

DELTA COUNTY

**Employee Handbook
and
Policies and Procedures Manual**

Effective Date: March 18, 2014

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WELCOME TO DELTA COUNTY (the "COUNTY")

This Employee Handbook is intended as a general reference guide to procedures that must be followed at the County and the rules and practices governing your employment with the County. This Employee Handbook supersedes any and all prior practices and policies of the County, oral or written, and rescinds prior policies, procedures, handbooks, or general County rules inconsistent with the rules and practices set forth herein.

Any and all statements and policies herein are subject to unilateral change, in whole or in part, by the County at any time. The County retains the right to change, modify, suspend, interpret, or cancel, in whole or in part, any of the published or unpublished personnel policies or procedures of the County, without advance notice, in its sole discretion. Recognition of these rights and prerogatives of the County is a condition of employment and of continued employment.

THIS EMPLOYEE HANDBOOK IS NOT INTENDED TO BE A CONTRACT OF EMPLOYMENT. THE EMPLOYMENT RELATIONSHIP IS TERMINABLE AT EITHER THE WILL OF THE COUNTY OR THE EMPLOYEE. This means that just as any employee may terminate their employment with the County at any time, for any reason or no reason, so may the County terminate an employee at any time, for any reason or no reason. Provided, however, that "at will" employment status will not apply to any person whose employment is governed by a collective bargaining agreement.

The terms of the employment relationship and any provision of this Employee Handbook may not be revised by oral statements made by supervisors or fellow employees. Modifications can only be made by the Chairman of the Board of Directors of the County, and those modifications, to be effective, must be in writing and signed by the Chairman of the Board of Directors of the County.

The County sets rules and regulations governing the conduct of all employees. The rules set forth in this Employee Handbook cannot cover all circumstances, and nothing herein should be construed as altering the fact that the "at will" employment relationship is terminable at the will of either party. The County's right to direct and control work includes, by way of illustration and not limitation, the right to hire, assign work, suspend, transfer, demote, or discharge at the sole prerogative of the County.

If your employment is subject to a collective bargaining agreement, the collective bargaining agreement supersedes any inconsistent provisions of this Employee Handbook.

**EQUAL OPPORTUNITY/FREEDOM FROM UNLAWFUL DISCRIMINATION,
HARASSMENT AND RETALIATION**

Discrimination Policy

The County is an equal opportunity County. No employee or applicant for employment shall be unlawfully denied employment opportunity for which he/she is qualified because of race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status. It is the policy of the County to comply with all federal and state laws affecting employment, including laws which define and prohibit discrimination on the basis of age or handicap.

Employment decisions such as hiring, promotion, demotion, transfer, selection for training or recruitment, separation, lay-off, termination, salaries, benefits, or other forms of compensation, will be made on the basis of individual merit, skill, and qualification at the sole discretion of the County.

Any employee who believes that he or she has been subjected to discriminated against based on unlawful race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status, should notify his or her immediate supervisor or the County Finance Director or the Chairman of the Board of Directors, immediately. Such person will provide the employee with a discrimination or harassment complaint form, a copy of which is attached as **Exhibit "A"**. This form should be completed in detail as soon as possible so that the County will have adequate notice of and an opportunity to investigate any claim of unlawful discrimination of any kind.

Unlawful discrimination will not be tolerated by the County. Any employee found to have unlawfully discriminated against another employee will be subject to immediate discipline up to and including suspension or immediate dismissal.

The County will actively investigate every complaint of unlawful harassment. Such investigation will be prompt, thorough, and impartial

Harassment Policy

The County is committed to a work environment in which all individuals are treated with respect and dignity. It is the policy of the County to endeavor to provide a work environment free from all forms of unlawful harassment or discrimination. Consistent with our policy of equal employment opportunity, the County expressly prohibits any form of unlawful harassment or discrimination in the workplace based on a person's race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status. Such conduct will not be tolerated concerning employees or applicants for employment. Therefore, the County expects that all relationships among persons in the office and shop to be business- like and free of bias, prejudice, and harassment. Each member of the County's management is responsible for creating an atmosphere free from discrimination and harassment. Furthermore, all employees are responsible for respecting the rights of their co-workers.

Sexual Harassment is a form of unwelcome behavior or conduct of a sexual nature which causes or creates discomfort and/or interferes with job performance and is expressly prohibited. Such conduct would include, but is not limited to, unwelcome touching or other bodily contact, the making of unwelcome sexual advances, the display of or reference to pornographic, sexually explicit, or offensive materials in the work place, the use of sexually provocative or offensive language, unwelcome inquiry into the private life of another employee, or any other unwelcome conduct of a sexual nature. Such activity is not only illegal, but is also a detraction of a businesslike and professional image which the County expects its employees to project.

One aspect of our policy requiring some clarification is the prohibition of any form of sexual harassment in the workplace. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature. No employee shall threaten or insinuate, either explicitly or implicitly, that another employee's or applicant's refusal to submit to sexual advances will adversely affect that person's employment, performance evaluation, wages, advancement, assigned duties, or any other condition of employment or career development. Similarly, no employee shall promise imply, or grant any preferential treatment in connection with another employee or applicant for engaging in sexual conduct. Prohibited sexual harassment also includes conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on circumstances, these behaviors may include, but not limited to: unwelcome sexual flirtations, advances or propositions verbal abuse of a sexual nature, subtle pressure or requests for sexual activity, inappropriate touching of an individual's body, sexually degrading words used to describe an individual, a display of sexually suggestive objects or pictures in the workplace, sexually explicit or offensive jokes and innuendo, physical assault, questions about one's sex life or experiences, repeated requests for dates, foul or obscene language, and demeaning acts or comments based upon an individual's gender, sexual prowess or sexual deficiencies; leering or whistling; other physical, verbal or visual conduct of a sexual nature, and other conduct deemed inappropriate by the County. No employee of the County shall engage in such unwelcome behavior.

Harassment based on illegal discrimination is also prohibited. Thus, harassment based on race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status, or any other characteristic protected by law or that of his/her relatives, friends or associates, are expressly prohibited. Where it has the purpose or effect of creating an intimidating, hostile or offensive work environment; has the purpose or effect of unreasonably interfering with an individual's work performance; or otherwise adversely affects an individuals employment opportunities.

Harassing conduct includes, but is not limited to; epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the County's premises or circulated in the workplace.

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to The County (e.g., outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Any employee who believes that he or she has been subjected to sexual harassment, or harassment based on unlawful race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status, should notify his or her immediate supervisor or the County Finance Director or the Chairman of the Board of Directors, immediately. Such person will provide the employee with a discrimination or harassment complaint form, a copy of which is attached as **Exhibit "A"**. This form should be completed in detail as soon as possible so that the County will have adequate notice of and an opportunity to investigate any claim of unlawful harassment of any kind.

Harassment will not be tolerated by the County. Any employee found to have harassed or unlawfully discriminated against another employee, will be subject to immediate discipline up to and including suspension or immediate dismissal.

The County will actively investigate every complaint of unlawful harassment. Such investigation will be prompt, thorough, and impartial.

Reporting Discrimination, Harassment or Retaliation

The County encourages the reporting of all perceived incidents of discrimination or harassment. It is the policy of the County to investigate such reports. The County also prohibits any employee from retaliating in any way against any individual who articulates concern about discrimination or harassment or participates in an investigation of such reports.

The County intends to eliminate any form unlawful discrimination, harassment or retaliation, to investigate any complaint of such matters, and to take immediate and appropriate disciplinary action if unlawful discrimination, harassment, or retaliation is found in the workplace.

The County will provide the employee with a discrimination, harassment or retaliation complaint form, a copy of which is attached as **Exhibit "A"**.

This form should be completed in detail as soon as possible so that the County will have adequate notice of and an opportunity to investigate any claim of unlawful discrimination, harassment or retaliation of any kind.

In addition, The County encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request it be discontinued. Usually this action alone will resolve the problem. However, the person may prefer to pursue the matter through informal or formal complaint procedures.

If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should bring the matter to the immediate attention of his or her immediate supervisor, the Controller's office, or any other designated representatives. If the individual so requests, the representative can talk to the alleged offender on the individual's behalf.

If you experience any job-related harassment based on your gender (sex), race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status, or any other factor, of if you believe that you have been treated in an unlawful, discriminatory or retaliatory manner, promptly report the matter to your supervisor (or his or her supervisor if the complaint involves your supervisor), or the Controller's office, or to the Chairman of the Board of Directors of the County, who will investigate the matter and take appropriate action, including reporting the complaint to the Chairman of the Board of Directors of the County. If you believe that it would be inappropriate to discuss the matter with your supervisor or the Controller's office, you may bypass your supervisor and report it directly to the Chairman of the Board of Directors of the County.

Retaliation Policy

It is the duty of every County employee to cooperate in any such investigation, and it would constitute a serious infraction of County policy to retaliate against or penalize any employee for asserting a claim of discrimination or harassment, or providing information relative to such complaint. Any employee found to have harassed or unlawfully discriminated or retaliated against another employee for making a complaint of discrimination or harassment, or providing information relative to such complaint, will be subject to immediate discipline up to and including suspension or immediate dismissal.

The County will protect the confidentiality of all harassment complaints to the fullest extent possible, however, confidentiality cannot be guaranteed.

In order to assist the supervisor and/or management in investigating the matter and taking appropriate remedial action, if warranted, the employee should reduce the complaint to writing and specifically describe therein the events upon which the complaint is based. Every effort will be made to promptly investigate all allegations of harassment in as confidential a manner as is possible consistent with the rights of the accused person and the needs of the investigation.

The result of the investigation will be communicated to the employee filing the complaint. If, after an investigation, any employee is determined to have engaged in any form of harassment or retaliation in violation of this policy, appropriate corrective action shall be taken against the offending employee, up and potentially including termination.

AMERICANS WITH DISABILITIES ACT - HANDICAPPER DISCRIMINATION

The County is strongly opposed to any illegal discrimination based on handicap, as defined by law.

The County, through its managers, shall recruit, hire, train, and promote in all job titles without regard to whether a qualified individual is disabled. Managers shall ensure that all other personnel actions such as those involving compensation, benefits, County-sponsored training, tuition assistance, transfers, demotions, terminations, lay-offs, and recalls, and any social recreation program shall be administered so as to not discriminate against individuals with disabilities. It is the duty of any disabled individual desiring or needing accommodation to make known his or her disability, and any desired or required accommodation. Where a disabled individual makes known his or her disability, the County, by its managers, shall provide reasonable accommodation to the extent required by law to enable such employee to perform the essential functions of their job and to enjoy the same benefits and privileges of employment as are enjoyed by employees without disabilities.

Any applicant or employee is urged to fully disclose to County any need for accommodation. By law, County is not allowed to consider the need for accommodation to be able to perform essential job functions as a negative factor in any employment decision. Employees are strongly urged to discuss with their Supervisors any perceived need for accommodation.

FAMILY AND MEDICAL LEAVE POLICY

Introduction

In compliance with the federal Family and Medical Leave Act (FMLA), the County will provide eligible employees up to 12 weeks of unpaid family/medical leave within a 12-month period. The FMLA allows “eligible” employees to take job-protected, unpaid leave or paid leave if the employee has earned or accrued it, for up to a total of 12 workweeks in any 12 months because of the birth of a child and to care for the newborn child, because of the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee’s own serious health condition makes the employee unable to perform the functions of his or her job. The FMLA also allows an employee to take leave due to that employee’s family member’s being called to active military duty or being injured in the course of active duty. In certain cases, this leave may be taken on an intermittent basis rather than all at once, or the employee may work a part-time schedule.

To be eligible for coverage under the FMLA, an employee must have worked for the County for at least 1,250 hours during the preceding 12-month period, which averages out to a little less than 25 hours a week.

A “serious health condition” is a condition or illness affecting one’s health to the extent that in-patient care is needed, or that absences are necessary on a recurring basis or for more than a few days for treatment or recovery. If in-patient care is not needed, an absence from work or school for more than three days must occur along with the continuous treatment of a health care provider. However, a visit to a health care provider is not necessary for such absence where any leave is required because of any of the following: (1) pregnancy or prenatal care; (2) a chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity; or (3) a permanent or long-term condition (such as Alzheimer’s, stroke, terminal cancer) for which treatment may not be effective, where only supervision and not active treatment is required.

General Leave Provisions

Eligible employees are entitled to a total of 12 work weeks of leave during the 12 month period measured backward from the date an employee uses FMLA leave, when leave is taken for one or more of the following circumstances:

- (1) due to the birth of a son or daughter of the employee, if the leave is taken within (12) months of the birth,
- (2) due to the adoption or foster care placement of the child of the employee, if the leave is taken within 12 months of the placement,
- (3) to care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter or parent has a serious health condition,

- (4) due to a serious health condition that makes the employee unable to perform the functions of his or her position,

Military Family Leave Provisions

Eligible employees with a spouse, son, daughter, or parent in the National Guard or Reserves on active duty or called to active duty in support of a contingency operation may take up to 12 weeks of FMLA leave for certain “qualifying exigencies.” A “qualifying exigency” includes 1) the service member being called to short-notice deployment (seven days or less); 2) military events and related activities; 3) child care and related activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; 7) post-deployment activities; 8) any other event the employee and County agree is a qualifying exigency.

In addition, eligible employees are entitled to up to 26 weeks of leave to care for a parent, child, spouse, or next of kin who is a member of the armed forces and has suffered an injury or illness incurred in the line of duty on active military duty that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating. This type of leave is available in a single 12-month period. If an employee has taken FMLA due to one of the qualifying events listed above, the total combined amount of FMLA leave may not exceed 26 weeks.

Any FMLA leave taken will be counted against the employee’s annual FMLA leave entitlement.

Definitions

A “child” does not have to be a biological child. A “parent” does not need to be a biological parent as long as the person stood “in loco parentis” (in the place of the parent) to the employee when the employee was a “son” or “daughter.” FMLA leave may be taken to care for adopted children, foster children, legal wards, or a niece, nephew or grandchild whom the employee is actively raising. A “son or daughter” includes a child 18 years or over who is “incapable of self-care because of a mental or physical disability.” An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities.

The County is not required by the FMLA to grant leave for any other relatives or individuals in the employee’s household. For FMLA purposes, a “spouse” is defined in accordance with applicable state law and may include common-law spouses in states where common-law marriages are recognized. Unmarried domestic partners generally do not qualify as spouses under the FMLA.

Both Spouses Working for the County

When both spouses work for the County the total leave in any 12-month period for both spouses will be limited to 12 weeks if the leave is taken for the birth or adoption of a child or to care for a sick parent.

Employee Notice Requirements

Employees are required in the case of foreseeable events (expected birth or placement of a child or planned medical treatment) to provide 30 days' notice to the County. However, if the need for leave was not foreseeable and must begin in less than 30 days, the notice shall be provided as soon as practicable. "As soon as practicable" means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. This ordinarily would mean at least verbal notification to the County within one or two business days of when the need for leave becomes known to the employee.

Certifications and Reporting

A certification issued by a health care provider is required to support an employee's request for leave due to a serious health condition. Certification of Health Care Provider forms are available from the County.

The County may require the employee to obtain the opinion of a second health care provider designated and paid for by the County. In the event of a conflict between the first and second opinions, the County may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the County and the employee. This third opinion will be final and binding.

Employees who take leave for their own serious health condition or to care for a covered family member will be required to report to the County on a regular basis. A reporting schedule will be worked out with the County.

Employees are expected to provide the County with notice as soon as possible (within two business days if practicable) if the dates of leave change or are extended.

Failure to comply with these requirements may result in a delay in the start of FMLA leave.

The County may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The County may delay restoring the employee to employment if such certificate relating to the health condition which caused the employee's absence is not provided.

Key Employees

The FMLA provides a significant exemption for "key employees." The County is not required to offer key employees reinstatement to a similar position following the end of their leave. Key employees are those salaried employees who are among the highest paid 10% of the employees paid by the County within 75 miles of the facility at which the employee is employed and must be the highest paid 10% of all salaried and non-salaried, eligible and ineligible employees. Year-to-date earnings as of the date leave is requested are used to determine who are the highest paid.

An eligible key employee may be denied reinstatement of employment after leave has been taken if:

- (1) such denial is necessary to avoid substantial and grievous economic injury to the operations of the County,
- (2) the County notified the key employee of its intent to deny restoration on such basis when the County determined that such injury would occur, and
- (3) if the leave has commenced, the employee elects not to return to employment after receiving such notice.

The employee will be notified by the County of his status as a key employee upon requesting leave if a chance exists that the County may deny reinstatement after the leave.

An employee may also be regarded as a key employee if the employee is the most highly compensated employee at a facility even if the employee is not among the highest paid 10% of the employees in the County. If the employee is among the highest paid 10% of employees at a remote facility, the employee could be denied reinstatement of employment and benefits even if the employee's salary fell within the middle range of overall employee salaries.

Intermittent or Reduced Schedule Leave

Under certain circumstances, when leave is taken for a serious health condition, it may be taken intermittently (in small blocks of time such as days or hours) or on a reduced work schedule if medically necessary. When such leave is unpaid, the County will make salary deductions based on the amount of time actually worked. Employees who are on an intermittent or reduced schedule leave may be temporarily transferred to an available alternative position to better accommodate the leave requirements.

Employees seeking intermittent or reduced schedule leave based on planned medical treatment will be required to produce a medical certification outlining the dates on which treatment is expected and the duration of the treatment.

Paid Leave

All employees taking FMLA leave will first be required to use all accrued and unused paid sick leave and vacation time. Unpaid leave will then commence for the period remaining.

Benefits During FMLA Leave

Employees on FMLA leave are entitled to have health benefits maintained while on leave as if they had continued working. If the health plan or benefits are changed by the County while the employee is on FMLA leave, the employee is entitled to the changed benefits to the same extent as if he or she were not on leave. Employees will be provided with any notices of changes in benefits and accorded any options to change coverage that would be provided if the individual were not on leave.

Except as required by COBRA, the County's obligation to maintain health benefits during leave (and to restore the employee to the same or equivalent employment) under FMLA ceases if and when:

- (1) the employment relationship would have terminated if the employee had not taken FMLA leave;
- (2) an employee informs the County of his or her intent not to return from leave (including before starting the leave if the County is so informed before the leave starts); or
- (3) the employee fails to return from leave or continues on leave after exhausting his or her FMLA leave entitlement in the 12-month period.

If a "key employee" does not return from leave when notified by the County that substantial or grievous economic injury will result from his or her reinstatement, the employee's entitlement to group health plan benefits continues unless and until the employee advises the County that the employee does not desire restoration to employment at the end of the leave period, or FMLA leave entitlement is exhausted, or reinstatement is actually denied. The key employee may then have rights under COBRA.

If employees were required to pay a portion of the health coverage cost, this requirement will continue during FMLA leave. The County will provide the employee with advance written notice of the terms and conditions under which these payments must be made.

Usually when the employee on leave does not return to work and the reason is not due to serious health reasons recognized under FMLA and is not due to circumstances beyond the employee's control, the County is entitled to recover from the employee any County-paid costs with respect to the entire leave period. In addition, the County may elect to maintain other benefits for the employee, such as life or disability insurance, for which the employee would normally pay the premiums and the County will also be entitled to recover the cost of these premiums, based on the same criteria as recovery of the employee's share (paid by the County) of medical premiums.

While the taking of FMLA leave does not result in the loss of any employment benefit accrued prior to the date on which the leave commences, the FMLA does not require that an employee be allowed to accrue any additional benefits while on family or medical leave. These benefits include pensions, sick leave, disability benefits, annual leave, group life insurance and paid vacation time.

Return to Work and Reinstatement

Employees generally have rights to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the end of the FMLA leave.

It is the County's desire to have employees return to work as soon as possible within their medical restrictions. The County may have available some temporary light duty assignments to enable employees to return to full duty. It is the County's desire to have employees return to

work as soon as possible within their medical restrictions. The County may have available some light duty assignments to enable employees to return to fill duty. Employees interested in performing temporary light duty assignments when medically able to do so should contact the County. An employee's refusal to accept light duty does not affect FMLA leave fights.

Employees who return to work but who still may have a medical problem will be reasonably accommodated to enable them to do their original job. Such accommodations must be practicable, medically necessary, and not an undue hardship upon the County. Employees who cannot be accommodated to perform their original position if it is available, will be placed in a vacant position for which they are qualified if such position is available. Such reassignments may be at the current rate of pay for the employee or at a lower rate of pay if an equivalent position for which the employee is qualified is not available. Employees should meet with the County to discuss possible accommodations. An employee's refusal to accept an accommodation does not affect the employee's FMLA leave entitlement.

Employees on FMLA leave may still be eligible for short- or long-term disability insurance or workers' compensation benefits. An employee's decision regarding FMLA leave can affect these benefits.

Employees interested in performing temporary light duty assignments when medically able to do so should contact the County. An employee's refusal to accept light duty does not affect FMLA leave rights.

Employees who return to work but who still may have a medical restriction will be reasonably accommodated to enable them to do their original job. Such accommodations must be practicable, medically necessary, and not an undue hardship upon the County. Employees who cannot be accommodated to perform their original position, will be placed in a vacant position for which they are qualified if such position is available. Such reassignments may be at the current rate of pay for the employee or at a lower rate of pay if an equivalent position for which the employee is qualified is not available. Employees should meet with the County to discuss possible accommodations. An employee's refusal to accept an accommodation does not affect the employee's FMLA leave entitlement.

Employees on FMLA leave may still be eligible for short- or long-term disability insurance or workers' compensation benefits. An employee's decision regarding FMLA leave can effect these benefits. Employees must discuss this with the County.

Anti- Retaliation

No employee shall be retaliated against for exercising his or her FMLA rights. Any employee who feels he or she has been in any way discriminated or retaliated against should report that to the Judge, Administrator, or the Chairman of the Board of Commissioners for the County for investigation and appropriate action.

SOCIAL SECURITY NUMBER PRIVACY ACT POLICY (EMPLOYEES)

In compliance with Michigan's recently enacted (effective March 1, 2005) Social Security Number Privacy Act, MCL 445.84, the County, in collecting its employees social security number ("SSN") information, will enact a privacy policy which serves the following purposes:

- (1) to ensure to the extent practicable the confidentiality of the SSNs collected;
- (2) to prohibit unlawful disclosure of the SSNs;
- (3) to limit who has access to information or documents that contain the SSNs;
- (4) to describe how to properly dispose of documents that contain the SSNs;
- (5) to establish penalties for violation of the privacy policy.

This privacy policy will be incorporated into their employee handbook/procedures manual by reference.

The complete policy is available for review at the County Clerk's office.

EXHIBIT "A"

PM-11,104

Discrimination/Harassment Policies

DISCRIMINATION/HARASSMENT/RETALIATION COMPLAINT

Date: _____

Name: _____

(It is not necessary to state your name, however, it will assist us in investigating the complaint if you will do so.)

Department: _____

Please describe as clearly as you can exactly what happened to you that leads you to believe that you or another employee have been discriminated against, sexually harassed, or harassed because of unlawful race, color, sexual orientation, gender identity, religion, gender, age, national origin, citizenship (or lawful immigration status), height, weight, pregnancy, genetic information, or marital status, or retaliated against for exercise of any protected rights.

Include dates, if you can, and the names of everyone who was involved in the harassment or saw or heard what happened. If there was more than one incident of harassment, please describe each incident separately. You may use the back of this form or another sheet of paper.

POLICY FOR BLOODBORNE PATHOGENS/INFECTIOUS DISEASES

I. POLICY STATEMENT

It is the policy of Delta County to safeguard, to the highest degree possible, County employees and the public who come in contact with people who are known to have, or are suspected of having, a communicable disease without sacrificing essential services to the community or individual citizens.

Employees are always responsible for treating people fairly and humanely. When handling or assisting persons with medical afflictions, employees bear the additional responsibility of being especially sensitive towards the person's condition and to treat the person with the same dignity reserved for all people with whom we have contact.

II. DISCUSSION

Public service personnel routinely come in contact with members of the public. At some point it is predictable that they will come in contact with a person who has an infectious disease such as Acquired Immune deficiency Syndrome (AIDS), Hepatitis and other infectious diseases.

Although there are not reported instances where employees have contracted AIDS as a result of a duty-related incident, cases have been documented where the AIDS virus has been transmitted to health care workers. These instances have been the result of handling of blood samples with ungloved hands (particularly where skin disorders have left broken skin), splashing of contaminated blood into the mouth and nose, or piercing of the skin with a contaminated needle.

As a result, extreme caution should be exercised by personnel, and the following procedures shall be utilized when dealing with blood, items stained with blood or other bodily fluids, and persons of high-risk groups.

The precautionary measures found in this Bloodborne Pathogens/Infectious Diseases Policy are necessary under certain, specified conditions to minimize the risk of infection to County employees. However, employees are reminded that there is no medical evidence indicating that Hepatitis B or AIDS can be transmitted by casual contact. The kinds of non-sexual person-to-person contacts that generally occur between an employee and victim or victims do not pose a risk of disease transmission.

III. PROCEDURES

A. EXPOSURE DETERMINATION:

1. The following employee job classifications at Delta County are Category A due to expected occupational exposure to blood or other potentially infectious material (OPIM), regardless of frequency. The exposure determination is made without regard to the use of personal protective equipment:

Category A Job Classification
Maintenance Custodian

Tasks / Procedures
Maint. / Janitorial

Housekeeper
Probation Officer
*Park Employees

Janitorial
Client Supervision
Janitorial

*Denotes personnel who will be trained with Category A, however vaccine offered post-exposure only.

B. COMPLIANCE METHODS:

Universal precautions will be observed at Delta County in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at Delta County. Where occupational exposure remains after institution of these controls, personal protective equipment shall be utilized.

Handwashing facilities are available to the employees who incur exposure to blood or OPIM. After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area as soon as feasible with soap and water. When a handwashing facility is unavailable, an antiseptic hand towelette shall be used.

Needles are used in Delta County. They must not be recapped unless required by a medical procedure, must not be bent or broken and must be disposed of in a labeled, closeable, leakproof, puncture-resistant container.

Work Area Restrictions. In work areas where there is a reasonable likelihood of exposure to blood or OPIM, employees are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses.

Personal Protective Equipment used at Delta County will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or OPIM. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employee's clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used. The following Personal Protective Equipment is used in Delta County.

Gloves
Lab Coat
Disposable Gloves

Protective Eyewear
Utility Gloves

All personal protective equipment will be cleaned, laundered, and disposed of by Delta County and all repairs and replacements will be made by the County.

All personal protective equipment will be removed prior to leaving the work area. If visibly contaminated, the equipment shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

If an employee were to have another person's blood or OPIM splash or soak their clothing, they would make arrangements to remove the contaminated clothing as soon as possible. The clothing would be identified as contaminated and any employee, of any employer, exposed to it would be notified and protected from exposure.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, OPIM, non-intact skin, and mucous membranes. Gloves are available from the Administration Office or your department head.

Disposable gloves used at Delta County are not to be washed or decontaminated for re-use and are to be replaced as soon as they become contaminated or if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised.

C. EXPOSURE:

1. An exposure occurs when a person's blood or any body fluids transfer to another person's blood stream. This can occur in three ways:
 - a. Needle sticks (i.e. accidental needle stick while searching people or places).
 - b. Through human bites or through openings in the skin (i.e. cuts, abrasions, etc.) which are exposed to blood or body fluids.
 - c. Splashes into the eyes, nose or mouth.

Examples of body fluids include:

Blood	Semen	Tears
Saliva	Urine	Feces
Vomit		

D. REPORTING

An employee who believes they have been exposed to an infectious disease:

1. Shall thoroughly wash the area with soap and hot water, if direct personal contact was made.
2. Shall gather information about the person involved keeping in mind confidentiality. Information collected by the employee shall include name, date of birth, any medical information legally available, where the person is now, and what has let the employee to believe the person has an infectious disease. This information is not discloseable under the Freedom of Information Act.

3. Shall report the incident to their supervisor immediately.
4. A timely report shall be written and submitted to the County Administrator.
 - a. The Administrator may contact the Delta-Menominee District Health Department, advising the staff of all facts about the exposure and follow a doctor's instructions, or
 - b. The Administrator may contact the closest hospital emergency room, if necessary. Advise the doctor of all the facts about the exposure and follow the doctors instruction, or
 - c. The Administrator may contact a private physician, advise him about the facts of exposure and follow that physician's instructions.

E. BLOOD TEST FOR SUSPECTS

When the Administrator has been notified that an employee believes they have been exposed to a communicable disease, the Administrator may ask the suspected carrier to voluntarily submit to a blood test. The test shall be administered by medical personnel.

IV. HEPATITIS B VACCINATION, POST-EXPOSURE AND FOLLOW-UP

- A. The employer shall make available the hepatitis B vaccination and vaccination series to all employees who have occupational exposure, and post-exposure evaluation and follow-up to all employees who have had an exposure incident.
- B. The employer shall ensure all medical evaluations and procedures including all the hepatitis B vaccine, vaccination series and post-exposure evaluation and follow-up, including prophylaxis, are:
 1. Made available at no cost to the employee;
 2. Made available to the employee at a reasonable time and place;
 3. Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional; and
 4. Provided according to recommendations of the US Public Health Service current at the time these evaluations and procedures take place.
- C. Hepatitis B. Vaccination shall be made available to the employee within 10 working days of initial assignment unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed the employee is immune, or the vaccine is contraindicated for medical reasons.

D. If the employee initially declines the hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the employer shall make available hepatitis B vaccination at that time.

E. The employer shall assure that employees who decline to accept hepatitis B vaccination offered by the employers sign the statement in Appendix A.

F. If a routine booster dose (s) of hepatitis B vaccine is recommended by the US Public Health Service at a future date, such booster dose (s) shall be made available to the employee at no cost to the employee.

G. Following a report of an exposure incident, the employer shall make immediately available to the exposed employee a confidential medical evaluation and follow-up, including the following elements:

1. Documentation of the route (s) of exposure, and the circumstances under which the exposure incident occurred;
2. Identification and documentation of the source individual, unless the employer can establish that identification is infeasible or prohibited by state or local law;
3. The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained;
4. Post-exposure prophylaxis, when medically indicated, as recommended by the US Public Health Service;
5. Counseling; and
6. Evaluation of reported illness.

H. The employer shall ensure the health care professional responsible for the employee's hepatitis B vaccination is provided a copy of this regulation.

I. Additionally, the employer shall ensure the health care professional evaluating an employee after an exposure incident is provided the following information:

1. A description of the exposed employee's duties as they relate to the exposure incident;
2. Documentation of the route (s) of exposure and circumstances under which the exposure occurred;
3. Results of the source individual's blood testing, if available; and
4. All medical record relevant to the appropriate treatment of the employee including vaccination status which are the employer's responsibility to

maintain.

- J. The employer shall obtain and provide the employee with a copy of the evaluation health care professional's written opinion within 15 days of the completion of the evaluation.
- K. The health care professional's written opinion for hepatitis B vaccination shall be limited to whether hepatitis B vaccination is indicated for an employee, and if the employee has received such vaccination.
- L. The health care professional's written opinion for post-exposure evaluation and follow-up shall be limited to the following:
 - 1. That the employee has been informed of the results of the evaluation; and
 - 2. That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
- M. All other findings or diagnoses shall remain confidential and shall not be included in the written report.

V. INFORMATION AND TRAINING

- A. Employers shall ensure all employees with occupational exposure participate in a training program which must be provided at no cost to the employee and during working hours.
- B. Training shall be provided as follows:
 - 1. At the time of initial assignment to tasks where occupational exposure may take place;
 - 2. Within 90 days after the effective date of the standard;
 - 3. At least biennially thereafter.
- C. Employers shall provide additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affect the employee's occupational exposure. The additional training may be limited to addressing the new exposures created.
- D. The training program shall contain a minimum of the following:
 - 1. An accessible copy of the regulatory text of the standard and the explanation of its content;
 - 2. A general explanation of the epidemiology and symptoms of blood borne

diseases;

3. An explanation of the modes of transmission of blood borne pathogens;
 4. An explanation of the employer's exposure control plan and the means of obtaining a copy of the written plan;
 5. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;
 6. An explanation of the use and limitations of methods that will prevent or reduce exposure;
 7. Information on the types, proper use, location, removal, handling, decontamination and disposal of personnel protective equipment;
 8. An explanation of the basis for selection of personnel protective equipment;
 9. Information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge;
 10. Information on the appropriate actions to take and persons to contact in an emergency involving blood and other potentially infectious materials;
 11. An explanation of the procedures to follow if an exposure occurs, including the method of reporting the incident and the medical follow up that will be made available;
 12. Information on the post-exposure evaluation and follow-up the employer is required to provide to the employee following an exposure incident;
 13. An opportunity for interactive questions and answers with the person conducting the training session.
- E. The person conducting the training shall be knowledgeable in the subject matter covered in the training program as it relates to the workplace the training addresses.

VI RECORD KEEPING

- A. The employer shall establish and maintain an accurate medical record for each employee with occupational exposure in accordance with 29 CFR 1910.20.
- B. This record shall include:

1. The name and social security number of the employee;
 2. A copy of the employee's hepatitis B vaccination status including the date of all hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination;
 3. A copy of all results of examination, medical treatment, and follow-up procedures;
 4. The employer's copy of the health care professional's written opinion; and
 5. A copy of the information provided to the health care official.
- C. The employer shall ensure employee medical records are:
1. Kept confidential; and
 2. Are not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by this section or as may be required by law.
- D. Medical records of employees shall be maintained for the duration of employment plus 30 years in accordance with 29 CFR 1910.20.
- E. Training records shall be maintained by the employer to include the following:
1. The dates of the training sessions;
 2. The contents or a summary of the training session;
 3. The names and qualifications of persons conducting the training; and
 4. The names and job titles of all persons attending the training sessions.
- F. Training records shall be maintained for three years from the date on which the training occurred.

Adopted: 9-4-96
Revised: 4-15-97 regarding Park employees

Attachment "A"

County of Delta

Hepatitis B Vaccine Immunization Record of Follow Up

The vaccine must be administered in three doses. The schedule for the doses are:

1. Initial vaccination
2. One month from first vaccination
3. Six months from first vaccination

Employee Name / Address

Date of first dose: _____

Date of second dose due: _____

Date second dose given: _____

Date of third dose due: _____

Date third dose given: _____

HEPATITIS B

Vaccination Declination

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with the hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Printed

Name: _____

Job

Classification: _____

Signature

Date

CODE OF ETHICS
DELTA COUNTY GOVERNMENT

I. PURPOSE

The code of Ethics for Delta County Government is intended to establish standards of conduct expected of those persons who act for or on behalf of the public in the performance of all governmental duties and responsibilities.

Government service and public sector employment is a public trust, and those who serve the public as part of its government must perform and discharge their duties consistent with the highest moral principles, serving always the best interest of the County and its citizens.

Representative government is based solely upon the consent of the governed, under a system whereby every citizen has a right to expect those who govern or serve in the government to act not for themselves but for the governed as a whole. Since government can act only through its officials and employees, it is ever incumbent upon them, therefore, to honor the public trust and to instill confidence in government by their own integrity and conduct in all official actions.

It is, therefore, the purpose of this code of Ethics to:

1. Maintain high ethical standards in Delta County Government;
2. Increase public confidence in the integrity of the officials and employees of Delta County Government;
3. Assist officials and employees in determining the proper course of action when faced with uncertainty in ethical obligations: and
4. Support the actions of the Government, its officials and employees in situations of unwarranted criticism.

II. APPLICATION

This Code of Ethics for Delta County Government shall apply to all persons who are elected to the Office of Commissioner of Delta County, Michigan: to all elected officials of Delta County, Michigan; to all persons appointed or hired as employees of the County, its agencies, departments or commissions, whether temporary or permanent, whether compensated or not; to all persons, whether compensated or not, other than independent contractors, who perform personal services for and on behalf of the County; and to all persons elected or appointed to hold any office in Delta County, Michigan.

The ethical standards, considerations and rules of conduct shall apply and be observed during the person's term of office or service with the county.

III. POLICY STATEMENT

It is the policy of Delta County Government that:

- A. All citizens be provided fair and equal access to and treatment by the government, without any appearance or element of discrimination or favor or consideration of any special interest: and
- B. All official actions taken in the performance of government duties or responsibilities be motivated to the service of the public interest and the protection of the public trust without any regard for personal achievement, aggrandizement, or personal benefit; and
- C. All persons who act for or represent the interests of Delta County Government

adhere to the highest standards of ethical conduct in the performance of their official duties to the end that the public trust is never violated nor its power abused; and

- D. The policies and procedures for operation of the County provide for efficient and cost-effective service, responsive to the public interest, that will preserve and promote confidence in government and the integrity of its members.

IV. ETHICAL STANDARDS

It shall be the duty of all persons to whom this Code of Ethics applies to observe the highest moral principles in all official actions, whether specifically noted or mandated in this Code, and to refrain from any course of conduct which might result in, or create the appearance of a violation of the following ethical standards.

AN OFFICIAL, WHETHER ELECTED OR APPOINTED, AND AN EMPLOYEE IN GOVERNMENT SERVICE SHOULD:

STANDARD 101: ALWAYS PUT LOYALTY TO HIGH MORAL STANDARDS AND TO THE COUNTY ABOVE ANY LOYALTY TO PERSONS, DEPARTMENT OR AGENCY, OR POLITICAL OR OTHER INTERESTS.

STANDARD 201: UPHOLD THE CONSTITUTION, LAWS AND REGULATIONS OF THE UNITED STATES, THE STATE OF MICHIGAN, AND DELTA COUNTY AND NEVER BE A PARTY TO THEIR EVASION.

STANDARD 301: SEEK TO FIND AND EMPLOY MORE EFFICIENT AND ECONOMICAL WAYS TO PROVIDE SERVICE AND GIVE TO THE PERFORMANCE OF HIS OR HER DUTIES THEIR BEST ATTENTION, EFFORTS AND THOUGHTS.

STANDARD 401: TREAT EVERY CITIZEN FAIRLY AND EQUALLY WITH COURTESY AND RESPECT AND MUST NEVER DISCRIMINATE UNFAIRLY BY DISPENSING OF SPECIAL FAVORS OR PRIVILEGES TO ANYONE, WHETHER FOR REMUNERATION OR NOT; AND SHOULD NEVER ACCEPT FOR HIMSELF OR FAMILY, FAVORS OR BENEFITS UNDER CIRCUMSTANCES WHICH MIGHT GIVE THE APPEARANCE TO REASONABLE PERSONS AS INFLUENCING THE PERFORMANCE OF HIS GOVERNMENTAL DUTIES.

STANDARD 501: REFRAIN FROM MAKING ANY PROMISE, PRIVATE IN NATURE, THE PERFORMANCE OF WHICH WOULD REQUIRE HIM TO ACT BEYOND THE PROPER SCOPE OF THE DUTIES OF HIS OFFICE OR TO ACT IN A MANNER WHICH WOULD OR COULD COMPROMISE THE INTEGRITY OF HIS PUBLIC OFFICE.

STANDARD 601: NEVER ENGAGE IN ANY BUSINESS WITH THE GOVERNMENT, EITHER DIRECTLY OR INDIRECTLY, WHICH IS INCONSISTENT WITH THE CONSCIENTIOUS PERFORMANCE OF HIS GOVERNMENTAL DUTIES.

STANDARD 701: NEVER USE ANY INFORMATION COMING TO HIM CONFIDENTIALLY IN THE PERFORMANCE OF GOVERNMENTAL DUTIES AS A

MEANS FOR MAKING A PRIVATE PROFIT OR GAINING BENEFIT FOR HIMSELF OR OTHERS; AND MAY NEVER REVEAL ANY INFORMATION MADE KNOWN TO HIM THROUGH HIS PUBLIC OFFICE WHICH IS BE LAW CONFIDENTIAL OR BY CUSTOM A PROTECTED RIGHT OF PRIVACY WHERE REVEALING THE INFORMATION COULD AFFECT THE CIVIL OR MORAL RIGHTS OF ANY CITIZEN.

STANDARD 801: ALWAYS SAFEGUARD THE PUBLIC TRUST AND NEVER USE NOR ALLOW THE USE OF GOVERNMENT PROPERTY OR FUNDS FOR PRIVATE PURPOSES, FOR PURPOSES OTHER THAN THOSE AUTHORIZED OR PERMITTED, OR FOR PURPOSES WHICH COULD MISLEAD THE CITIZENS OR DAMAGE THE CONFIDENCE AND REPUTATION OF THE GOVERNMENT.

STANDARD 901: AT ALL TIMES DISPLAY THE HIGHEST LEVEL OF INTEGRITY IN PERFORMING HIS OR HER DUTIES AND NEVER KNOWINGLY NOR NEGLIGENTLY MISLEAD OR ALLOW OTHERS TO MISLEAD THE PUBLIC OR OTHER GOVERNMENT OFFICIALS NOR FAIL TO DISCLOSE OR REPORT TO APPROPRIATE OFFICIALS ANY CORRUPTION WHEREVER DISCOVERED.

STANDARD 1001: AVOID THE APPEARANCE OF IMPROPER INFLUENCE AND REFRAIN FROM EVER RECEIVING, SOLICITING OR ACCEPTING GIFTS, GRATUITIES, FAVORS OR ANYTHING OF VALUE FOR HIMSELF, HIS FAMILY OR OTHERS, WHICH IS INTENDED OR HAS THE APPEARANCE OR AFFECT OF INFLUENCING THE PERFORMANCE OF HIS DUTIES; AND SHOULD NEVER HIMSELF LOBBY NOR ATTEMPT TO INFLUENCE OTHERS IN THE PERFORMANCE OF THEIR DUTIES BY ANY MEANS WHICH ARE NOT A PART OF HIS AUTHORIZED DUTIES.

STANDARD 1101: NEVER ALLOW HIS JUDGEMENT TO BE COMPROMISED BY ANY PERSONAL, FAMILY OR BUSINESS INTEREST NOT A PART OF HIS GOVERNMENT SERVICE AND NEVER ACT UPON ANY MATTER IN WHICH HE, HIS FAMILY, OR BUSINESS HAS OR MAY HAVE ANY FINANCIAL OR BENEFICIAL INTEREST; AND SHOULD ALWAYS DECLARE AND DISCLOSE THE FULL NATURE AND EXTENT OF ANY PERSONAL, FAMILY, OR BUSINESS INTEREST IN ANY MATTER RELATED TO GOVERNMENTAL ACTIONS OR DUTIES.

STANDARD 1201: STAND AS A REPRESENTATIVE OF THE GOVERNMENT AND THE PUBLIC TRUST AND NEVER INTENTIONALLY ACT OUTSIDE THE SCOPE OF THEIR AUTHORITY IN THAT REPRESENTATION NOR ALLOW THEMSELVES TO BE PERCEIVED AS ACTING ON BEHALF OF THE PUBLIC OR GOVERNMENT WHEN, IN FACT, THEY ARE NOT.

V. INTERPRETATION AND GUIDELINES

A. GENERAL INTENT AND INTERPRETATION. The Code of Ethics is intended to establish standards to guide the decisions and actions of the public officials and employees in the performance of their duties and functions. The standards established by the Code are rules of reason and not rules of law, and they do not themselves seek to impose duties or obligations not otherwise required of public officials and employees. Rather, the standards seek to recognize the expectations inherent in government service through public opinion and

perception and to define the special responsibilities that arise through the representation and authority of government. Likewise, the Code does not attempt to exhaust the moral and ethical values that must guide government actions, nor does it displace professional knowledge, skill or judgement. No set of rules or standards can do so, and every person in government service must also be guided by personal conscience and the independent ideals of their profession, as well as the legal duties imposed upon them. These standards, therefore, should be interpreted with reference to the purposes of government service and the unique stature of public professionalism.

B. ADVISORY OPINIONS AND RULINGS. Any person to whom the Code of Ethics applies may request an advisory opinion or ruling on any provision of the Code or concerning any matter relating to their official duties or functions. The request must be made in writing, submitted to any member of the Ethics Advisory Board, and should contain sufficient and adequate factual information upon which to base the opinion, although the issue may be submitted as a hypothetical question.

The Advisory Board shall issue its opinion or ruling upon request within seven (7) days, and may keep all or any part of the request confidential, but must, upon rendering any opinion or ruling, prepare a general interpretation relating to the issue raised by the request for distribution to all interested persons.

Reliance by any person upon any advisory opinion, ruling or general interpretation issued by the Advisory Board shall be deemed conclusively as compliance with the requirements of the Ethics Code.

C. ETHICAL CONSIDERATIONS. The Advisory Board may, from time to time, develop and issue Ethical Considerations, which shall be used for interpreting and applying the provisions of the Code of Ethics.

D. GUIDELINES FOR APPLICATION. The following guidelines are designed to provide a frame of reference for interpretations of the Ethical Standards. They are not absolutes, but serve as considerations to be applied to specific factual situations.

1. Gifts and gratuities. A gift or gratuity would include any item of value, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, favor, or tangible objects. As a general rule, a public official should not:

- a. Solicit any gift or gratuity for any purpose related to their official duties or other County business or operations;
- b. Accept any gift or gratuity, other than appropriate political or charitable contributions or an honor or award presented by an appropriate governmental, professional or fraternal organization, for the performance of duties;
- c. Keep any unsolicited gift or gratuity having a value exceeding FIFTY DOLLARS (\$50.00); and
- d. Accept any gift or gratuity under circumstances that a reasonable person would question or circumstances where the giver would have reason to expect something in return.

Further, as a general rule, a public official or employee should:

- a. Report any offer or attempt to offer a gift or gratuity to them in exchange for the performance of their duties;

b. File a disclosure statement showing the nature of any unsolicited gift or gratuity received, the person giving the gift or gratuity, its value and the circumstances under which it was received' and

c. To the extent possible, retain any unsolicited gift or gratuity for the office or department as a whole rather than as a personal gift or gratuity.

2. Financial or Business Interests with County Operations.

A financial or business interest would include any interest that would directly or indirectly provide a monetary or other material benefit to the public official or employee. As a general rule, a public official or employee of the County should refrain from participation in any selection process, contract negotiation, or purchase of goods or services where the official or employee, or their family members or business associates, has any beneficial or financial interest in the award, selection, or contract.

Further, a public official or employee of the County should not engage in or have a financial interest in any business providing goods or services to the County except when the goods or services are provided through the formal competitive bid process under the Purchasing Policies of the County, and then only upon full disclosure to all appropriate officials of the financial interest.

3. Financial Interest Disclosures. A material financial interest would include an interest that provides direct financial remuneration to the public official or employee, or to any member of their immediate family, in an aggregate amount of FIVE HUNDRED DOLLARS (\$500.00) or more in any year or an ownership interest in any business entity which exceeds ten percent (10%) of the total ownership. A public official or employee of the County should always fully and publicly disclose any material financial or other beneficial interest that the official or employee has or may have in any contract, legislative action, formal decision, or governmental ruling or determination whenever the official or employee will or may participate in any manner in the discussion, deliberation, decision, or administration of the matter.

4. Conflict of Interest. A conflict of interest would include any circumstance under which a public official or employee of the County has a direct personal interest, other than the diligent performance of their official duties, in the result or outcome of any governmental action for which the official or employee has, in whole or part, any discretionary authority or responsibility. It is not limited to financial interests, but may include other interests such as personal relationships, family relations, or other associations with groups or persons. A public official or employee of the County should always avoid even the appearance of such conflicts by full, public disclosure of such interests to appropriate officials and, where possible, by abstaining from participation in the performance or exercise of the official, discretionary actions.

VI. ETHICS ADVISORY BOARD

The Ethics Advisory Board shall be a standing committee, established by the Board of County Commissioners, composed of the following designated members:

1. The Director of Personnel for the county, or their designee;
2. The County Board Chairperson, or their designee; and
3. The Prosecuting Attorney for the County, or their designee.

In the event that any matter presented to the Ethics Advisory Board for consideration relates to any issue or complaint which has been considered or acted upon at the department or agency level by any member of the Advisory Board or which involves any member of the Advisory Board or another person directly supervised by a member, then that member shall not

participate in the consideration of that particular matter and shall, for the purposes of that matter only, be replaced on the Advisory Board by:

1. The County Sheriff, if the member is the Prosecuting attorney;
2. The County Board Vice chairperson, if the member is the County Board Chairperson;
3. The County Clerk, if the member is the Director of Personnel.

It shall be the duty and function of the Ethics Advisory Board to issue interpretations and guidelines for the Ethical Standards, to prepare advisory opinions and rulings, and conduct investigative reviews upon complaints of violations of the Ethical Standards.

VII. COMPLAINTS AND PROCEDURES

A. Departmental Review. Any allegation of a violation of the code of Ethics for Delta County Government should first be filed with the official, agency director or department head that has supervisory responsibility for the office or department in which the violation is claimed to have occurred. Whenever possible, the complaint shall be acted upon and resolved through standard policies and procedures of the applicable county department or agency or through the County Personnel Policies.

B. Advisory Board Review. In the event that any allegations of a violation of the Code cannot, for whatever reason, be resolved through standard policies or procedures, then the complaint shall be made or referred to the Ethics Advisory Board for review and consideration.

The Ethics Advisory Board may, as it deems necessary, conduct an investigation of the complaint, which may include interviewing persons who may have knowledge of the facts of the complaint.

Upon completion of its review and/or investigation, the Ethics Advisory Board shall prepare a written report, stating its findings, conclusion, and recommendation on the Complaint.

If the Advisory Board finds that there is no merit to believe that a violation has occurred, then the Advisory Board shall immediately issue its finding, dismissing the complaint.

If the Advisory Board finds that there is cause to believe that a violation may have occurred, then the report of its finding and conclusions shall be:

- a. Submitted to the appropriate elected official, department head, or agency director and to the County Personnel Department, if the complaint involves an employee, for their review, consideration and action;
- b. Submitted to the County Administrator if the complaint involves a department head or agency director for his review, consideration and action;
- c. Submitted to the Board of commissioners if the complaint involves the County Administrator, an appointed official or member of any County board or commission, or any person acting as a representative on behalf of the County; and
- d. Submitted to the Ethics Review Commissioners or an elected official of the County.

VIII. ETHICS REVIEW COMMISSION

The Ethics Review Commission shall be composed of the following members:

1. The District Court Judge in the County;
2. Two citizens of the County designated in each case by the District Court Judge; and
3. Two persons designated by the official and/or employee who is the subject of the complaint.

The Ethics Review Commission shall review any report of the Ethics Advisory Board which is submitted to it and may, as it deems necessary, conduct further and additional investigation, including interviews or a hearing. Upon completion of its review and/or investigation, the Ethics Review Commission shall prepare a report stating its findings, conclusion and recommendations. If the Ethics Review Commission determines that no violation has occurred, then it shall immediately issue a ruling making that finding and dismissing the complaint. If the Review Commission determines that a violation has occurred, then it shall take such actions for enforcement, as it deems advisable, consistent with the provisions of this Code.

IX. REVIEW AND ACTION UPON REPORT

Any elected official, agency director or department head, and the County Administrator, and the Board of County Commissioners shall immediately review any report submitted to them by the Ethics Advisory Board and shall conduct any additional investigation, including interviews or a hearing, as they deem necessary. Upon completion of their review, if they determine that no violation has occurred, then they shall dismiss the complaint and take such action as may be advisable to conclude the matter. If they determine that a violation has occurred, then they shall direct action to be taken as they deem necessary and advisable, consistent with the provisions of the Code, to correct the violation and to enforce the Code of Ethics.

X. CONFIDENTIALITY

All proceedings of the Ethics Advisory Board, the Ethics Review Commission, the Board of County Commissioners, and any official, department or agency, in investigating and reviewing any ethics complaints shall be deemed as personnel matters and, thus, shall be confidential.

XI. SANCTIONS FOR VIOLATION

For any violation of the Code of Ethics, the following enforcement actions may be taken:

A. For employees of the County:

1. A written warning or reprimand be issued pursuant to the personnel policies; or
2. A notice of intent to suspend, demote or terminate the employee be issued pursuant to the personnel policies; or
3. A complaint be filed for action with the law enforcement officials; or
4. The matter be dismissed for lack of cause.

B. For elected officials of the County:

1. A public censure or reprimand be issued; or
2. A complaint be filed for action with the law enforcement officials; or
3. The matter be referred to the State Attorney General for consideration; or
4. The matter be dismissed for lack of cause.

C. For appointed officials of the County or persons acting as representatives on behalf of the County:

1. A public censure or reprimand be issued; or
2. Removal from the office or position, or termination of any contract, agreement or representative status; or
3. A complaint be filed for action with the law enforcement officials; or
4. The matter be dismissed for lack of cause.

Adopted: 06-06-90

DRUG AND ALCOHOL POLICY

OBJECTIVE:

Ensure a Drug Free Workplace. The increased use of drugs and alcohol in our society and, in particular, the work place has become a national problem. The misuse of drugs and alcohol is a serious problem for employees, their families, and the general public, as the costs, dangers and adverse effects are well documented. Unfortunately, the County of Delta cannot escape this national problem, and a formal policy is needed to clarify the County of Delta's action in these cases. This formal policy maintains the County of Delta's position that misuse of drugs or alcohol is unacceptable.

POLICY:

A. Introduction: It is the County of Delta's belief that the misuse of drugs, alcohol or any substance having a physiological, psychological or biochemical effect impairs employee health, employee performance and creates unsafe working conditions. The County of Delta is committed to maintaining a productive, safe and healthy work environment free of unauthorized drugs and unauthorized alcohol use. In implementing this policy, the County of Delta will encourage educational programs and, in appropriate circumstances, initiate rehabilitation or disciplinary measures.

B. County of Delta's Drug and Alcohol Policy

Drug Policy: The possession, distribution or sale of nonprescribed, unauthorized drugs by County of Delta employees while on the County of Delta premises or while engaged in the County of Delta business is prohibited. Further, the conviction of any drug related offense and the use of any nonprescribed controlled substances are considered violations of this policy.

Alcohol: The consumption, use or possession of any alcoholic beverages on the County of Delta premises is prohibited. Further, reporting to work while under the influence of alcohol by any employee is prohibited. Any employee with a blood alcohol level of .04 or above shall be construed as being under the influence of alcohol.

DEFINITIONS:

Unauthorized Drugs: For the purposes of this Policy, the term "unauthorized drugs" shall mean any substance other than an authorized substance, which is, or has the effect on the human body of being a narcotic, depressant, stimulant, hallucinogen or cannabin, their precursors, derivatives or analogues, and includes, but is not limited to, those substances scheduled as controlled substances pursuant to the Federal Controlled Substances Act.

Authorized Substances: Substances having a physiological, psychological or biochemical effect which are lawfully prescribed or which are available without a prescription, which are lawfully obtained by an employee and which the employee possesses and uses in the appropriate manner, in the dosages and for the purposes for which the substances were proscribed or manufactured, are considered "authorized substances" for the purposes of this

policy.

County of Delta Premises: County of Delta premises includes, but is not limited to, County of Delta owned, rented, used or leased property; County of Delta work site locations, County of Delta owned, rented or leased vehicles, or employee owned vehicles if being used to transport County of Delta program participants or employees on department business.

MEDICATION/SUBSTANCE REPORTING:

It is the employee's responsibility to notify the County Administrator in writing when he/she is taking any prescription or nonprescription medicine or substance which may impair his/her mental faculties and physical abilities. In all cases, when employees bring prescribed controlled substances onto the County of Delta premises, the Administrator shall be so notified in advance.

EMPLOYEE ASSISTANCE AND REHABILITATION:

Rehabilitation referral assistance is available for any employee who feels the need for assistance in dealing with any alcohol or drug problem.

Employees who feel they need assistance with drug or alcohol problems, are encouraged to volunteer for rehabilitation assistance before the problem leads to a situation which could jeopardize their employment. Employees who volunteer for such rehabilitation before they have performance problems or before the County of Delta is aware of a violation of its policies, will not be subject to discipline solely on the basis of their voluntary request for rehabilitation. Employees participating in an assistance and rehabilitation program for drug or alcohol treatment may use accumulated paid leave days or unpaid health leave during their absence in accordance with the applicable provisions of the County of Delta's policies.

LABORATORY TESTING:

The County of Delta will use laboratory testing to detect or confirm violations of this policy. Laboratory testing includes, but is not limited to, urinalysis, breath analysis and blood analysis. Reasonable suspicion laboratory testing may be initially undertaken only when two (2) or more supervisory staff members have a reasonable suspicion that the Policy may have been violated by the employee. Such reasonable suspicion testing may be based upon, among other things:

1. Observable phenomena, such as direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol.
2. A pattern of abnormal conduct or erratic behavior.
3. Arrest or conviction for a drug related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking.
4. Information provided either by reliable and credible sources or independently corroborated.

5. Newly discovered evidence that an employee has tampered with a previous drug test.

Although reasonable suspicion testing does not require certainty, mere “hunches” are not sufficient to meet this standard.

Laboratory testing may also be required in the event of a motor vehicle collision involving the transporting of County of Delta program participants or employees on department business. In all cases, when laboratory tests indicate a violation of this policy, a second test shall be promptly given to confirm these results. In the case of testing for drugs, the second test shall be by a different test methodology than that initially utilized. Laboratory test results shall be interpreted by the County of Delta’s Administrator and any consultants he may hire for such purpose and shall remain confidential, except as may be necessary for disciplinary purposes; for referral for employee assistance or medical treatment; or as may be ordered by a court of competent jurisdiction. The employee shall have access to their testing results.

Should employees have an initial positive test indication a violation of this Policy and remain in the County of Delta’s employment, the employee may be subject to unannounced follow-up laboratory testing for a period of two (2) years from the completion of any approved rehabilitation program. The County of Delta may also have all applicants for employment submit to such laboratory testing prior to employment and any positive results shall be grounds for withdrawing any offer of employment.

COOPERATION:

Employees are expected to cooperate with the enforcement of the County of Delta’s Policy, including providing consent to the County of Delta to conduct personal searches and laboratory testing to the extent authorized by this policy.

CRIMINAL OFFENSES:

Any employee charged with, or under investigation in connection with, a drug related criminal offense or an alcohol related criminal offense arising out of their employment, may be requested to undergo testing. Conviction may result in further discipline. Any employee convicted of a drug related criminal offense must notify the Administrator immediately and in all cases within five (5) days.

VIOLATIONS OF THE POLICY:

Any violation of the County of Delta’s Drug and Alcohol Policy, including refusal to consent to personal searches and laboratory testing will subject the employee to discipline, including discharge, for the first offense. The County of Delta’s Administrator may also take any or all of the following actions:

1. The Administrator may reassign the employee until the problem (s) is corrected.

2. The Administrator may require a health leave of absence immediately if medical conditions warrant the same. The employee may utilize accumulated personal leave days, vacation and comp time, however, if the employee is required to take a health leave of absence.

3. The Administrator may terminate the employment of the employee if the problem(s) is not corrected within one (1) year, or in the case of a nonprescribed unauthorized drug, the problem reoccurs after the initial incident.

4. The Administrator may refer the employee for treatment and may make compliance with any recommended rehabilitation program a condition of future employment.

5. The Administrator may take disciplinary actions in accordance with the County of Delta work rules and policies, including discharge.

EMPLOYER RIGHTS:

Notwithstanding the foregoing, any employee distributing, selling or discovered in the act of using unauthorized drugs on the County of Delta premises or while engaged in the County of Delta business will be subject to immediate discharge in all cases.

ADMINISTRATOR:

This Drug and Alcohol Policy shall not be construed to limit the Administrator's right to take other appropriate and immediate actions when deemed necessary in dealing with drug, alcohol or health related employee matters, provided such other actions are in accordance with the law.

New Policy: April 5, 1995

Effective: April 5, 1995

Revised:

ELECTRONIC MAIL AND INTERNET ACCESS POLICY (12-11-07)

Purpose

The purpose of the electronic mail (e-mail) system and Internet access is to assist the County of Delta's day-to-day conduct of business activities. This document sets forth the policies regarding the use of the e-mail, the Internet, and other telephonic communications equipment. The County of Delta reserves the right to change these policies at any time.

Ownership

The e-mail system is the property of the County of Delta. All electronic communication, and all other data and information transmitted by, received from, or stored in these systems, are the property of the County of Delta. E-mail messages either composed or received in this system may be subject to Freedom of Information Act requests and other legal disclosure.

Monitoring/Privacy

The County of Delta reserves the right to monitor all e-mail messages either composed or received in the e-mail system. It is possible that e-mail sent from the County of Delta's system can be intercepted on the system and on the Internet; therefore the user should not expect any degree of privacy regarding e-mail messages. E-mail messages deleted by the user may be retrievable from the hard drive, server backups, or the receiving or sending e-mail system.

Users

Only the County of Delta employees who have an e-mail account and passwords are permitted to use these systems. E-mail accounts will only be established once the employee has read the County of Delta's Electronic Mail and Internet Use Policy and has signed the County of Delta's Electronic Mail and Internet Access Policy Acknowledge form. Applicants must sign this form on acceptance of an employment offer by the County of Delta. Upon termination of employment, that user's e-mail account and privileges will be revoked.

Prohibited Uses

Certain uses of the County of Delta's e-mail system are not allowed. Use of the World Wide Web includes all restrictions that apply to the use of e-mail and other electronic equipment. Prohibited uses include, but are not limited to:

- Using e-mail for any purpose which violates State and Federal laws.
- Using e-mail or file sharing technology in a way that violates copyright laws.
- Use of internet radio and/or other streaming video or audio application.
- Infringement does not have to be deliberate to be actionable.
- Using e-mail to circumvent the Open Meetings Act.
- Browsing or use of restricted content web sites.
- Downloading of non-business related data.
- Downloading of non-approved applications programs.
- Misrepresenting one's identity to compose or intercept messages.
- Revealing your e-mail access code or password to another employee (there may be

exceptions, so obtaining written permission is advisable.

- Using e-mail for commercial purposes other than the business of the County of Delta.
- Using e-mail to communicate prejudice or otherwise create a hostile environment.
- Unauthorized use of e-mail for purposes of lobbying, or for solicitation.
- Creating offensive, disruptive, or malicious messages. These include, but are not limited to, messages which contain profanity, sexually explicit content, race, national origin or gender specific comments, threats, or harassment.
- Using e-mail for religious or political activities or other similar purposes.
- Using the e-mail system for gambling, betting pools, or investment clubs.
- Creating or forwarding Chain letters.
- Job hunting.
- Union Business including e-mail and Internet communications.
- Engaging in any e-mail activity that would create liability for the County of Delta.

Retention

For the purpose of records retention, e-mail documents are subject to the retention disposal schedule adopted by the County of Delta governing such e-mail documents.

Disclosure

E-mail documents are subject to the Michigan Freedom of Information Act to the same extent as, and with the same exemptions as, those applicable to paper documents. The County of Delta reserves the right to inspect any e-mail found in its system for its business activities and to disclose e-mail contents to appropriate personnel.

Roles & Responsibilities

The County of Delta's information technology administrator shall be responsible for establishing, maintaining, and monitoring all municipality-provided e-mail accounts. Requests for new Internet access accounts must be approved by the Administrator or his designee.

It is the responsibility of each user to retain to or purge e-mail at their workstation in accordance with applicable records retention law. Employees will not be held responsible for receipt of unsolicited non-business related e-mail ("spam"), but shall be obligated to delete such messages promptly. The IT administrator is responsible for the central purging and retention of e-mail on the County's file server.

Employees who share their Internet passwords with others and/or leave their computers unattended and logged in/unlocked with an open web browser may be held responsible for any consequent unauthorized usage.

Violation of Policy

Employees found in violation of this policy will be subject to progressive discipline in accordance with applicable law, labor agreements, and departmental rules and regulations, up to and including discharge.

E-mail Attachment Files

Due to the need to protect County of Delta and file servers from effects of computer viruses, worms, etc., all file downloads and e-mail attachments must be virus scanned at the time of download.

Policy Acknowledgment Form

The personnel department will provide copies of the Electronic Mail and Internet Access Policy Acknowledgement form to all current and future employees. All employees are required to read the policy and sign the form, a copy of which will be placed in their personnel file.

**Electronic Mail and Internet Access
Policy Acknowledgment Form**

This confirms that I have read and understood the Electronic Mail and Internet Access Policy. I understand that the electronic communication system (e-mail) is to be used for conducting the County of Delta's business, and that I am not permitted to access a file or retrieve any stored communication other than as authorized in the performance of my job duties. I further understand that all electronic communication systems and all information transferred by, received from, or stored in these systems, including e-mails, are the property of the Municipality of the County of Delta. I acknowledge that I have no expectation of privacy in connection with the use of this equipment or with the transmission, receipt, or storage of information in this equipment, including information for personal purposes.

I acknowledge and consent to the County of Delta monitoring my use of this equipment at any time at its discretion. Such monitoring may include printing and reading all e-mail messages entering, leaving, or stored in these systems. I also understand that any violation of the Electronic Mail and Internet Access policy may be cause for disciplinary action, up to and including discharge from employment.

The Municipality of the County of Delta reserves the right to change or amend its Electronic Mail and Internet Access Policy at any time, with or without notice.

The following employee, by his/her signature, indicates that the Electronic Mail and Internet Access Policy was read and understood. This notice is acknowledged by the employee.

Employee Name (Print) _____

Dated: _____ Employee Signature: _____

Dated: _____ Department Head: _____

SEXUAL HARASSMENT POLICY

PURPOSE: The purpose of this policy is to contribute to a quality work environment for all employees and future employees and to inform each person of their rights and their responsibilities in achieving that goal with respect to each person being free from intimidation, humiliation, insult, or from being subjected to offensive physical or verbal abuse or actions, direct or insinuated, based on a person's sex.

POLICY: The Employer fully supports and complies with the laws which are enacted to protect and safeguard the rights and opportunities of all people to seek, obtain and hold employment without being subjected or exposed to illegal harassment or discrimination in the work place. It is our policy to provide all employees with an environment which is free of harassment based on one's sex.

HARASSMENT DEFINED:

Sexual Harassment is defined as unwelcome sexual advance, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of employment.
2. Submission to or a rejection of such conduct by an individual is used as a basis for employment decisions; such as discharge, promotion, transfer, work assignments, etc.
3. Such conduct as the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

EXAMPLES OF HARASSMENT:

Any harassment that violates State or federal law will be unacceptable. Examples of harassment include:

1. Making derogatory comment, insults, suggestive remarks or jokes based on a person's sex;
2. Display of photographs, cartoons or drawings that would be offensive to a reasonable person;
3. Conduct which when viewed by a reasonable person would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment;
4. Propositions or requests for sexual favors;
5. Physical contact which is sexual in nature;
6. Stating or implying that deficient job performance is attributable to a person's gender;

7. Possession (while on employer's property or while working) of materials of any kind, such as magazines, calendars, etc., which are degrading to an individual or group on the basis of sex (or any other protected characteristic); and

8. The giving of unsolicited or inappropriate personal gifts (lingerie, sex books, or any gift inappropriate in nature.

COMPLAINT PROCEDURES:

Any employee who believes he or she has been the subject of any harassment should report the incident immediately to their supervisor and/or Personnel Director. The report should be made within three (3) days of the occurrence. The employee's supervisor shall then immediately notify the Personnel Director about the complaint. A complaint may be filed by an employee who was not the target of harassment or retaliation.

STEPS FOR FILING A COMPLAINT:

Step 1: The employee shall register his/her complaint initially with his or her immediate supervisor. The immediate supervisor will investigate the complaint and prepare a written report of the investigation. The supervisor will give the employee a written response to the complaint within three (3) working days. A copy of the report will be given to the personnel Director.

Step 2: Where the immediate supervisor was: (1) a participant in the prohibited activity; (2) condoned the activity; (3) failed to respond in writing within three days without good cause; or (4) the response is unsatisfactory, the employee may at his or her own choosing by-pass the immediate supervisor and submit a written complaint directly to the Personnel Director or other such person designated by the employer to handle the complaint (see attached form).

In those situations where a violation has been shown to have occurred, immediate action will be taken to remedy the situation. Further steps will be taken to discourage or prevent future reoccurrences. All complaints and actions taken to resolve such complaints will be treated confidentially, and will be disclosed only when necessary to the investigation and the resolution of the matter.

NON-RETALIATION POLICY:

The above policy not only strictly prohibits harassment but also prohibits any act of retaliation against any employee who in good faith, has filed a complaint pursuant to this policy. Any supervisor, agent or employee of the employer who is found to have taken actions determined to be retaliatory in nature against a complainant shall be subjected to immediate discipline up to and including immediate discharge. Any person who believes they were retaliated against for exercising his or her rights under this policy should immediately file a complaint.

CONCLUSION:

It is expected that all employees will fully cooperate and give their support to the policies and practices set forth above. Violations of this policy will not be permitted. Any employee or supervisor who violates this policy will be subjected to discipline up to and including discharge.

Adopted: January 3, 2001

CONFIDENTIAL

EMPLOYEE HARASSMENT COMPLAINT FORM

Thank you for bring your concern to our attention. We will try to promptly resolve your complaint. Feel free to keep in touch during the investigation process. Discussing your concern with your supervisor initially often results in a successful resolution. However, where you believe that your supervisor has engaged in and/or condoned activities that constitute harassment, you are not required to discuss this matter with your supervisor.

Have you held a discussion with your immediate supervisor?

YES _____ Date _____ No _____

If there was no such meeting, what was your reason for NOT bringing it to your supervisor's attention?

If you did discuss this matter with your supervisor, please state your supervisor's response to the complaint:

COMPLAINT

I. Please state the facts, events and circumstances that initiated filing this complaint. Please give a complete description of the event (s) and statements made. Within this statement, please give the names of the persons engaging in the alleged harassment, the dates they occurred, witness to the alleged harassment and your response (attach additional sheets if necessary).

II. Please state action or change (s) you are seeking in order to resolve this complaint (attach additional sheets if necessary).

Employee Name (Print) _____

Employee signature _____

VIOLENCE IN THE WORKPLACE POLICY

The County of Delta recognizes the need to provide for the safety and security of all employees and visitors. In so doing, the County is complying with Section 5(a), the Federal Occupational Safety and Health Act of 1970 (OSHA). Therefore, the County will not tolerate threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the County's property. This includes physical attacks, verbal or physical threats, and destruction of property, sexually harassment, intimidation, or abusive language.

DEFINITIONS:

Workplace Violence includes but is not limited to harassment, threats, stalking, physical attack, or property damage.

Threat is the expression by any means of an intention to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard as to whether the expression is contingent, conditional, or future.

Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, biting, spitting, throwing objects.

Property Damage is intentional damage to property including property owned, leased, or rented, by the County, employees, visitors or vendors.

PREVENTION:

The County supports the prevention of workplace violence. Prevention efforts include but are not limited to, informing employees of this policy, instructing employees of the dangers of workplace violence, communicating the sanctions imposed for violating this policy and providing a reporting procedure to report incidents of violence without fear of reprisal.

PROHIBITED ACTIONS AND SANCTIONS:

It is a violation of this policy to engage in any act of workplace violence, except for law enforcement personnel as authorized by law and within the confines of the Law Enforcement agency policies.

No employee or third party, excluding law enforcement personnel, is permitted to bring weapons or firearms in to the workplace, or onto the County's property, or within county vehicles.

Any person who, in the opinion of the immediate supervisor, poses a threat to himself or others, should be removed from the premises and shall remain off the County's premises pending the outcome of an investigation. Such removal of any employee will be immediately reviewed by the County's Crisis Management Team identified in this policy.

The County will initiate an appropriate response which may include, but is not limited to, reassignment of job duties, suspension or termination of employment, suspension and/or

termination of any business relationship, and/or criminal prosecution of the person or persons involved.

EMPLOYEE RESPONSIBILITY:

Employees will be given a copy of this policy along with an explanation of how it is to be implemented, such as how to report incidents of violence, what to do if the employee is threatened and/or if an incident of violence actually takes place. This policy will be reviewed with new employees during orientation.

In the workplace, an employee witnessing violence directed against another or him/herself, shall call a supervisor or 911, depending on the situation. The employee should also observe the situation and attempt to get information such as the name and description of the perpetrator, but only if it can be done without endangering the employee or others.

Any employee having knowledge of workplace violence involving any other employee (as victim or perpetrator) must report such an act to a supervisor or county Administrator immediately. Disciplinary action may result if the employee having knowledge of a suspected violent act fails to report the episode.

All employees who apply for or obtain a protective or restraining order which lists the County property or County facilities as being protected areas must provide this information to the director of his/her Department. The Director must report this information to the Sheriff.

The County and its employees shall cooperate fully with police and other law enforcement officials in the investigation and prosecution of violent acts.

The County understands the sensitivity and confidentiality of the information requested, and recognizes and will respect the privacy of the reporting employee(s) to the extent authorized by law.

All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for actual occurrence of workplace violence.

Recommendations for improved safety often come from suggestions from employees. These suggestions are encouraged and may be channeled through supervisors or the Administration Office.

IMPLEMENTATION:

Managing a Potentially Violent Situation:

Employees are expected to assist the general public and fellow employees in a courteous manner, but not subject themselves to abusive conduct if confronted by:

1. A distraught, harassing or abusively angry person.
 - a. If a person becomes angry or abusive, the employee should courteously attempt

to calm the person down. If that does not work, the employee shall ask a supervisor to intervene.

2. A person threatening bodily harm.

If an employee feels that he/she or another person is threatened and in danger of imminent bodily harm:

- a. The employee should attempt to leave the scene, if it can be done safely.
- b. If the supervisor is not aware of the situation, the employee must notify the supervisor as soon as it can be done safely.
- c. If the situation warrants, the appropriate Law Enforcement Agency must be notified.
- d. Push the panic button to alert the Sheriff's Department.

REPORTING INCIDENTS - INTERNAL AND EXTERNAL:

Each incident of violent behavior, whether committed by another employee or an external individual, must be reported to a Department Director or County Administrator. The Department Director or County Administrator will assess and investigate the incident and determine the appropriate action to be taken. The Director of Administration and Finance must be informed of all reported incidents of workplace violence. (See attached report form)

In critical incidents in which serious threat or injury occurs, emergency responders such as Public Safety (Police/Fire) and/or Ambulance personnel must be notified immediately. As necessitated by the seriousness of the incident, the Director of Administration and Finance may assemble a Crisis Management Team to establish the protocol to be followed in the aftermath of a violent incident.

CRISIS MANAGEMENT TEAM

The Crisis Management Team may consist of the County Board Chairman, the Director of Administration and Finance, Sheriff, Prosecutor, and others as deemed necessary. The Crisis Management Team is responsible for the following:

- * evaluating potential violence problems
- assessing an employee's fitness for duty (through medical and/or mental health professionals)
- selecting intervention techniques
- establishing a plan for the protection of co-workers and other potential targets
- Coordinating with victims, families, other employees, media, and law enforcement personnel.

CONFIDENTIAL INCIDENT REPORT

To: _____ Date of Incident: _____

From: _____ Location of Incident: _____

Phone: _____ Time of Incident: _____

Nature of the incident (xx all applicable)

- _____ Preventive or warning report
- _____ Bomb or terrorist type threat
- _____ Transportation accident
- _____ Contracts with objects or equipment
- _____ Falls
- _____ Exposures
- _____ Fires or explosions
- _____ Other _____

Legal counsel advised of incident: Yes No

EAP advised: Yes No

Warning or preventative measures: Yes No

Number of persons affected: _____

(For each person complete a report; however, to the extent facts are duplicative, any person's report may incorporate another person's report.)

Name of the affect person(s): _____ Service date: _____

Member of labor organization: Yes No

Supervisor: _____

Has supervisor been notified: Yes No

Family has been notified by: _____

Lost work time: Yes No

Anticipated return to work: _____

Third parties or non-employee involvement: Yes No

(Include contractor and lease employees, visitors, vendors, customers)

Nature of Incident: _____

Briefly describe: (use back of form)

(1) event(s); (2) witnesses and addresses and status included; (3) location details; (4) equipment/weapon details; (5) weather; (6) other records of the incident (e.g. police report, recordings, videos); (7) the ability to observe and reliability of witnesses; (8) were the parties possible impaired because of illness, injury, drugs or alcohol (were tests taken to verify same Yes No); (9) parties notified internally (employees, relations, medical, legal operations, etc.) And externally (police, fire, ambulance, EAP, family, etc.)

Previous or related incidents of this type or by this person: Yes No

Preventative Steps: Yes No

OSHA Log or other OSHA action required: Yes No

Incident Response Team:

Team Leader:

VIOLENCE INCIDENT REPORT

A reportable violent incident should be defined as any threatening remark or overt act of physical violence against a person(s) or property whether reported or observed.

1. Date

Day of the Week:

Time:

Assailant: Female Male

2. Violence directed towards

Assailant:

Assailant's Name:

Assailant: Unarmed Armed(weapon)

3. Description of Violence:

Physical abuse:

Verbal abuse:

Other:

4. Detailed description of the incident:

5. Did any person leave the area because of incident?

Yes No Unable to determine

6. Present at time of incident

Police Name of Department

7. Termination of incident:

Incident diffused Yes No

Police notified Yes No

Assailant arrested Yes No

8. Disposition of assailant:

Stayed on premises

Escorted off premises

Left on own

Other

9. Report completed by:

Title:

Witnesses:

Supervisor notified: Time:

Please put additional comments, according to numbered section on reverse side of form.

WRITTEN HAZARD COMMUNICATION PROGRAM

General

The following hazard communication program has been established for the County of Delta. This program will be available for review by all employees.

Hazard Determination

The County of Delta will rely on material safety data sheets obtained from product suppliers to meet hazard determination requirements.

Labeling

- A. Each Department Head will be responsible for seeing that all containers entering the workplace are properly labeled.
- B. All labels shall be checked for:
 - 1. Identity of the material.
 - 2. Appropriate hazard warning for the material.
 - 3. Name and address of the responsible party.
- 1. Each Department Head shall be responsible for ensuring that all portable containers used in their work area are labeled with the appropriate identity and hazard warning.

Material Safety Data Sheets (MSDSs)

A. The Administrative Office will be responsible for compiling and maintaining the master MSDS file. The file will be kept in the Administration Office, Room 222, Delta County Courthouse.

B. Additional copies of MSDSs for employee use are located in the Administration Office, the County clerk's Office, and the Building Maintenance Office at the Delta County Courthouse and the Building Maintenance Office at the Delta County Service Center.

C. MSDSs will be available for review to all employees during each work shift. Copies will be available upon request to the Administrator.

D. Posters identifying the person responsible for maintaining MSDSs and where the MSDSs are located are posted at the three main entrances of the Delta County Courthouse and at the MSU Office and the Building Maintenance Office at the Delta County Service Center. Posters notifying employees when new or revised MSDSs are received will be located in the same location(s).

E. If a required MSDS is not received, the Department Head will contact the supplier, in writing (copy of document to the Administration Office), to request the MSDS. If an MSDS is not received after two such requests, the Department Head shall contact the MIOSHA's Division of Occupational Health (DOH) at (517) 335-8250, or General Industry Safety Division (GISD) at

(517) 322-1831, for assistance in obtaining the MSDS.

Employee information and training

- A. The Administrator shall coordinate and maintain records of employee hazard communication training.
- B. Before exposure may occur, each new employee will attend a hazard communication training class. The class will provide the following information:
 - 1. Chemicals in the workplace and their hazards.
 - 2. How to lessen or prevent exposure to these chemicals.
 - 3. What the company has done to lesson or prevent employee exposure to hazardous chemicals.
 - 4. Procedures to follow if employees are exposed to hazardous chemicals.
 - 5. Where to locate MSDSs and who to contact to obtain copies of MSDSs.
 - 6. How to read and interpret labels and MSDSs.
- A. The employee shall be informed that:
 - 1. The employer is prohibited from discharging, or discriminating against, an employee who exercises his/her rights to obtain information requiring hazardous chemicals used in the workplace.
 - 2. As an alternative to requesting an MSDS from the employer, the employee can seek assistance from the DOH at (517)335-8250, or the GISD, at (517)322-1831, to obtain the desired MSDS. A sign will be posted with the address and telephone number of the Departments responsible for such requests.

Confirmation of employee training (i.e., attendance roster) will be maintained by the Administration Office.

Before any new hazardous chemical is introduced into the workplace, each employee who may be exposed to the substance will be given information in the same manner as during the hazard communication training class.

Hazardous Non-routine Tasks

It is the County of Delta's policy that no employee will begin work in a confined space or in any non-routine task without first receiving a safety briefing from their immediate supervisor.

Informing Contractors

- 1. It is the responsibility of the Department Head to provide contractors and their employees with the following information:
 - Hazardous chemicals they may encounter.
 - Measures the employees may take to lessen risk.
 - MSDSs for all hazardous chemicals are on file in the department office.

Procedures to follow if they are exposed.

The Department Head will coordinate with the contractor's supervisor to insure that the contractor's employees are given this information prior to entering the work site.

Pipes and Piping Systems

Information on the hazardous contents of pipes and piping systems will be identified by:

Natural gas - yellow

List of Hazardous Chemicals

A list of all hazardous chemicals used by the County of Delta is available at the Administration Office, the County Clerk's Office and the Building Maintenance Office at the Delta County Courthouse and the Building Maintenance Office at the Delta County Service Center. Further information regarding any of these chemicals can be obtained by reviewing its respective MSDS. Materials which can be purchased by the ordinary household consumer, and which are used in the same fashion and amount as by the ordinary household consumer, are not required to be included in this list.

ACKNOWLEDGEMENT AND RECEIPT REGARDING EMPLOYEE HANDBOOK

To be signed by the holder of this Employee Handbook and returned to Administration Office.

I have received and carefully read the Employee Handbook, and the rules and regulations contained therein. I agree to respect and follow them during my term of employment by the County. I understand that we are governed by the policies and procedures of County.

I understand that the County reserves its right to prospectively modify, change, or cancel at any time without notice all or any part of the Handbook's contents at will, as circumstances may require.

The contents of this Handbook are presented as a matter of information only and are not to be understood or construed as a promise or contract of employment between the County and its employees.

I further understand that my employment with the County is for no definite term, and is "at will" of both parties. I understand that my employment by County can be terminated at any time, with or without cause, and that I have a corresponding right to resign, at any time, with or without cause. I further understand and agree that this "at will" employment relationship cannot be altered or modified by any supervisor or officer of the County, unless such alteration is a written employment contract signed by the Chairman of the Board of Directors of the County.

I understand that I am encouraged and obliged to report any unlawful discrimination, harassment or retaliation and understand that I may not be retaliated against for doing so, or otherwise exercising my right to be free from unlawful discrimination, harassment or retaliation.

Employee Name (Print) _____

Dated: _____

Signature of Employee

ACKNOWLEDGEMENT AND RECEIPT REGARDING EMPLOYEE HANDBOOK

To be signed by the holder of this Employee Handbook and returned to Administration Office.

I have received and carefully read the Employee Handbook, and the rules and regulations contained therein. I agree to respect and follow them during my term of employment by the County. I understand that we are governed by the policies and procedures of County.

I understand that the County reserves its right to prospectively modify, change, or cancel at any time without notice all or any part of the Handbook's contents at will, as circumstances may require.

The contents of this Handbook are presented as a matter of information only and are not to be understood or construed as a promise or contract of employment between the County and its employees.

I further understand that my employment with the County is for no definite term, and is "at will" of both parties. I understand that my employment by County can be terminated at any time, with or without cause, and that I have a corresponding right to resign, at any time, with or without cause. I further understand and agree that this "at will" employment relationship cannot be altered or modified by any supervisor or officer of the County, unless such alteration is a written employment contract signed by the Chairman of the Board of Directors of the County.

I understand that I am encouraged and obliged to report any unlawful discrimination, harassment or retaliation and understand that I may not be retaliated against for doing so, or otherwise exercising my right to be free from unlawful discrimination, harassment or retaliation.

Employee Name (Print) _____

Dated: _____

Signature of Employee

Sign and Return this page to the Administration Office.