record that is related to ongoing, potential, threatened or reasonably anticipated litigation is strictly prohibited. In addition, the destruction of any county record that must be retained for any legal or contractual reasons is strictly prohibited. If any employee knows of ongoing, potential, threatened or reasonably anticipated litigation that may be related to any county record, including any electronic record, that is set to be destroyed or disposed of, that employee must inform the person scheduling the records for destruction and the department head or elected official.

Appendix G. Travel Reimbursement Policy

All travel and/or attendance at a training or conference event by county employees must be authorized in advance by the responsible department head or elected official. Overnight travel for department heads who report to the Board of County Commissioners must be authorized in advance by the County Commissioners.

When planning a trip, employees should utilize the most cost effective means of travel. Alternatives to consider include flying, renting a vehicle and car-pooling. If an employee chooses to travel by means other than the most cost effective method, the employee will be reimbursed only at the most cost effective amount. When an employee uses a personal vehicle, mileage will be paid in accordance with rates set by the IRS. Mileage reimbursement is not allowed for any portion of travel that is for personal use.

Reimbursement for travel shall be for actual expenses only, and not based on a per diem rate. Original receipts must be submitted for reimbursement, along with a completed Travel Reimbursement Request or Claim form. The County will reimburse actual meal expenses, including tips, up to a maximum of $50 per day, broken down to $10 for breakfast, $15 for lunch and $25 for dinner.

Reimbursable travel expenses are limited to those that are directly related to official business. Use of direct billing for hotel costs is strongly encouraged whenever possible to ensure the county receives tax exempt status. If an employee chooses not to consume a meal included in the event registration fee, they will not be reimbursed for that meal purchased separately.

Non-reimbursable travel expenses include, but are not limited to, those incurred for the sole benefit of the employee such as travel insurance, alcoholic beverages, extra meals, in-room movies, laundry, personal long distance telephone calls, etc.

If a spouse or other non-County employee accompanies the employee, reimbursement shall be based only on the employee's expenses, i.e. single room rate. Rental cars are reimbursable only when it is impractical to use taxis, buses, shuttle, or limousine service. The County reserves the right to adjust unreasonably high expenses.

While traveling, all employees are expected to minimize expenses as much as possible out of respect for the taxpayers who are funding the travel. Employees traveling out of the county to participate in a one-day meeting or training will be reimbursed only for their noon meal, and only if it is not provided as part of the training event.