

LYON COUNTY

EMPLOYEE HANDBOOK



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INTRODUCTION

1.1 WELCOME

Welcome to Lyon County! We hope that you find Lyon County a rewarding place in which to work and we look forward to a productive and successful association. We strive to provide a pleasant working relationship and service to the citizens of Lyon County.

This handbook brings together information about benefits, policies, rules and other conditions of employment that apply to you. Every effort has been made to convey accurate and clear information throughout this handbook, but no written summary can completely and without exception cover every situation that may develop. You are responsible for reviewing all information contained in this handbook and keeping updated on any subsequent changes to these policies. If you have any questions, please feel free to discuss them with your Department Head.

These policies and procedures outlined in this handbook are applicable to:

All employees responsible to the Lyon County Board of Supervisors or designees.

All employees responsible to a county elected office holder providing the office holder has certified its applicability.

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

Whenever the provisions of this handbook conflict with the Code of Iowa, or with a collective bargaining agreement between the County and a certified bargaining unit, the provisions of the Code of Iowa and/or the collective bargaining agreement will supersede those of the handbook.

This handbook replaces all employee handbooks and amendments issued prior to the date of this handbook. Documents issued prior to this date should be discarded.

1.2 AT-WILL EMPLOYMENT

This handbook is presented as a matter of information only; it is not a contract between Lyon County and the employee. Lyon County reserves the right to

change or eliminate any or all the policies, procedures, work rules or benefits herein at any time, with or without prior notice.

Just as you retain the right to terminate your employment at any time for any reason, Lyon County retains a similar right. Your employment status is “at will” which means your employment may be terminated at any time with or without reason by Lyon County or you. No policy or practice of Lyon County should be construed to change this relationship. Only the Board of Supervisors or appropriate governing board has the right to modify or change this practice, and such action must be in writing. Employees who work in departments with a governing board different than the Board of Supervisors may be subject to additional policies.

1.3 EQUAL EMPLOYMENT OPPORTUNITY

It is the objective of Lyon County to encourage employment and advancement of all individuals in a way that will utilize their talents to the maximum and develop their skills most effectively in a work and community environment that is free from unlawful discrimination.

Lyon County has a policy to provide equal opportunity for all where employment is based upon personal capabilities and qualifications without discrimination because of race, age (over 18), color, creed, religion, sex, sexual orientation, gender identity, national origin, mental or physical disabilities, religious affiliations, veteran status or any other protected characteristic as established by law.

This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, promotion, termination and all other terms and conditions of employment.

1.4 ILLEGAL HARASSMENT

It is the policy of Lyon County that no employee shall be harassed by another employee, customer or supervisor based on age, race, color, creed, religion, sex, sexual orientation, gender identity, national origin, mental or physical disabilities, family status, religious affiliations, veteran status or any other legally protected category.

Illegal harassment, whether verbal, physical, non-physical, or electronic, will not be tolerated. All members of management have the explicit responsibility and duty to take corrective action to prevent any illegal harassment of our employees.

If any employee believes that he or she has been subjected to illegal harassment, that employee should bring the matter directly to the immediate attention of their Department Head, a member of the Board of Supervisors or appropriate

governing board. All complaints will be investigated, and appropriate disciplinary action taken, up to and including termination. There will be no retaliation against anyone who submits a good faith harassment complaint.

1.5 SEXUAL HARASSMENT

It is the policy of Lyon County that no employee shall be harassed by another employee or supervisor based on sex or be sexually harassed, whether overt or subtle.

The policy prohibits any demand for sexual favors that is accompanied by a promise of favorable job treatment or a threat concerning the employee's employment. Also prohibited is subtle pressures for sexual favors, including implying that an applicant's or employee's cooperation of a sexual nature, or refusal thereof, will have any effect on the person's employment, job assignment, wages, promotion, or any other condition of employment.

In addition, any behavior of a sexual nature not welcomed by the employee or found to be personally offensive is expressly forbidden. This includes but is not limited to:

- a. Repeated sexual flirtations, advances, or propositions.
- b. Continued or repeated verbal abuse or threats of a sexual nature, sexually related comments and joking, graphic or degrading comments about the employee's appearance or the display of sexually suggestive objects, gestures, or pictures.
- c. Any uninvited physical contact or touching, such as patting, pinching, hugging, kissing, or other unwanted or coerced contact.
- d. Retaliation for reporting or threatening to report sexual harassment.

Sexual harassment, whether verbal or physical, will not be tolerated. All members of management have the explicit responsibility and duty to take corrective action to prevent any sexual harassment of our employees.

As with other forms of harassment, any employee who believes that he or she has been subjected to sexual harassment should bring the matter directly to the immediate attention of their Department Head, a member of the Board of Supervisors or appropriate governing board. All complaints or reports of sexual harassment will be investigated, and appropriate disciplinary action taken, up to and including termination. The investigation will be handled in a confidential manner to the extent possible, however, confidentiality cannot be guaranteed. There will be no retaliation against anyone who submits a good faith sexual

harassment complaint or participates in an investigation relating to such a complaint.

1.6 PRE-EMPLOYMENT PHYSICAL EXAMINATION

Lyon County will require prospective employees to submit to a job related physical examination after the employee has been offered the position and prior to starting the position if the physical exam is required of all entering employees in the classification. Employment will be contingent upon a satisfactory physical examination, which will include medical documentation of the applicant's ability to perform the essential functions of the job with or without reasonable accommodation. To the extent allowed by law, the pre-employment physical examination will include drug testing. The information resulting from the physical exam will be kept confidential in a file, separated from the Employee's personnel records.

1.7 EMPLOYMENT OF RELATIVES

It is the policy of Lyon County to hire the best-qualified employees available for all jobs. Relatives of current employees are eligible for employment, subject to limitations imposed by law and the terms of this policy. This policy applies to all employees, including part time and seasonal employees. No relatives of a current employee are permitted to work in the same department or in any other positions in which the Department Head believes an inherent conflict of interest may exist. Lyon County allows the employment of qualified relatives if such employment does not, in the opinion of the Department Head, create actual or perceived conflict of interest or violate any applicable laws regarding nepotism.

1.8 GINA COMPLIANCE

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that employees not provide any genetic information when responding to requests for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual or an individual's family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

1.9 ADA AAA COMPLIANCE

The Americans with Disability Act Amendments Act (ADAAA) prohibits discrimination against qualified individuals based on disability. It is the policy of Lyon County to comply with the Americans with Disabilities Act (ADA). Lyon County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability. In compliance with the ADAAA, the County will consider reasonable accommodations that do not pose undue hardship to the County to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The County encourages applicants or employees to make suggestions regarding reasonable accommodations to their immediate supervisors or the County Auditor/ADA Coordinator.

GENERAL OFFICE PROCEDURES

2.1 WORK SCHEDULE

In general, the work schedule of employees will not change from week to week. However, varying conditions in workload and the demand of the public may necessitate a change in your work schedule. If it is necessary for your Department Head to change your normal work schedule, he/she will make every effort to give you as much notice as possible. Nothing in this section shall be construed as a guarantee of the number of hours an employee will be scheduled to work.

2.2 PERSONNEL RECORDS

Lyon County maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of Lyon County, and access to the information they contain is restricted. Generally, only management personnel of Lyon County who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Auditor's Office or appropriate office or department. With reasonable advance written notice, employees may review their own personnel file in the appropriate office and in the presence of an individual appointed by Lyon County to maintain the files.

2.3 WORKPLACE VIOLENCE

The County does not tolerate acts of workplace violence. The County strictly prohibits employees from making threats or engaging in violent acts. This is a zero-tolerance policy meaning that the County will terminate any employee who violates this policy with or without previous warnings. This policy is not intended to interfere with the duties of County law enforcement officials who are acting in their official capacity as law enforcement.

Employees are prohibited from the possession, sale, transfer, or use of any dangerous weapon while "on the clock," or otherwise engaged in County business, unless doing so is a required condition of employment (for example, Sheriff deputies), and the employee is lawfully acting under the authority of their County department.

Prohibited conduct includes, but is not limited to, injuring another person physically; engaging in behavior that subjects another individual to extreme emotional distress; using a weapon while on County premises or engaged in County

business; damaging property intentionally; threatening to injure an individual or damage property; and committing injurious acts motivated by or related to domestic violence or sexual harassment.

2.4 RETURNING TO WORK

Lyon County will make reasonable efforts to provide suitable temporary employment to employees temporarily unable to perform his or her job duties as a result of a workplace injury or illness, or due to certain individual circumstances that may result in an employee taking FMLA leave for a period of time and returning with a temporary limitation on the employee's ability to perform his or her job duties. Written job descriptions and the employee's direct supervisor or Department Head will determine if a temporary light duty assignment is appropriate or available.

Employees may be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, the employee's return to work may be delayed until certification is provided. A list of the essential functions of the employee's position is described in the employee's job description and may be provided in greater detail by subsequent communication from the employee's Department Head. The fitness-for-duty certification must address the employee's ability to perform these functions. In some circumstances, the County may contact the employee's health care provider for the purpose of clarifying and authenticating the fitness-for-duty certification.

Employees should also review the Lyon County Safety Manual when returning from job-related injuries. The Safety Manual is attached to the Appendix of this Handbook.

EMPLOYEE COMPENSATION AND STATUS

3.1 HOURS OF WORK

County employees normally work a 37 ½ hour to 40-hour workweek. Employees normally receive a 1-hour unpaid lunch period during the middle of the workday and 15-minute rest breaks as schedules allow.

Normal work week hours for secondary road crew employees shall be from 7:00 A.M. to 3:30 P.M., Monday through Friday, with a ½ hour lunch and 15-minute breaks as schedules allow. The Lyon County Engineer can determine if a change, such as start time and end time, need to be made to the normal work week hours. However, a day of the scheduled normal work week shall not exceed eight (8) hours.

3.2 OVERTIME / COMPENSATORY TIME

Periodically, overtime work is necessary to maintain County operations. Department Heads may require the employee to work overtime. Employees must receive permission from the Department Head before undertaking overtime assignments.

The choice between compensatory time or overtime pay, will be at the discretion of the Department Head.

Exempt employees, as defined by the Fair Labor Standard Act, shall not receive overtime or compensatory time unless expressly stated by the individual employee's employment contract.

Non-exempt employees will be compensated at one and one-half times their normal hourly rate for all hours in excess of 40 per week. Vacation hours, compensatory time and sick leave hours shall not be counted as work time for the purpose of determining overtime. All overtime and compensatory time accrued or used must have the prior approval of the Department Head or their designee.

Secondary Road Crew

All employees shall begin overtime after completion of eight (8) hours worked in any given day and for time worked on Saturdays and Sundays. There will be no pyramiding of overtime hours. Overtime shall be compensated at the rate of time and one-half (1-1/2) the employee's straight time hourly rate. All paid time shall count as time worked for purposes of computing overtime.

Payment may be made in either cash or compensatory time as follows:

1. The decision to compensate overtime in cash or compensatory time rests with the Engineer.

2. An employee shall be allowed to accumulate a balance of ninety-six (96) hours of compensatory time. Any overtime exceeding this amount shall be paid in cash. If an employee takes compensatory time off (maximum forty-eight (48) hours) they shall be allowed to re-accumulate those hours to a maximum balance of ninety-six (96) hours. In no case shall an employee be allowed to carry-over more than ninety-six (96) hours nor use more than forty-eight (48) hours in any fiscal year.

Call In Pay

Any secondary roads employee called in outside of his/her regular work schedule, subject to the discretion of the County Engineer to determine the regularly scheduled work week hours as outlined in Section 3.1, shall receive a minimum of two (2) hours call in pay for each such call in.

DEPUTY SHERIFFS and JAILERS

All non-exempt Deputy Sheriffs and Jailers who work more than 171 hours in the 28-day work period shall be paid at the rate of one and one-half times the employee's regular hour rate for each hour of overtime worked.

Continue Shift / Call in Pay

A Deputy Sheriff who needs to continue his/her regular daily shift or if said deputy is called in outside of his/her regular work schedule shall receive pay or compensatory time at a rate of one and one-half times their normal hourly rate. All pay must be approved by the Sheriff, Chief Deputy or the Lieutenant.

3.3 PAY PERIODS

Lyon County employees are paid either monthly or semi-monthly depending on the department you work in. The Fair Labor Standards Act requires that a record be kept of all hours worked by non-exempt employees. Therefore, all non-exempt employees must accurately record their hours worked for each pay period on a form provided by their Department Head.

3.4 REIMBURSABLE TRAVEL EXPENSES

Lyon County will reimburse employees for business-related meals and travel expense, with detailed receipts, upon the following terms and conditions:

1. The limit is \$40.00 per day for meals for overnight meetings.
2. The dollar amount allowed for day meetings will be set at:

Breakfast	\$8.00
Lunch	\$12.00
Dinner	\$20.00

Employees must leave home by 6:00 am to be reimbursed for breakfast and be gone until 6:00pm to charge for dinner. In no circumstance will Lyon County reimburse for alcohol or gratuity. Following the use of a Lyon County credit card, receipts must be provided to the Auditor’s office on the next business day, or at least prior to the 5th of the month if the employee is traveling for business. All personal requests for reimbursement must be turned in to the Auditor within 10 business days of the charged expense and be accompanied by an itemized receipt. Employees who fail to timely provide an accounting of reimbursement requests for day meetings using the Reimbursement Form, may be denied reimbursement.

When employees use their personal vehicle for official County business, Lyon County shall reimburse employees for mileage, based on the Board of Supervisor’s mileage rate.

3.5 JOB VACANCIES

It is the policy of the County to fill job vacancies and *higher rated* jobs with the most qualified applicant possible. When selecting an applicant to fill the vacancy, the employer will consider job-related qualifications including attitude, skill, and ability, past performance, efficiency and disciplinary record. Military service may also be a factor in hiring decisions, as provided by Iowa’s Veteran’s Preference law. All open positions shall be posted on the Courthouse bulletin board for at least 10 days.

3.6 EMPLOYMENT STATUS

Regular Full-Time

An employee who has successfully completed the probationary period and is regularly scheduled to work at least 1950 hours per year on a 12-month basis. Regular full-time employees are generally eligible for the benefits described in this handbook.

Regular Part-Time

An employee who has successfully completed the probationary period and is regularly scheduled to work less than 1560 hours per year, on a 12-month basis. Regular part-time employees are not eligible for benefits unless otherwise required by law.

Temporary

An employee who works any number of hours for a period of six consecutive months or less. Temporary employees are not eligible for any of the fringe benefits described in this handbook unless otherwise required by law.

3.7 PROBATIONARY PERIOD

All new employees are on a probationary status for the first 6-months of employment. Each Department Head has the authority to extend a probationary period beyond the 6-month time frame if they deem necessary.

The primary purpose of the probationary period is to provide the employee with a learning period and give the County an opportunity to evaluate performance. Completion of the probationary period is not a guarantee of continued employment and employees will continue to be at-will and subject to the county's policies regarding rules of conduct and the Department Head's performance standards.

Conservation Department and Sheriff Department employees have a probationary period of 1-year and / or until certification.

Any person employed by the Lyon County Sheriff's Department on a part-time basis who is promoted to full-time basis shall begin a 6-month probation period starting with their first full time shift. During this probation period this employee may be terminated for any reason, or no reason at all.

EMPLOYEE BENEFITS

Lyon County has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. This portion of the employee handbook contains a very general description of the benefits to which you may be entitled to as an employee. Please understand that this general explanation is neither intended to, nor does it, provide you with all the details of these benefits. Therefore, this handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination upon request.

Lyon County reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Furthermore, Lyon County reserves the exclusive right, power, and authority, in its sole and absolute discretion, to administer, apply, and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

The open enrollment period for all benefits described below is November 15 through December 15.

4.1 GROUP HEALTH INSURANCE BENEFITS

Lyon County currently offers eligible employees (as defined by the Affordable Care Act), health coverage for themselves, their spouse, and their dependents. The Board expressly reserves the right to revise Policy 4.1 in the event that state or federal law impacts the requirements of the County to offer group health insurance benefits to its employees. Should the Board choose to revise Policy 4.1 due to changes at the state or federal level, County employees who are regularly scheduled to work at least 37.5 hours per week and are, at the time of the revision to Policy 4.1, enrolled in the County's group health plan, would continue to receive the employee's then-current health insurance *election* through at least the end of the health insurance plan year, unless otherwise prohibited by law.

Coverage takes effect the first of the month, following one month of employment. Once made, your *election* is generally fixed for the remainder of the plan year. However, if you undergo a coverage enrollment event you may make a change in coverage provided you do so within the timeframe set out by the health insurance plan. Please contact the Auditor's Office to determine if the change qualifies as an event under the plan document.

Upon leaving employment with Lyon County, your health coverage will terminate at the end of the month. COBRA continuation coverage will be offered in accordance with applicable law.

4.2 HEALTH INSURANCE - RETIREMENT COVERAGE

Under Iowa Code, Section 509(A), retired employees of Lyon County and their covered dependents up to age 65 are eligible to continue medical and prescription drug coverage benefits if:

- The spouse/dependent was covered under the plan at the time of employee retirement
- The employee must have applied for and be receiving a retirement allowance from the Iowa Public Employment Retirement System.
- The retired employee / spouse must pay the full cost of the premium. Failure to timely pay the premium may result in loss of coverage.

4.3 FLEXIBLE BENEFITS

Lyon County offers an employee-funded flexible spending account to eligible employees. During the open enrollment period, plan participants may elect an annual amount of flexible dollars to pay for eligible dependent care and health care expenses.

4.4 IPERS

Lyon County employees are covered by the Iowa Public Employee Retirement System (IPERS). Employees and Lyon County shall contribute a state mandated amount of funding to this system to compensate employees upon retirement.

4.5 DEFERRED COMPENSATION PLAN

Lyon County also offers optional programs for supplementing your retirement income known as public sector deferred compensation. These programs allow you to set aside a portion of your current income into a tax-deferred supplemental retirement account.

The Board of Supervisors may elect to implement a matching program at their discretion. Contact the Auditor's Office for information regarding plan requirements.

The Summary Plan Description of the Ameritas Plan offered by the County is available on the County's website. Employees are solely responsible for reviewing the County's offered 457 Plan and determining employee contribution. The County will not provide financial, legal, or tax advice to employees.

Participation in the plan is available to employees who have worked at least 500 hours in a six-month period for the County. New employees that meet the

eligibility requirements would be eligible, at the earliest, six months after the beginning of the new employee's employment.

4.6 OPTIONAL INSURANCE COVERAGES

Lyon County also offers eligible employees the option of enrolling in additional insurances offered. The premium for the additional insurances are at the employee's cost. Insurances that may be offered are: Accident, cancer, medical bridge, disability, and universal life.

EMPLOYEE LEAVE

5.1 HOLIDAYS

Regular, full-time employees (except for Conservation and Sheriff Department as described below) receive their regular compensation for the following County holidays:

New Year's Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

Those employees whose regular workweek is Monday to Friday – when a holiday falls on a weekend, it will be observed on the preceding Friday or following Monday. Those employees required to work on a holiday shall be paid one and one-half times for all hours worked on a holiday.

Conservation Department full-time employees will receive a total of nine (9) floating holidays, or the equivalent of 72 hours to take off during the fiscal year with pay. Part time employees (other than Sheriff's Department employees as described in the next section) are not eligible for holiday pay.

Secondary Roads

Holidays: All probationary and permanent employees shall be eligible for eight (8) hours pay for each observed holiday. When a holiday falls on a Saturday, the preceding Friday shall be granted. When a holiday falls on Sunday, the following Monday shall be granted. In order to be eligible for holiday pay, an employee must report for work on the last scheduled workday before and after the holiday, except for an employee absent on approved leave.

SHERIFF'S DEPARTMENT HOLIDAY POLICY

Due to around the clock scheduling, regular full-time employees will receive the above-mentioned holidays but may only use the holiday when said holiday has been accrued. Due to scheduling, holidays must be used within 90 days of the actual holiday except for Memorial Day which can be used 60 days before said holiday and must be used by June 30 or it will be lost. Holidays will be lost if not used during the fiscal year as there will be no carryover.

Regardless of the scheduled length of a given shift, all full-time personnel employed as dispatchers, jailers, and jail administrators will receive a total of nine (9) floating holidays or the equivalent of 72 hours to take off during the fiscal year with pay. When used, hours shall be exhausted on full shift increments.

Dispatch and Jail, full time or part time, will be paid at a rate of 1½ times their normal hourly rate for hours worked on the specific holiday.

5.2 PERSONAL DAYS

Regular full-time employees are provided three personal days. Personal days will be lost if not used during the fiscal year; there will be no carry over.

5.3 VACATION

Regular full-time employees shall accrue vacation leave on a prorated basis from start date. Annual vacation shall be accrued as follows:

<u>Years of Continuous Service</u>	<u>Hours of Vacation / Year</u>
Completion of 1 year	5 working days
Completion of 3 years	10 working days
Completion of 7 years	15 working days
Completion of 15 years	20 working days
Completion of 20 years	21 working days

Vacation leave shall be scheduled with work requirements of your department and approval of your Department Head. Vacation accrual is capped at two times an employee's annual vacation accrual rate. Vacation is accrued on your anniversary date. Employees may not use their vacation accrual to extend their date of separation.

5.4 SICK LEAVE

All regular full-time employees shall accrue one and one-half days of sick leave per month, and can accumulate a maximum of 90 days of sick leave.

For regular full-time employees, the pay for a day of sick leave will be compensation at the employee's regular rate of pay for eight hours or for their regularly scheduled hours of work, if that number of hours is different than eight.

Sick leave accruals may be used for the following reasons:

1. Personal illness or injury which renders the employee unable to perform the duties of his/her position;

2. Four (4) days for illness of a member of the employee's family, including spouse, child, parent or legal ward necessitating the employee to be in attendance;
3. Medical, dental or optical appointments which cannot be scheduled during non-working hours.

An employee continues to accrue sick leave time even while on sick leave. Sick leave will not accrue during a leave of absence without pay, suspension, layoff or other leave without pay.

Sick leave may not be used as vacation leave. Sick leave must be taken in at least one-hour increments.

Employees who are unable to report for work because of illness are to notify the Department Head before the regular workday begins. If an employee uses sick leave for three consecutive work days due to the employee's own illness or health needs, the employee must provide a doctor's note upon return to work.

Upon termination no payment of accumulated sick leave will be made.

Secondary Roads

Employees who have accumulated sick leave prior to and up through June 30, 2018, shall have the option of using the aforesaid accumulated sick leave, up to a maximum of ninety (90) days, at the time of separation towards the extension of health insurance, provided the employee was currently enrolled in the health insurance plan at the time of separation. As of July 1, 2018, sick leave accumulated after to July 1, 2018, cannot be used to extend health insurance. Employees with accumulated sick leave, accumulated prior to July 1, 2018, shall be required to use said sick leave first, the intention of the parties being that an employee will use banked pre-July 1, 2018 sick leave prior to using sick leave accumulated after July 1, 2018. Sick leave accumulated after July 1, 2018, shall be allowed to accumulate in accordance with the Lyon County Handbook, but shall not be used towards the extension of health insurance.

5.5 WORKER'S COMPENSATION

In the event an employee is injured on the job, the employee must immediately notify his/her Department Head of such injury. Within 24 hours, the employee must contact the Company Nurse in order that Workers Compensation Injury Reports can be completed as required by law. (Refer to Lyon County Safety Manual)

If an employee is collecting Workers Compensation benefits, the employee may elect, in writing, to use sick leave, vacation or compensatory hours to supplement

that pay period. Sick leave will be drawn down in full-day increments when supplementing workers' compensation benefits.

5.6 FAMILY MEDICAL LEAVE

In accordance with the Family Medical Leave Act (FMLA), Lyon County will grant up to 12 weeks of unpaid leave annually, based on the previous rolling 12-month period. To be eligible for this leave an employee must have worked for Lyon County for one year and worked 1250 hours or more in the 12 months preceding the beginning of the leave.

FMLA leave will be granted for the following circumstances:

1. Employee's serious medical condition as defined by the Family Medical Leave Act.
2. Birth, adoption or placement of a child.
3. Caring for a spouse, child or parent, with a serious health condition.
4. Exigency arising out of the fact that the employee's spouse, child or parent is covered military member on covered active duty.

Employees shall be eligible for 26 weeks of leave to care for a covered service member with a serious injury or illness in accordance with Federal Law.

You must provide a written request for leave and sufficient medical certification to the Auditor's Office within 15 calendar days from the date of your absence. Lyon County reserves the right to designate leave as FMLA or to request re-certification at the County's discretion in accordance with federal law.

The annual FMLA allowance will run concurrent with any Workers' Compensation leave.

Your insurance benefits will be maintained for up to 12 weeks during your leave under the same conditions as if you continued to work. You must continue to pay your portion of the insurance premiums. You must make arrangements for payment of these premiums in a timely manner. If your leave extends for more than 12 weeks, you will become responsible for payment of the entire health insurance premium to maintain coverage.

When you return from FMLA leave you will be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If you do not return to work following FMLA leave you will be required to reimburse the County for your share of health insurance premiums paid on your behalf. If an employee fails to return to work on the agreed upon return date, Lyon County shall assume that the employee has resigned.

You will be required to present a certificate from your physician releasing you to full duty before returning to work. Employees who return from leave due to a serious health condition may be required to satisfactorily complete a fitness for duty medical examination.

Employees will be required to use all sources of paid leave concurrently with Family Medical Leave, with the exception of five days of vacation.

5.7 MILITARY LEAVE

Employees with military obligations will be granted leaves of absence in accordance with applicable federal and state laws.

5.8 FUNERAL LEAVE

Regular, full-time employees will be allowed time off with pay for funeral arrangements and attendance as follows:

Up to five days per occurrence for spouse, parent, child, or step-child.

Up to three days per occurrence for brother, sister, son-in-law, daughter-in-law, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparent, aunt or uncle, niece, nephew and grandchild.

Up to a day per occurrence for funeral of a coworker with Supervisor or Department Head approval. This does not insinuate a whole day off.

5.9 JURY DUTY

Employees may be granted time off with pay for jury duty. Employees must submit a copy of the summons to their Department Head within four working days after receiving the summons. While on paid jury leave, the County will continue the employee's regular salary if the employee submits the employee's certification of the number of hours spend in jury service and assigns to the County any compensation (less mileage and meals) received in connection with the jury duty. The employee will be granted time off only for that portion of the workday necessary to serve duty.

Hours spent by any employee as a witness in a County job-related legal proceeding at the direction of the County shall be considered work time. Employees appearing as witnesses for private matters must use vacation days or request an unpaid leave of absence.

5.10 VACATION DONATION

Any employee may donate their earned vacation or compensatory time to another Lyon County employee for special circumstances. This donation must be pre-approved by the Lyon County Board of Supervisors.

5.11 PREGNANCY LEAVE

Leave associated with the birth of an employee's child or to care for the newborn child within one year of birth may be available under the County's Family and Medical Leave policy outlined below.

If an employee is ineligible for FMLA leave, the employee is nonetheless entitled to a job-protected leave of absence for the period that the employee is disabled because of the employee's pregnancy, childbirth, or related medical conditions, not to exceed eight (8) weeks. The employee *will be required* to utilize any available paid vacation leave, sick leave, and personal days during this leave of absence, and after all paid time is exhausted the leave shall be unpaid. The employee must provide timely notice of the period of leave requested; the County must approve any change in the period requested; and the County may require that the employee's disability resulting from pregnancy be verified by medical certification stating that the employee is not able to reasonably perform the duties of employment. Any pregnancy disability leave will be exhausted concurrently with any other available leave or benefits, including but not limited to FMLA leave or any short-term disability benefits.

5.12 VOTING LEAVE

The County encourages all employees to fulfill their civic responsibilities and to vote in all official public elections. Generally, your working hours are such that you will have ample time to cast your vote before or after working hours. However, if you do not have three consecutive non-working hours between the opening and closing of polls in which to vote, you may submit a written request to your supervisor as soon as possible before the election for paid time off, up to three hours, to vote. Your department head will notify you of the time you will be allowed to vote.

5.13 UNPAID LEAVE

The employee's Department Head may grant a personal leave without pay when a written request for such leave is presented. (However, if the employee has any paid time off [i.e. vacation or sick leave] available, it will be applied to the leave time.) The request may be granted based on the following conditions:

1. The nature of the leave.

2. The length of the leave.
3. The needs of the employee's department.

EMPLOYEE SEPARATIONS

6.1 RESIGNATION

If you should decide that it has become necessary to leave your position, you are expected to present a written resignation to your Department Head at least four weeks prior to the effective date of resignation. Department Heads will notify the County Auditor's Office immediately so that the appropriate forms can be completed.

In cases of failure to provide a 2-week notice of separation or involuntary separation, Lyon County reserves the right to deny the pay out of accrued and unused leave, including accrued vacation.

6.2 RETIREMENT

A retired employee is one who has applied for and is receiving a retirement allowance from the Iowa Public Employment Retirement System (IPERS). There is not a mandatory retirement age, provided the employee is physically and mentally capable of satisfactorily performing the essential functions of the position.

6.3 TRANSFER OF DEPARTMENT

All former employees of Lyon County are considered new hires and have no accumulated benefits from previous employment. Transfer of an employee from one department to another department of the County shall not be considered re-employment and the employee shall retain all accumulated benefits.

DISCIPLINARY ACTIONS

7.1 DISCIPLINE

Formal disciplinary actions will include verbal warning, written reprimand, suspension, and/or dismissal. It shall be the policy of Lyon County to utilize a system of progressive discipline in addressing an employee's work deficiencies; however, any of the disciplinary measures cited above may be initiated on a more serious first offense.

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

All disciplinary actions will be thoroughly documented in writing, appropriate to the infraction committed. A copy should then be given to the employee, and a copy maintained in the employee's personnel file. If the action involves an employee covered by a collective bargaining agreement, said agreement may also require a copy be sent to the appropriate union steward.

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

Letters of clarification shall precede formal discipline whenever, in the judgment of the department head, an infraction is readily correctable and is of lesser consequence.

7.2 GROUNDS FOR DISCIPLINARY ACTION

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

1. Unreasonable and/or abusive treatment of a client, citizen, other County employee or individual in the community, including verbal or nonverbal sexual or racial harassment.

2. Violation of any lawful County or departmental policy.
3. Destruction or loss of county property, including abuse of tools, equipment and/or clothing allotments.
4. Absence from duty without permission, proper notice, or satisfactory reason.
5. Falsifying records, knowingly giving inaccurate information, or unnecessarily withholding information.
6. Obtaining materials or leave-time based on fraudulent information; dishonesty; stealing; and other criminal acts.
7. Being under the influence of narcotics, alcohol, or other physically impairing or illegal substances on the job.
8. Possession of any type of firearms, explosives, or concealed weapons (without specific authority).
9. Conviction of a crime involving moral turpitude, casting doubt on the individual's ability to perform his/her county job effectively. (NOTE: Dismissal or non-prosecution for criminal charges shall not preclude the County from taking disciplinary action.)
10. Incompetence, ineffectiveness, inefficiency or wastefulness in the performance of assigned duties.
11. Disregard for safety policies, procedures, reporting requirements, and/or proper use of safety equipment.
12. An attendance record, which demonstrates a consistent or continual lack of availability for work to the extent that ineffectiveness or inefficiency of services results.

The Department Head or elected official may elect to place an employee on investigative leave before making any determination of corrective or disciplinary action.

7.3 COOPERATION IN INVESTIGATIONS

All employees are required to fully cooperate with any representative of the County who is conducting a work-related investigation. Employees will be disciplined for lying to any representative of the county, or providing information to any representative of the county, which is dishonest, misleading, inaccurate, or incomplete.

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any representative of the county. “Obstructing” includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by a representative of the county, and discouraging other individuals who may be contacted by a representative of the county from responding to or cooperating with the county. “Failing to cooperate” includes, but is not limited to, failing to provide information, documents, or materials requested by a representative of the county, and providing information, documents, or materials, which are dishonest, misleading, inaccurate, or incomplete.

7.4 DRUG-FREE / SMOKE-FREE WORKPLACE

Lyon County is subject to the Drug-Free Workplace Act of 1988 and the Iowa Smoke Free Air Act of 2008. Lyon County strictly prohibits the use of tobacco and nicotine, including smokeless tobacco products, in all County owned, operated, or leased facilities and vehicles. This prohibition extends to all tobacco and nicotine products including, but not limited to, cigarettes, cigars, smokeless tobacco, dissolvable nicotine products, e-cigarettes, sticks, strips, and orbs, and any other product containing natural or synthetic nicotine. Products that have been approved by the FDA for use as a tobacco cessation aid are not included in this definition so long as those products are properly used for tobacco cessation.

This policy applies to all employees responsible to the Lyon County Board of Supervisors, all employees responsible to a County elected office holder, including the elected office holder and deputies, and all employees who are not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors have certified its applicability. Volunteers and visitors should be informed of this policy and expected to comply with it. All employees are expected to be familiar with this policy and are responsible for monitoring compliance.

Lyon County employees may not display any evidence of nicotine use during their regular work shifts, including but not limited to paraphernalia, tobacco smoke odor, etc. Employees are prohibited from smoking during paid work time. Employees exposed to nicotine smoke while off work time will take precautionary measures to minimize second and third hand smoke in the workplace.

Lyon County is committed to the policy of maintaining a drug-free workplace. Thus, the unlawful manufacture, distribution, dispensation, possession or use of alcohol or any controlled substance by any employee in the workplace is prohibited. A controlled substance within the meaning of this policy means any controlled substance as defined by state or federal law. Any violation of this prohibition will result in discipline up to and including discharge.

The use of controlled substances, either on or off the job, is inconsistent with the behavior expected of employees, subjects all employees and the public to unacceptable safety risks, and undermines the county's ability to operate effectively and efficiently.

The Drug-Free Workplace Act of 1988 requires you to report any conviction under a criminal drug statute for violations occurring on the Employer's premises, or off the Employer's premises while conducting official business. A report of a conviction must be made to your Department Head within five working days after the conviction. Failure to do so will result in immediate dismissal from your position.

7.5 WHISTLEBLOWER

It is the purpose of this policy to provide County employees with a means by which to report improper governmental action, to protect those County employees who make good-faith reports to appropriate governmental bodies and to ensure that there will be no retaliation for having made such reports. For purposes of this policy, the term "employee" means elected officials, commission members, board members, committee members, employees and professional consultants.

It is the policy of the County that all employees are encouraged to disclose, to the extent not expressly prohibited by law, improper governmental actions of any employee. Every employee has the right to report to the appropriate person, information concerning an alleged improper governmental action.

The complete Whistleblower policy is attached to the Appendix of this Handbook.

EMPLOYEE CONDUCT

8.1 CONFIDENTIALITY

Lyon County strives to maintain a high standard of business ethics. To assure that these standards of conduct are not violated, the County requires all employees to conduct their business in an ethical and legal fashion. This includes avoiding any activity outside of your employment with the county that would adversely affect your performance on the job or involve a possible conflict of interest. Our policy concerning business conduct also covers the protection of confidential information. It is the employee's obligation to keep such knowledge and information in strict confidence. Violation of this confidentiality is a serious matter, which may result in disciplinary action.

8.2 USE OF COUNTY VEHICLES

County vehicles are intended to be used for travel involving County business only. Vehicles are not insured for personal use and persons who are not County employees are prohibited from using County vehicles. Employees who improperly use vehicles or permit non-employees to use County vehicles may be disciplined, up to and including termination.

Vehicle mileage logs should be kept on each vehicle. When using county credit cards for fueling, the Vehicle ID, mileage, fuel gallons and amount should be noted on the credit card receipt.

8.3 COUNTY EQUIPMENT

Lyon County provides supplies, equipment, and materials necessary for you to perform your job. These items include but are not limited to: cell phones, land line telephones, computers, email and the Internet. These items are intended to be used for the Lyon County purposes. Minimal, appropriate personal use may be acceptable as determined by your Department Head. Employees have no reasonable expectation of privacy with respect to any county provided equipment, regardless of whether employees have private access or an entry code into any system.

It is unacceptable for any user at any time to use, submit, publish, display, or transmit on any County computer system information which:

- Violates or infringes on the rights of any other person, including the right to privacy;

- Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise objectionable or illegal material;
- Contains any material or comments that would offend someone based on his or her race, gender, age, sexual orientation, gender identity, religious or political beliefs, national origin, or disability;
- Restricts or inhibits other authorized users from using the system or otherwise inhibits the efficiency of the computer system;
- Encourages the illegal use of controlled substances, or uses the computer system for inciting crime, or;
- Uses the system for any other illegal purpose.

It is also unacceptable for any user at any time to use the facilities and capabilities of the system to:

- Conduct any business activity or solicit the performance of any activity which is prohibited by law; or
- On-line game playing or video streaming;
- Transmit material, information, or software in violation of any local, state, or federal law;
- Conduct any fundraising and public relations activities, not related to County operations.

8.4 DRIVING EXPECTATIONS

At all times while operating County-owned vehicles and/or while on County business, employees must comply with applicable state and federal laws. Texting while driving, and other driving distractions, is illegal in Iowa. The County may discipline employees, up to and including termination, if they engage in distracted driving. Similarly, it is Iowa law that drivers properly use vehicle seat belts. Regardless of the speed or distance traveled, all County employees must use the vehicles' seat belts properly when operating on County time.

Employees are expected to review and comply with the full Distracted Driving Policy and Seat Belt Usage Policy in the Appendix of this Handbook.

8.5 TECHNOLOGY USAGE POLICY

All County employees are subject to the Technology Usage Policy found in the Handbook's Appendix. Additionally, Department Heads may put in place expectations or rules that are stricter than the County's general policy, depending on the specific requirements of an employee's position.

8.6 NOTIFICATION OF ARRESTS AND OTHER GOVERNMENTAL ACTION

Employees are expected to perform their assigned jobs, respect and follow County policies, and obey the law. In the event that employees are arrested or receive a citation for any crime, have any criminal charges filed against them, receive notice of the disposition of any criminal charges pending against them (including, but not limited to, a conviction, a guilty plea, a plea of nolo contendere (no contest), or deferred judgment) or receive notice of any charges relating to operating a motor vehicle while intoxicated, they must notify their Department Head within five (5) business days of notification to the employee.

Information relating to arrests, criminal charges and child abuse complaints will be treated as confidential and maintained as part of the employee's personnel file. Employees who do not notify the County as required by this policy may be subject to disciplinary action up to and including termination.

WORK RULES

9.1 DRESS AND GROOMING

Lyon County places a high priority on the employee's appearance. Since employees are in direct daily contact with the public, the public will remember the employee as a representative of the County and will be watching how the employee looks, acts and talks. We expect employees to dress and groom themselves during working hours in such a manner as to reflect favorably upon the employee and the county. Department Heads are responsible for ensuring employees dress according to the requirements of the individual position. Employees who fail to present themselves in an appropriately professional manner may be required to leave the worksite without pay until they present appropriately.

9.2 ATTENDANCE, PUNCTUALITY & INCLEMENT WEATHER

Your position within the county exists because it is necessary to assure the smooth and efficient handling of daily business activities. You are therefore expected to be at work, on time, each business day. Attendance and punctuality may be considered when Employee's performance, or pay are reviewed. In the event you are absent or late due to illness, accident, or other reasons, inform your Department Head as soon as possible so that your department may make other arrangements while you are absent. Planned absences such as vacation or other planned leave must be reported as far in advance as possible.

It is Lyon County policy that most offices will remain open even during inclement weather. If you are unable to report to work because of adverse weather conditions, you may use vacation or accrued compensatory time for the hours missed from your work schedule. If your workplace is not closed, you will not be paid for your absence unless vacation or compensatory time are deducted.

In the event of inclement weather, a natural disaster, or any other unforeseen event which may call for the closing of a Lyon County place of business, the Lyon County Auditor, or designee, shall notify each Department Head if a workplace building is going to be closed for business. Your individual department will have in place a method by which employees will receive notification of any closing.

If the Courthouse, Annex, and Law Annex are closed, courthouse, annex, and law annex full-time employees will receive pay for the day and will not be required to use vacation time due to worksite unavailability. The Board of Supervisors will determine which employees are essential to provide services during this time and may require select personnel to report for duty even if the Courthouse, Annex, and Law Annex are closed.

The Lyon County Sheriff's Office shall determine any closure of the Sheriff's Office/Lyon County Law Enforcement Center.

In most cases, selected Secondary Roads personnel will be deemed "essential personnel" and required to work during inclement weather or a natural disaster.

9.3 CONFLICTS OF INTEREST

It is the policy of the County that elected officials, commission members, board members, committee members, employees, and professional consultants ("County Officials") shall not use their official position or the knowledge gained therein in such a manner that a conflict would develop between the County's interest and their personal affairs. These individuals shall avoid any conflicts between their personal and outside interests and the interests of the County and shall avoid any conduct which might adversely affect or appear to affect the exercise of their official judgment.

The complete policy regarding Conflicts of Interest is available in the Appendix to this Handbook.

9.4 EMPLOYEE LICENSES AND CERTIFICATION

It is the employee's responsibility to keep any required licenses and/or certifications current. All required licenses and certificates shall be brought to the appropriate Department Head to be copied into the employee's personnel file. Failure to keep required licenses and certifications current may result in termination.

Appendix

Appendix A

LYON COUNTY DISTRACTED DRIVING POLICY

The growing use of mobile devices while operating vehicles and equipment is becoming an increasing safety concern to Lyon County. Therefore, Lyon County employees traveling on county business may not use cell phones or any other mobile electronic devices, except for the allowance of hands-free or Bluetooth devices as per Iowa Code 321.276 while operating a motor vehicle.

These restrictions do not apply to calls made to report an emergency. In all such cases, all cautionary measures should be practiced including pulling over, if possible.

Furthermore, Lyon County employees should:

- Consider turning off, putting on silent, or vibrate wireless phones or other devices before starting the car when conducting county business.
- Pull over to a safe place and put the vehicle in "Park" if a call must be made or received while on the road.
- Consider modifying your voice mail greeting to indicate that you are unavailable to answer calls or return messages while driving.
- Inform clients, associates and business partners of this Lyon County policy as an explanation of why calls may not be returned immediately.
- Pull over to a safe place and put the vehicle in "Park" to make adjustments to a Global Positioning System (GPS) or other navigation devices.

Please review Iowa Code 321.276 for explanation of devices. Upon signing the Distracted Driving Policy Acknowledgment, it is the responsibility of an employee to know which devices are allowable for use during travel on county business.

Lyon County is concerned about the safety and well-being of its employees. Violations of this policy will be considered serious and will be subject to disciplinary action, up to and including termination. Employees ticketed for violation of Iowa's distracted driving laws will be solely responsible for costs associated with the citation.

Appendix B

Technology Usage Policy

Purpose

This policy provides guidance for employee use of computers, internet, network, and social media. This policy applies to all devices, whether privately owned or provided by the County that connect to the County's network or which use County resources to access the Internet. This policy also explains the proper use of passwords and security measures the County will take to ensure all County information is protected.

Policy

Computer systems and Internet access are provided by the County to support open communications and exchange of information, as well as to provide the opportunity for collaborative County-related work.

All County electronic devices shall have an automatic log-off provision in place at all times. The log-off provisions are as follows: Screen saver will timeout at 15 minutes, then lock PC, the user will need to log back in with their password. All passwords shall be reset every 180 days, shall be at least 7 characters in length, and include multiple characters.

The computer systems' hardware, software, laptops, tablets, iPads, and cell phones are the property of the County. All messages sent or received, and all information stored on the County's computer systems and devices are the property of the County and not the private property of any employee. An employee is solely responsible and shall be personally liable (legally, financially or otherwise) for the employee's use of County-owned computer systems outside the scope of the employee's employment.

Employees acknowledge that any communication or transmission using County-owned equipment, usernames, email addresses, or Internet connections might be subject to review by a third party and may be subject to Iowa's Open Records laws. At any time and without prior notice, the County reserves the right to examine email, voicemail, personal file directories, and other information stored on or transmitted through County computers. An employee's use of the County's computer systems or electronic technology constitutes consent to such examination. Employees should never store county-based information on personal devices as well. It is our main concern to protect all county information.

Employees shall only access or use information they are authorized to obtain or utilize. Employees who discover a violation of any part of this policy shall notify their Department Head who shall in turn inform the IT Director, with a written statement of the violation. Misuse of the County's computer systems can be grounds for disciplinary action, up to and including termination of employment.

Employees must acknowledge that email is not secure: therefore, confidential information should only be sent at the Departments discretion. Confidential emails should include the following at the bottom of the emails: *"This email and any files transmitted with it may contain confidential or privileged information and is intended solely for the use of the individual(s) or entity to whom it is addressed. Unauthorized review, use, disclosure or distribution is prohibited. If you have received this email in error, please delete it from your system."*

Procedures

Employees shall use the Internet in a professional and ethical manner that complies with this policy.

The following principles apply to professional use of social media and transmissions over the Internet on behalf of the County:

- Even though the County uses various automated mechanisms in an attempt to keep spam or objectionable material from employee's mailboxes, the County does not guarantee that all objectionable material will be identified or stopped. Users of the County e-mail systems are expected to make a reasonable individual effort to attempt to identify potentially objectionable content before opening an email item that they may find offensive.
- Make sure to use a secure connection when sending credit card numbers, or fixed log-in passwords. A secure website address will start with "https:" and will display a locked padlock in the bottom right corner of the screen.
- Employees shall not use electronic communication devices for harassment or other inappropriate behavior regarding race, color, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, age or disability or any other characteristic protected by law.
- Employees shall not use electronic communication devices to create, access, display, archive, store, distribute, transmit, edit or record material which is sexually explicit, immoral, obscene, threatening, defrauding, violent or unlawful.
- Employees shall not create, distribute, copy or knowingly use unauthorized copies of copyrighted material or software, store such copies on County computers, or transmit them over the County's networks.
- Employees shall use the Internet only to access information that is publicly available or to which the employee has authorized access. Employees must not use electronic communication devices for illegal activities.

- Confidential or sensitive information should not be transmitted over the Internet without appropriate security measures taken to safeguard the information. The County cannot guarantee confidentiality over the internet.
- Exchanges of software between the County and any third party shall not proceed unless permission has been received from the department head and the IT Director.
- To avoid liability, whenever any affiliation with the County is included with an Internet or internal message or posting, "flaming" or similar written attacks are strictly prohibited. Whenever staff members provide an affiliation, they must also clearly indicate that the opinions expressed are their own and do not reflect those of the County.
- Users shall not use another user's email account without permission of the account's owner. Unless specifically acting as an agent for another when sending a message, users should clearly identify themselves as the author of the e-mail message.
- Users shall comply with all licenses and agreements between the County and third-party vendors, including licensing agreements for County-owned software, or user agreements for County-facilitated websites.

Limitations

The following are limitations regarding personal use of the County's Computer Systems:

- Use shall not interfere with the performance of the employee's duties or productivity.
- Use is of nominal cost or value to the county.
- Use shall not negatively impact the performance of the County's computing infrastructure or the system/device being used.
- Use shall not interfere with the intended function of the device being used. Personal activities that are not allowed include but are not limited to: gaming, streaming video, browsing tools, downloading of any kind.
- Use shall not create the appearance of impropriety.
- Use is reasonable in time, duration, and frequency with minimal use of hardware and software resources.

- Use shall not reflect poorly on the County or its reputation. Employees shall not speak on behalf of the County unless they have received prior approval to do so.
- Use shall not circumvent firewalls, virus scanning software, or other appropriate security devices put in place by the Information Technology Director.
- Use shall not be malicious, obscene, threatening, intimidating or anything that might constitute bullying or harassment.
- Use of the county based WIFI is limited to employees. WIFI passwords are confidential and shall not be shared.
- Users shall not store County information on devices that are not approved by IT.

Social Media Guidelines

In addition to the procedures and limitations described above, the County also expects employees to approach social media in a professional manner. Social media accounts facilitated by the County shall be used for the purpose of informing the public about County business, services, and events. All official County presence on social media accounts are considered an extension of the County's information networks.

This policy covers all social media messages generated on or handled by electronic communication systems owned by the County. Where applicable, this policy is also applicable to all social media messages generated by employees of the County on personally owned communication devices. The regulation of employee speech is subject to the right of employees to freedom of speech as that right has been interpreted by the courts.

All County social media accounts shall be viewable to the public and with no implementation of privacy settings. The County logo and authorized departmental extensions should be used on all social media accounts to confirm authenticity of site. Department social media accounts should be tied to a County email address.

If a department chooses to participate in social media, online representation on social media accounts is ultimately the responsibility of the Department Head or designee. Employees representing the County via social media accounts shall conduct themselves at all times as representatives of the County and shall comply with the guidelines contained in this policy.

Any employee who discovers a violation of this policy shall immediately notify their Department Head who shall in turn inform the IT Director, with a written statement of the violation. An employee who violates this policy or uses social media for improper

purposes shall be subject to disciplinary action up to, and including, termination of employment.

The IT Director reserves the right to delete submissions that are deemed inappropriate according to prescribed unacceptable content standard. Before deleting any file, the IT Director will notify the department head of the deletion and the reason for deletion. Friends, fans, or followers shall be removed if they continue to post inappropriate content. One warning should be given. If the individual posts inappropriate content a second time, they shall be removed or blocked.


Personal Use of Social Media

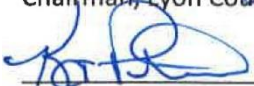
Employees should make certain any online activities do not interfere with their effectiveness at work and ensure any on-duty personal use is limited in nature. If on-duty personal use is interfering with work effectiveness, employees will be subject to disciplinary action. Employees may not use their county email account in connection with a personal social networking account.

Employees who engage in libelous, defamatory, obscene, or maliciously false behavior directed at the County, Departments, elected officials, appointed officials, other employees, or members of the public shall be disciplined up to and including termination.

Employees shall not post confidential information which they have learned through their employment with the County and which they are not authorized by law to release to the public such as, but not limited to, HIPAA protected information, personnel information which is not a public record, personnel records which are not public records, and criminal history information which is not a public record.

Approved by Board of Supervisors on this _____ day of _____, 2017.



Chairman, Lyon County Board of Supervisors


Mark Behrens



Mark Kuehn

Appendix C

WHISTLEBLOWER

It is the purpose of this policy to provide County employees with a means by which to report improper governmental action, to protect those County employees who make good-faith reports to appropriate governmental bodies and to ensure that there will be no retaliation for having made such reports. For purposes of this policy, the term “employee” means elected officials, commission members, board members, committee members, employees and professional consultants.

It is the policy of the County that all employees are encouraged to disclose, to the extent not expressly prohibited by law, improper governmental actions of any employee. Every employee has the right to report to the appropriate person, information concerning an alleged improper governmental action.

DEFINITIONS

a. “Improper governmental action” is any action by any County Official that:

- i. Is undertaken in the performance of his/her duties, whether or not the action is within the scope of the County Official’s employment; and
- ii. Is in violation of any federal, state or local law or rule;
- iii. Is an abuse of authority;
- iv. Is of substantial and specific danger to the public health or safety; or
- v. Is a gross waste of public funds.

“Improper governmental action” does not include personnel actions, including, but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of applicable collective bargaining and civil service laws, alleged labor agreement violations, reprimands, or any other personnel action taken under authority of state law.

b. “Abuse of authority” means intentional misuse of power or position by any County Official for an improper purpose.

c. “County Official” means all County elected officials, commission members, board members, committee members, employees and professional consultants.

d. “Emergency” means a circumstance that, if not immediately changed, may cause damage to persons or property.

e. “*Good faith*” means action taken after a reasonable investigation of facts available to the County Official, and after due consideration and with an honestly held belief that there was improper conduct.

f. “*Gross waste*” means a significant or recurring intentional misuse of public funds, and does not include unintentional errors.

g. “*Retaliatory action*” means any adverse change in a County Official’s employment status or in the terms and conditions of a County Official’s employment based on the reporting by the County Official of improper governmental actions.

Reporting Procedures for Improper Governmental Action

A County Official who becomes aware of improper governmental actions shall raise the issue first with his/her Department Head. If the action involves an elected official, then the report shall be made to the County Attorney. The County Official shall submit a written report to the Department Head or to some person designated by the Department Head, or to the County Attorney, if applicable, stating in detail the basis for his/her belief that an improper governmental action has occurred. Where the County Official reasonably believes the improper governmental action involves his/her Department Head or for some other reason does not feel comfortable making a report to his/her Department Head, then the County Official shall submit the written report to the County Attorney or to the State Ombudsman. If a meeting is requested as a part of the investigation, then the reporting County Official may be accompanied by another person of his/her choice to such meeting.

County Officials involved in any investigation shall keep the identity of the reporting County Official(s) confidential to the extent possible under law, unless the County Official authorizes the disclosure of his/her identity in writing.

In case of an emergency where the County Official believes that damage to persons or property may result if action is not taken immediately, the County Official may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action and shall also report the action to the County Attorney.

In the absence of an emergency, County Officials reporting improper governmental action who fail to make a good-faith effort to follow the procedures set forth in this policy shall not receive the protection provided by this policy or state law. County Officials who make false reports may be subject to disciplinary procedures.

The Department Head or the County Attorney, as the case may be, shall take prompt action to notify the State Ombudsman regarding the report of improper governmental action and work with the State Ombudsman to coordinate a proper investigation, either through internal means or independently by the State Ombudsman's office. An investigator may be appointed by the County Manager, County Attorney, and the County Official shall be advised that a prompt investigation is occurring. Emergency situations shall receive an appropriate, expedited response. Non-emergency situations shall receive serious, prompt attention.

After the investigation has been concluded, the results will be shared with the Board of Supervisors who shall decide:

- a. the appropriate action that should be taken to address the reported improper governmental action and
- b. what, if any, personnel action is required. If the investigation involved the Board of Supervisors, the County Attorney alone shall recommend the appropriate action to address the improper governmental action and any personnel action that should be taken.

The Board of Supervisors shall be provided with a copy of the County Official's written report, the investigation report, and the Board of Supervisors/County Attorney proposed action. Provided, however, where the alleged improper governmental action involves an elected official, the Board of Supervisors shall review the investigation report and determine what course of action should be taken to address the improper governmental action.

After an investigation has been completed, the reporting County Official shall be provided a summary of the result of the investigation. However, personnel actions taken as a result of the investigation shall be kept confidential. There shall be no time limit on reporting improper governmental action.

After an investigation has been completed and the reporting County Official has been provided with a summary of the results, the County Official may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the County Official reasonably believes that an adequate investigation was not undertaken by the County to determine whether an improper governmental action occurred, that insufficient action has been taken by the County to address the improper governmental action, or that for other reasons the improper governmental action is likely to recur.

Protection Against Retaliatory Actions

County Officials are prohibited from taking retaliatory action against a County Official because he/she has, in good faith, and in accordance with this policy, reported an improper governmental action.

A County Official who believes he/she has been retaliated against for reporting an improper governmental action shall first raise the issue with his/her Department Head. If the action involves an elected official, then the report shall be made to the County Attorney. The County Official shall submit a written report to the Department Head or to some person designated by the Department Head, or to the County Attorney, if applicable, stating in detail the basis for his/her belief that he/she has been retaliated against for reporting an improper governmental action. If the County Official reasonably believes that the person committing the retaliatory action was his/her Department Head, then the County Official shall submit the written report to the County Auditor.

The following steps shall be followed if a County Official feels he/she has been retaliated against for reporting improper governmental action:

- a. The County Official must provide written notice to the appropriate person designated above, within thirty (30) days of the alleged retaliatory action. The written notice shall specify the alleged retaliatory action and the relief requested.
- b. The responsible person, as designated above, will respond to the allegation within thirty (30) calendar days.
- c. After receiving the County's response or after the County's 30-day response period has expired, the County Official may, within fifteen (15) calendar days, request a hearing.
- d. If a hearing is requested, the County shall apply for a hearing before an administrative law judge licensed in the State of Iowa. Such request for a hearing shall be made within five (5) working days.

Responsibilities

The County Auditor, or the County Auditor's designee, is responsible for implementing the County's policies and procedures for (1) reporting improper governmental action, and (2) protecting County Officials against retaliatory actions. This includes ensuring that:

- a. This policy is permanently posted where all County Officials will have reasonable access to it, which includes posting on the Lyon County's website (www.lyoncountyiowa.com);
- b. To the extent practical, training and education is provided to all current County Officials on the whistleblower policy;

- c. This policy be made available to any County Official upon request; and
- d. This policy is provided to all new hires.

Officials, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations by a County Official of this policy and the procedures specified therein may result in disciplinary action, up to and including termination.

The County Auditor is responsible for keeping an accurate log of all submissions made under this policy. This information shall be reviewed annually with the Board of Supervisors. This information shall also be disclosed to the external auditors on an annual basis.

Appendix D

CONFLICTS OF INTEREST

It is the policy of the County that elected officials, commission members, board members, committee members, employees, and professional consultants (“County Officials”) shall not use their official position or the knowledge gained therein in such a manner that a conflict would develop between the County’s interest and their personal affairs. These individuals shall avoid any conflicts between their personal and outside interests and the interests of the County and shall avoid any conduct which might adversely affect or appear to affect the exercise of their official judgment.

For the purpose of this policy statement, the following definitions apply:

- “*Gift*” means a rendering of anything of value in return for which legal consideration of equal or greater value is not given and received.
- “*Restricted donor*” means a person who is in any of the following categories:
 - Is or is seeking to be a party to any one or any combination of sales, purchases, leases or contracts to, from or with the County in which the donee holds office or is employed.
 - Will personally be or is the agent of a person who will be directly and substantially affected financially by the performance or non-performance of the donee’s official duty in a way that is greater than the effect on the public generally or in a substantial class of persons to which the person belongs as a member of a profession, occupation, industry, or region.
 - Is personally, or is the agent of a person who is, the subject of or party to a matter which is pending before the County and over which the donee has discretionary authority as part of the donee’s official duties or employment with the County.
 - Is a lobbyist or the client of a lobbyist with respect to matters within the donee’s jurisdiction.

County Officials should avoid participating financially, directly or indirectly, in any business enterprise which might influence or be thought to influence their official decisions or actions. In determining whether particular outside employment or activity creates an unacceptable conflict of interest, the official should follow these guidelines:

- The outside employment should not involve the County’s time, facilities, equipment or supplies or the use of the County’s badge, uniform, business card or other evidences of office or employment. This prohibition does not extend to off duty police officers who provide authorized private duty security.
- The outside employment should not involve the receipt of compensation or other consideration by an individual for performing his/her regular duties for the County.

- The outside employment should not be subject to the official control, inspection, review, audit, or enforcement authority of the individual during the performance of his/her regular duties for the County.

Gratuities

All County Officials, and the members of their immediate families, should avoid accepting any payments, gifts, favors, special discounts, or other benefits of value from any party doing business with the County, seeking to do business with the County, acting as a lobbyist or involved in a regulatory or policy matter in front of an official body of the County, unless otherwise allowed by the Board.

Outside Employment

County Official shall not hold a position with any other business enterprise or governmental body which would conflict with or reasonably might conflict with the proper performance of his or her civic duties or responsibilities or which might tend to influence his or her impartial judgment with respect to dealings between the County and such other business enterprise or governmental body.

Employee Practices

- A County Official (including County employees) shall not use any property which belongs to the County for any private purpose nor shall any County Official perform any non-employment related duties while on County time.
- A County Official shall not have interest, direct or indirect, in any contract or job of work or material or the profits thereof of services to be furnished or performed for the County unless he or she meets one of the exceptions as delineated in Code Section 362.5 of the Iowa Code. A contract entered into in violation of this section is void.
- No County Official will allow the authority of the County to be used nor be involved in using the authority of the County in making purchases for any employees or individuals for their personal use.
- County Official shall endorse commercial products by agreeing to use his/her photograph, endorsement or quotation in paid or other commercial advertisements, whether or not for compensation.
- Any County Official making an unreasonable purchase or one otherwise outside of the normal purchasing procedures may, at the direction of the Department Head or Board of Supervisors, be held personally liable for payment of the expenditure.
- Any County Official found guilty of violating any of the above provisions will be subject to disciplinary action, up to and including termination, if the Official is an employee, and will be subject to other appropriate sanction, if the Official is not an employee.

Disclosure

If at any time a commission member, a board member or any employee of the County or member of their immediate family finds that he or she has or is considering the assumption of a financial interest or outside relationship which

reasonably might involve a conflict of interest with the County, it shall be his or her duty to make timely disclosure of the facts to the appointing authority. Under such circumstances, except as otherwise instructed by the County at the full disclosure of the facts, the individual should refrain from exercising responsibility in any matters concerning the County which reasonably might be considered to be affected by self-interests.

Appendix E

Seat Belt Policy

Lyon County values the lives and safety of our employees and has adopted the following policy concerning employee seat belt usage.

In accordance with Iowa Code 321.445, all employees and their front seat passengers are required to use a seat belt when traveling in any vehicle while in the course of conducting Lyon County business. The requirement applies to business travel of any length whether traveling in a vehicle owned by Lyon County, in a rental vehicle, and in a vehicle owned by an individual employee, regardless of whether the employee is compensated for the use of his/her vehicle.

If an employee is provided a Lyon County owned vehicle that is also available for that employee's personal use, that employee, together with all passengers who occupy the vehicle at any time and for any purpose, whether business-related or personal, are required to use seat belts at all times the vehicle is in motion in accordance with Iowa Code 321.445, and, if applicable, the child restraint law in Iowa Code 321.446.

The proper use of seat belts is a condition of employment with Lyon County. Any employee found operating or riding in a Lyon County vehicle, or personal vehicle on Lyon County business, without seatbelts/shoulder harnesses fastened will be subject to disciplinary action.

Please review Iowa Code 321.445 and 321.446 for explanation of all regulations, and if any, exemptions to said law.

Appendix F

**Safety Manual
For
Lyon County**

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Management Statement of Safety Policy

The success of Lyon County depends upon our efficient use of resources to produce a high quality product for the citizens of our community. Our most important resource is our employees. To protect this resource, we are committed to providing a safe and healthful workplace for all employees by establishing and maintaining an effective safety and health program. We consider safety to be a core value of our organization's operations.

The occupational safety program of Lyon County is organized to give each department responsibility for the accident prevention program. All employees at all levels of our workforce are directed to make safety a matter of continuing concern, equal in importance to all other operational considerations. We are all expected to cooperate in implementing safety practices and to adopt the concept that the safe way to perform a task is the most efficient, and the only acceptable way to perform it.

Safety Responsibilities

Management and Department Head Safety Responsibilities:

Management is responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, management must rely on and assure that all supervisors are trained and aware of their safety responsibilities. Other safety responsibilities for managers include:

1. Provide leadership and direction concerning safety activities.
2. Participate actively in the continuous evaluation of the safety program.
3. Set goals concerning safety performance within your department.
4. Review losses for potential trends on a regular basis.
5. Enforce all safety rules.
6. Participate in facility and work site audits.
7. Participate and support all accident investigation activities.
8. Review accident reports and recommend corrective actions.

Supervisor Safety Responsibilities:

Safety is as much a part of the supervisor's responsibility as is getting the job done efficiently. Among the important safety responsibilities of each and every supervisor are:

1. Familiarize yourself with and enforce the safety rules and regulations that have been established by applicable local, state and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on Lyon County worksites and facilities.
2. Correct all reported hazards. Operating under known hazardous conditions will not be tolerated.
3. Do not permit new or inexperienced employees under your supervision to work with power tools, machinery or complex equipment without proper instruction and training.
4. Give adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform the task correctly.
5. Ensure tools, equipment and machinery being used in the workplace is in proper working condition. Do not allow the use of unsafe tools or equipment under any circumstances.

6. Ensure that proper personal protective equipment is available and used by employees when necessary or required.
7. Always set a good example in safety, such as wearing the proper safety equipment (safety glasses, hard hats, etc.), following policies/procedures, using seat belts, etc.
8. Consistently enforce the requirements of the organization's safety program and any associated rules or policies.
9. Ensure that all employees have access to a copy of the organization's safety program.
10. Encourage safety suggestions from employees under your supervision.
11. Obtain prompt first aid for injured employees.
12. Participate in accident or incident investigations involving your employees.
13. Conduct audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices.

Employee Safety Responsibilities:

All employees carry a certain amount of responsibility in any safety program. You must be aware that your actions, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees are expected to:

1. Know your job, follow instructions, and think before you act.
2. Use protective equipment (eye protection, hard hats, gloves, etc.), as the job requires.
3. Work according to good safety practices as posted, instructed, and/or discussed.
4. Refrain from any unsafe act that might endanger yourself or your fellow workers.
5. Use all safety devices provided for your protection.
6. Report any unsafe situation or act to your supervisor immediately.
7. Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
8. Abide by all policies, procedures, rules, etc. associated with Lyon County Safety Program.

9. Never operate equipment that you are unfamiliar with or not trained to use. Also, equipment that is defective or in need of repair shall not be used and must be reported to your supervisor.
10. Report all accidents/incidents to your supervisor as soon as they occur. Failure to report any injury or incident may be cause for disciplinary action.

Safety Committees:

A safety committee should be established by the governing body and be composed of five to seven employees representing each department or division. Members of the committee should be chosen from those employees recognized for their good work, are safety conscious and have familiarity with the overall work area and equipment. Employees from various work areas should be represented, both supervisory and non-supervisory. A chairperson needs to be selected who will be responsible for scheduling meetings, notifying committee members, and following up on items discussed. In order to stay on top of things, the committees are encouraged to meet monthly. The committees will have the following responsibilities:

1. Review accident/injury investigation reports from all departments to see if corrective measures need to be implemented.
2. Ensure that quarterly inspections are conducted in each department's work areas, tools and equipment to identify safety hazards and recommend ways to correct hazards.
3. Coordinate the development of safety rules and safe work methods.
4. Coordinate safety training between departments when possible. This may include films, speakers and exhibits.
5. Report the activities of the committee by sending a copy of their meeting minutes to all departments for posting where all department employees have an opportunity to review them.

Medical Emergency Procedures

The following actions should be taken in the event of a medical emergency:

1. Call **911**.
2. Make sure site is safe before providing assistance.
Do not attempt rescue alone!
3. Provide assistance to injured person.
4. Notify your Department Head or Supervisor.

Each building will have emergency contacts and telephone numbers posted in a conspicuous manner.

Injury and Incident Reporting and Investigation

Many incidents and injuries occurring in the workplace or that involve equipment and property are preventable. In order to prevent future incidents and injuries, it is necessary to immediately review the circumstances surrounding each incident. Once the primary cause for the incident has been established, action shall be taken to prevent recurrence. An Incident Review Report has been developed to facilitate the investigation. The supervisor shall complete this form and a copy will be forwarded to the department head and safety committee as applicable for the following incidences:

1. Any work-related accident resulting in an employee needing medical attention.
2. Any work-related accident resulting in damage to property or equipment.
3. Any accident involving a member of the public that could result in a claim being filed against Lyon County, whether it is a personal injury or property damage.

Anytime an employee is involved in an accident with a city/county vehicle which involves private property, whether there is damage or not, the Police/Sheriff's Department should be called immediately. If the Police/Sheriff's Department is called on an incident, the police report shall accompany the *Incident Review Report*. This *Incident Review Report* does not replace the *First Report of Injury Form*, (the report from Company Nurse) which still must be completed for an employee who incurs a work-related injury.

If the investigation determines an employee has contributed to the cause of an incident by failure to obey laws, department or safety rules and regulations, disciplinary action may result.

The department head shall provide a written response to any recommendations by the safety committee or the investigator that outlines corrective actions taken by the department.

Copies of all incident reports and corrective actions shall be kept on file with a copy of the OSHA 300 log for the year that the incident occurred in. Those reports which have no lost work time, do not require medical attention beyond first aid and those involving the public are not to be kept with the OSHA 300 log.

Training and Orientation

The *Department head or their designee* will provide ongoing safety training in the following areas as the need arises:

- New equipment purchases.
- New/changes in operations.
- Identified areas of increased accidents.
- Newly identified areas of exposure.
- Annual refresher training required for each program.

Documentation of Safety Training:

Documentation from any training courses attended by employees, supervisors or managers will be kept for recordkeeping purposes. Documentation associated with safety meetings and training will be kept in each Department with the Department Head. Employees who do not attend regularly scheduled safety meetings or training activities will be identified and scheduled to attend make-up training. Documentation will be noted for employees that attend make-up training.

New Employee Safety Orientation:

Department heads or their designee will provide an orientation to all new employees to address the hazards of their position. This will include a review of all safety rules, policies/procedures, equipment, etc., that are applicable to the new employee's area of assignment. The new employees will be given an opportunity to ask any relevant questions that may pertain to their assigned duties. Documentation of the safety orientation training for each new employee will be maintained in *each Department*.

Hiring Practices

Safety starts with the proper hiring practices to ensure that the person being hired for a position is physically and technically capable of safely performing the task(s).

It is the policy of Lyon County that every new full-time employee undergo a pre-placement physical. The employee will be directed to the Lyon County designated physician/clinic. The physician performing the physical shall present an opinion as to the employee's ability to perform the task. The costs of the physical shall be paid by Lyon County.

Job Descriptions:

It shall be the responsibility of the department head or their designee to provide a copy of the applicable job description to the physician conducting a pre-placement physical for each new employee. Each department head shall be responsible for periodically updating all job descriptions within their department to ensure they adequately reflect the requirements of the job.

Medical Services

Designated Physician Policy:

Effective August 26, 2013, the following policy will be in effect regarding workers' compensation illnesses or injuries.

Lyon County has designated the Sanford Medical Clinic, in Rock Rapids, IA as the workers' compensation authorized treating physician/clinic as provided by law under Chapter

85.39 of the *Code of Iowa*. Employees with a work-related illness or injury will be required to have their initial evaluation with this physician/clinic. If appropriate, and with prior approval from IMWCA, the physician/clinic may make referrals to other specialists.

If an employee decides to go to another provider without the referral from the authorized treating physician/clinic, the employee will be responsible for all expenses related to those visits. No workers' compensation benefits may be claimed unless seen by the authorized treating physician/clinic.

First Aid:

Any injury should be treated by the supervisor or other available personnel in accordance with their individual abilities and the severity of the injury. Each department supervisor or a designee should receive first aid training.

Medical treatment is mandatory for any of the following:

- Severe chest pains
- Traumatic injuries (head injury or severe cut)
- Loss of consciousness or severe dizziness

At least one first aid kit shall be maintained in each occupied building. In addition, a first aid kit shall be located in each county vehicle. It is recommended that kits be inspected on a regular basis, replacing used, missing, soiled, damaged or outdated items. Make sure all employees are advised of the location of the first aid kits. Oral medications such as aspirin, antacids, or salt tablets are not to be provided in these kits.

An eye wash station or materials suitable for quick drenching or flushing of the eyes and body shall be provided within the work area for use if employees are exposed to harmful materials.

Return to Work Program

It is the purpose of this program to provide guidelines for employees injured on the job who are unable to return to his/her regular job classification upon returning to work.

1. It is the policy of Lyon County to provide modified or alternate work for employees injured on the job, and are unable to temporarily or permanently return to his/her regular job classifications. Regular modified and alternate work will be provided as available in compliance with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act.
2. Lyon County will make reasonable accommodations for a disability in accordance with applicable state and federal law. The disabled employee must be able to perform the essential functions of the job with or without reasonable accommodation.
3. The feasibility of reasonable accommodations shall be determined on a case-by-case basis, taking into consideration the employee, the specific physical or mental impairment, the essential functions of the job, the work environment, and the ability to provide accommodations.
4. Objectives:
 - a. To return employees who were injured on the job back to work as soon as possible, as long as there is not significant risk of substantial harm to themselves and others.
 - b. To minimize financial hardship and emotional stress to the employee who has sustained a work-related injury.
 - c. To assist employees in returning to work at a level as close as practicable to his/her pre-injury earnings and productivity.
 - d. To retain qualified and experienced employees.
 - e. To reduce the cost of disability benefit programs.
5. Temporary Alternate Duty (TAD):
 - a. The purpose of TAD is to provide temporary work, within medical restrictions, for employees injured on the job. It is defined as modified duties or hours assigned to a worker. TAD is assigned when the physician indicates the employee can return to work but is not yet physically capable of handling the entire job duties normally assigned, and the work-related injury has not reached maximum medical improvement.
 - b. TAD may be available with medical prognosis indicating that the employee is expected to return to full duty following a course of medical treatments.

- c. If an alternate duty position is available an injured employee must be provided with TAD as soon as medically feasible. An alternate duty position may be either within the employee's regular department, if available, or within another County department. TAD should be consistent with the employee's physical/mental abilities.
- d. Employees in TAD capacity will continue to receive the salary and benefits of his/her job classification. They will be proportionately adjusted in the case of part-time work. The status of the TAD assignment should be reviewed after each medical appointment, normally every 7 to 14 days. TAD does not normally exceed three months.
- e. TAD Procedures:

The department head or workers' compensation designee:

- i. Informs designated physician about the TAD program and provides a copy of the injured employee's job description to physician.
- ii. Informs the injured employee about the TAD program.
- iii. Informs workers' compensation adjuster of the employee's availability to the TAD program.
- iv. Obtains information regarding medical condition of the employee from the physician(s).

Department representative and/or employee's supervisor, along with workers' compensation designee:

- i. Develops work assignments on a case-by-case basis, if available, adjusting to medical restrictions.
- ii. Develops appropriate TAD assignments and monitors on-going medical and work adjustments.
- iii. May meet with the injured employee to review TAD status.

Employee:

- i. Reviews and signs the Return to Work Program Statement of Acknowledgment.
- ii. When the physician has determined that maximum medical improvement has been reached and the employee is able to

perform the essential duties of his/her job with or without reasonable accommodations, the employee shall return to the job classification and duties held prior to the work injury.

- iii. When the physician has determined that maximum medical improvement has been reached and the employee is unable to perform the essential duties of his/her job with or without reasonable accommodations, the employee may be assigned to a Ninety (90) Day Modified Duty Assignment.
- iv. An employee assigned to a Modified Duty Assignment will report to his/her regular department. The employee shall be assigned to do assignments that he/she is able to do under the restrictions that the physician has placed on the employee.
- v. Employees placed on Ninety (90) Day Modified Duty Assignments shall continue to receive the salary and benefits of his/her regular job classifications.
- vi. During the Ninety (90) day period, employees on Modified Duty Assignment will be encouraged and afforded opportunities to bid on or apply for other jobs for which they are able to perform the essential functions of the job.
- vii. At the conclusion of the Modified Duty Assignment period, employees who have been unsuccessful in obtaining other jobs for which they are qualified and for which they are able to perform the essential functions, shall be laid off. Laid off employees shall be afforded all rights and benefits included in applicable collective bargaining contracts and/or personnel policies in effect at the time of the layoff.

6. Permanent restriction resulting from personal injury/illness:

- a. Employees who are off work due to personal injuries/illnesses may be required to complete functional capacity examinations before they can return to their former jobs. The cost of such examination will be paid for by the employer.
- b. Responsibilities of the employee:
 - i. To determine appropriateness of a job assignment, an employee who is unable to return to work without restriction is responsible for keeping his department head (or the department head designee) informed of the status of the employee's medical condition.

- ii. If the employee rejects any assignment which is compatible with medical restrictions, the employee shall not be compensated by Lyon County or the Lyon Counties workers' compensation carrier with temporary, partial, temporary total or healing period benefits during the period of refusal (*Code of Iowa*, Section 85.53)

Outside Contractors

In hiring short term contractors, Lyon County will require the contractors to submit proof of their insurance. Before a contractor commences work in a Lyon County workplace, the project coordinator and/or supervisor who controls the work area will be responsible for informing all outside contractors of the elements of all safety programs of the city/county that affect the project. Contractors who fail to follow safety program requirements will be asked to leave the premises.

Disciplinary Policy

Each employee is required to comprehend and abide by the contents of Lyon County Safety Program. The County reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including termination, without regard to the progressive discipline guidelines explained below.

Safety reprimands:

Should employees be observed not following documented safety rules/procedures, a written reprimand may be used. Supervisors should make every effort to ensure employees are following safe work practices.

Lyon County has developed the following progressive disciplinary policy that may be applied to the safety and health program of this organization. The disciplinary policy is a tool to ensure enforcement of the rules and procedures for a safe and healthful working environment. The disciplinary policy applies to all employees of Lyon County. Situations that the County believes will respond to corrective discipline will normally be handled as follows:

Verbal warnings:

Supervisors may issue verbal warnings to employees that commit minor infractions or violations of the safety rules or safe work practices. Continued violations or verbal warnings will lead to more stringent action.

Written warnings:

Supervisors may issue written warnings for the following:

- Repeated minor violations of safety rules or procedures.
- Single serious violations of a rule or procedure that could have potentially resulted in injury to themselves or another employee or could have caused property damage.
- Activities that could potentially result in injury or property damage.

Disciplinary leave:

Supervisors may recommend and management may institute disciplinary leave for the above reasons and the following:

- A single serious violation of a rule or procedure that results in an injury to themselves, another employee or causes property damage.
- Repeated violations or non-conformance to safety rules/procedures.

Termination:

Supervisors and management may recommend termination of any employee for repeated serious violations of the above circumstances. Employees are free to resign their employment with the County at any time and for any reason and the County retains the same right regarding termination of employment.

Documentation:

The Department Head/Supervisor will maintain records of disciplinary action. Violations of Lyon County rules, regulations or procedures will be documented by filling out a written report on the employee. The report will state the type of violation and corrective action(s) taken. The employee must read and sign the report acknowledging that they understand the seriousness of the violation. Refusal to sign will be noted.

Safety Audits and Inspections

Department Self-Inspection Checklists:

Since the success of any safety program depends on identifying hazards and taking immediate corrective action, quarterly department self-inspections are required. Each department shall develop its own checklist to assist in the inspections. The completed checklist should be submitted to the safety committee and reviewed at the monthly safety committee meetings.

Reporting Unsafe Acts/Unsafe Conditions:

All employees are encouraged and required to immediately report any unsafe acts or unsafe conditions.

1. Stop work immediately and secure the location or lockout unsafe equipment.

2. Inform immediate supervisor of problem.
3. Complete a written report of the unsafe condition and *email* to the employee's Department Head.

Basic Safety Rules

General Safety Rules:

1. Each employee will be required to comprehend and abide by the contents of this safety program.
2. All accidents, no matter how minor, shall be reported immediately to the supervisor.
3. All hazardous conditions, actions and/or practices shall be reported to the supervisor.
4. Work areas, including the inside and outside of vehicles and buildings, shall be kept clean and orderly at all times.
5. Employees are only to operate equipment/tools that they are trained and authorized to operate.
6. Smoking is prohibited in all County areas. See also Drug Free/Smoke-Free Workplace policy.
7. Employees must use all safety devices and personal protective equipment provided for their protection.
8. Employees shall wear clothing and shoes suitable for the particular work they are doing.
9. Employees must use assisted lifting devices or obtain assistance from a coworker when lifting heavy objects.
10. Guards are never to be removed except when authorized to make repairs or adjustments. Replace guard immediately upon completion of work.
11. The use of drugs and alcohol during working hours is prohibited. Any employee reporting for work under the influence of alcohol or controlled substances is subject to disciplinary action.
12. Any employee taking prescription drugs or over-the-counter drugs that could impair assigned work shall report this fact to the supervisor.
13. Employees shall not engage in practical jokes or horseplay that could result in

injury to themselves, others or cause property damage.

Specific Safety Programs and Procedures:

Employees will be trained on specific programs and procedures in their departments that may include the following:

- A. Personal Protective Equipment
- B. Respiratory Protection
- C. Hearing Conservation
- D. Lockout/Tagout
- E. Confined Spaces Entry
- F. Hazardous Communications
- G. Blood-Borne Exposure Control Plan

Forms

Travel Expense Report

Date: _____

Claimant: _____

Attach copy of meeting registration w/agenda

Attach all original detailed receipts

Purpose of Travel Location & Date of Meeting	Expense
Meeting:	
Where:	
Dates:	

Parking Expense	
Air Fare	
Registration Fee	

Day#1 Date: _____

Lodging Expense	
-----------------	--

MEALS -

Breakfast	
Noon	
Dinner	

Day#2 Date: _____

Lodging Expense	
-----------------	--

MEALS -

Breakfast	
Noon	
Dinner	

What vehicle was used: Who drove:

Fuel (If county vehicle)	
or/ Mileage	

Day#3 Date: _____

Lodging Expense	
-----------------	--

MEALS -

Breakfast	
Noon	
Dinner	

Day#4

Date: _____

Lodging Expense	
-----------------	--

MEALS -

Breakfast	
Noon	
Dinner	

Day#5

Date: _____

Lodging Expense	
-----------------	--

MEALS -

Breakfast	
Noon	
Dinner	

Incident Review Report

Prior to completing this form, the supervisor should review applicable safety procedures, policies and a job hazard analysis to compare the circumstances of the incident to the prescribed guidelines.

Employee name: _____ Date of incident: _____

Location of incident: _____ Time of incident: _____

What task was the employee performing at the time of the incident?

Is there a procedure for this task? **Circle one:** Yes No N/A
If yes, answer the following:

Was employee following procedure? Yes No

If the answer is no, why not?

Were proper tools or equipment being used? Yes No N/A

If the answer is no, why not?

Were tools or equipment in good condition? Yes No N/A

If the answer is no, why not?

Was the correct personal protective equipment (PPE) used? Yes No N/A

If the answer is no, why not?

If the answer is yes, what type of PPE was used?

Was there housekeeping or an environmental problem (i.e. Burnt out light bulbs in stairwell or hoses left on floor)? Yes No N/A

If the answer is yes, what?

Were immediate corrective steps taken to address causes of the incident? Yes No N/A

If the answer is yes, what?

If the answer is no, why not?

Any recommendations for long-term corrections?

Signature of Immediate Supervisor: _____

Signature of Employee: _____

Employee Acknowledgment of Receipt of Handbook

I have received my copy of the Lyon County Employee Handbook. I understand that the handbook has been provided to me for informational purposes only and that the County may change or withdraw any policies, procedures, or benefit programs at any time. I acknowledge that this handbook is not a contract of employment, express or implied, and that I am not guaranteed employment for any specific duration. Either the County or I may terminate my employment at any time with or without notice or cause.

Signature

Employee Name (Print)_

Date